

Eleventh Regular Meeting
November 9, 2021

The Eleventh Regular Meeting of 2021 was held on November 9, 2021 and was called to order by the Chair at 12:00 P.M. Eight Legislators were present with Legislator Weston being absent.

Chair Sauerbrey asked for a moment of prayer. "God, we thank you for the blessings you give us each day. We ask for your guidance for this Legislature as we make decisions for all the people we represent in Tioga County. We especially pray and remember our active military and veterans as we approach Veteran's Day."

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

There were 34 people in attendance.

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

Legislator Standinger read and presented the following resolution to Beth Bailey, Employment Counselor, Tioga Career Center.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 233-21 *RESOLUTION RECOGNIZING BETH BAILEY'S
23 YEARS OF DEDICATED SERVICE TO
TIOGA COUNTY*

WHEREAS: Beth Bailey was appointed to the position of Employment Counselor on November 12, 1998; and

WHEREAS: Beth Bailey has been an asset to the Tioga County Career Center and has been an outstanding agency representative. She has strived for quality in all aspects of her job; and

WHEREAS: Beth Bailey has been dedicated and loyal in the performance of her duties and responsibilities during the past 23 years. She is well-respected by customers, co-workers, and her colleagues throughout Tioga County and she has

used her extensive knowledge effectively to collaborate with state, local and community agencies and services to assist customers; and

WHEREAS: Beth Bailey will retire on December 4, 2021; 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 Beth Bailey for her 23 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 loyal, dedicated and outstanding employee, Beth Bailey.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Standinger spoke. "I just want to congratulate you on 23 years. I know you are going to be missed."

Sheri McCall, Tioga Career Center Manager, spoke. "Beth and I actually went to high school together. When JTPA turned into WIA, I ran into her and she was just leaving Robert Packer Hospital and we needed a position to start this new resource room concept, a one-stop office concept, and I nominated Beth. Beth came over and filled out an application. I do not know if anyone remembers Dick Lindhorst, but he came to me and said he interviewed Beth and agreed that she was qualified for the position. He indicated it was a great interview and she has all the qualifications we need and would be a good fit except Beth might have been one of the ones back in high school (20 years ago) that might have had a crush on me.

Needless to say, Beth was hired. Since that time, Beth has worked to improve the services of the Tioga Career Center. She has taken on new tasks, she was instrumental in creating the Tools for Success to work with the Probation Department in providing ex-offenders with information on how to job search, how to get their certificates of release, how to get their criminal records to reflect accurate information, and she has worked with the Trade Adjustment Assistance (TAA) Program for those who lose their jobs due to foreign trade.

As I think about what I need to refresh for me to do now, I think we are going to rescind this retirement. I started this job temporarily 24 years ago because my parents needed to be taken care of and Beth is leaving us to go and take care of her parents. It is a noble reason. We are going to miss her, but we understand that in life you have to make changes to meet your life's needs.

I want to sincerely thank Beth for 23 years of service and all her time and effort she has put into serving the customers of Tioga County."

Chair Sauerbrey reported the following recognition resolution for Maryanne Malec, Probation Department, will just be noted in the minutes, as Ms. Malec was unable to attend today's meeting.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 234-21 *RESOLUTION RECOGNIZING
MARYANNE MALEC'S 22 YEARS OF
DEDICATED SERVICE TO TIOGA COUNTY*

WHEREAS: Maryanne Malec began her employment with Tioga County on May 13, 1999 as a Public Safety Dispatcher at the Tioga County Sheriff's Office. On April 2, 2001, Maryanne was promoted to Caseworker at Tioga County Department of Social Services. On January 21, 2019, she was promoted to Probation Officer 1 which is the position she will retire from; and

WHEREAS: Maryanne Malec has been a dedicated and loyal employee in the performance of her duties and responsibilities during the past 22 years; and

WHEREAS: Maryanne Malec will retire on October 30, 2021; 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 Maryanne Malec for her twenty-two years of dedicated and loyal service to Tioga County and its most vulnerable citizens; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this loyal, dedicated and outstanding employee, Maryanne Malec.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED UNANIMOUSLY.

Chair Sauerbrey reported the following recognition resolution for Robert Spallone, Jr., Sheriff's Office, will just be noted in the minutes, as Mr. Spallone was unable to attend today's meeting.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 235-21 *RESOLUTION RECOGNIZING
ROBERT SPALLONE'S 25 YEARS OF
DEDICATED SERVICE TO TIOGA COUNTY*

WHEREAS: Robert Spallone was hired as a Corrections Officer on September 24, 1996; and was promoted to Corrections Sergeant on November 27, 1999; and was appointed as a Deputy Sheriff on May 27, 2000; and

WHEREAS: Robert Spallone has been dedicated and loyal in the performance of his duties and responsibilities during the past 25 years to Tioga County, thereby earning the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: Robert Spallone will retire from the Tioga County Sheriff's Office on October 30, 2021; 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 Robert Spallone for his 25 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, Robert Spallone.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED UNANIMOUSLY.

Chair Sauerbrey reported we have two Proclamations recognizing *Salute to Tioga County Employee Veterans and Active Military Day* and *Adoption Awareness Month*.

Chair Sauerbrey reported she will read the Salute to Tioga County Employee Veterans and Active Military Day proclamation, along with presenting certificates and green lightbulbs for each veteran and active military honoree.

Chair Sauerbrey spoke. "Before I read the proclamation, I want to provide a little background information. This is the first year we have done anything like this. Through my new position with New York State Association of Counties (NYSAC), I was made aware of the Green Light Program, which is lighting up your houses with a green light to remember our veterans, especially those coming home from Iraq and Afghanistan. We encourage the public to take part by replacing your outdoor porch light with a green light especially this week, as we remember, acknowledge, and appreciate our veterans and active military.

"So, I got thinking and I knew that in this building there were about four employees who are veterans. This led me to working with Personnel to see if they have a current countywide list of employees who are veterans and active military. Personnel worked together to compile a comprehensive list of employees who are veterans and active military. We decided that today would be the day that we recognize and appreciate our active military and veterans."

County of Tioga
EXECUTIVE PROCLAMATION

WHEREAS: As we approach the season of Thanksgiving, the Tioga County Legislature pays tribute to the millions of service members, veterans, military families, caregivers, and survivors who have served and continue to serve our great Nation. The contributions of the men and women that serve in the Armed Forces has been vital in maintaining the freedoms and way of life enjoyed by our citizens; and

WHEREAS: The Tioga County Legislature appreciates the sacrifices that our United States military personnel have made while defending freedom and believe that specific recognition should be accorded to employees of Tioga County that have selflessly served our Country; and

WHEREAS: The Tioga County Legislature is proud and honored to have such distinguished men and women who have bravely protected our values, freedom, and way of life, as dedicated employees; and

WHEREAS: The Tioga County Legislature would like to especially recognize the following employees who have served, or are currently serving, our Country:

| | | | |
|--------------------|--------------------|--------------------------|----------------------|
| Lawrence Alger | Bonnie Hand | Jeremy Loveland | Jeffrey Shepardson |
| William Allen, Jr. | Brian Henry | Camille Mattison-Corneby | William Standing III |
| Warren S Bennett | Earl Hollenbeck | Grace Middaugh | John Ward |
| Cody Brunner | Rita Hollenbeck | Michael Middaugh | Steven Wasko |
| Kristine Budinger | Gary Howard | Dean Morgan | William White |
| James Cornell | Lukas Kiballa | Jessica Morris | Darion Wiant |
| Chad Edwards | Andrea Klett | Dennis Mullen | Robert Williams |
| Robert Ervay | Albert Knapp | Steven Palinosky | Jo Ellen Yoest |
| Thomas Gallagher | Cuylar Kochin | Rhonda Pasto | Angela Zito |
| Bryan Goodrich | Heather Krohmalney | Shawn Quick | |
| Mark Griep | Clifford Little | Daniel Rouse | |

THE TIOGA COUNTY LEGISLATURE does hereby proclaim November 9, 2021 as:

SALUTE TO TIOGA COUNTY EMPLOYEE VETERANS AND ACTIVE MILITARY DAY

and encourages Tioga County citizens to honor, acknowledge and recognize all men and women who have served, and continue to serve, in our nation's Armed Forces.

The proclamation for Adoption Awareness Month has been read and presented in year's past, therefore, will just be noted in the minutes.

**County of Tioga
EXECUTIVE PROCLAMATION**

This November marks the 31st annual National Adoption Month. November 20, 2021 is National Adoption Day. Our task is to find permanent homes for all our

children. Tioga County has not finalized any adoptions this year to date. Tioga has four children freed for adoption and three of those youth are awaiting a match with a forever family. Every child in America and Tioga County deserves a permanent, loving forever family and home; and

WHEREAS: Tioga County adoptive families serve as a source of love, identity, self-esteem and support for children freed for adoption in Tioga County; and

WHEREAS: Tioga County adoptive families provide a safe and stable home and a nurturing environment where children freed for adoption have the opportunity to live full and productive lives; and

WHEREAS: Accepting responsibility for the care of these children has proven to be very rewarding for many adoptive parents; and

WHEREAS: Numerous public and private agencies work to increase the public's awareness of the needs of children freed for adoption, and the enduring and valuable contribution of adoptive families; and

WHEREAS: It is appropriate to recognize all those in Tioga County who work together on behalf of children freed for adoption; the adoptive families and the professional staff dedicated to ensuring these children become members of a stable and loving family; now therefore

THE TIOGA COUNTY LEGISLATURE does hereby proclaim November as

ADOPTION AWARENESS MONTH

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

There was no privilege of the floor.

Legislator Monell made a motion to approve the minutes of October 12, 2021, seconded by Legislator Hollenbeck and carried.

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

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 236-21 APPOINT NEW YOUTH BOARD MEMBERS TERMS
YOUTH BUREAU

WHEREAS: The Tioga County Youth Board is organized as an advisory body to the Tioga County Youth Bureau; and

WHEREAS: The purpose of the Youth Board is to carry out the provision of Section 95 of the General Municipal Law of the State of New York and Resolution No. 140 of 1981 of the Tioga County Legislature; and

WHEREAS: The Tioga County Youth Board Bylaws provides for representatives to the Youth Board be appointed by the County Legislature; and

WHEREAS: The County Legislature previously appointed members to the Youth Board under Resolution No. 60-19 and vacancies exist; therefore be it

RESOLVED: That the following listed representatives be appointed as a member of the Tioga County Youth Board with the corresponding term of office as follows:

| | TERM |
|--|-------------------------|
| Julie Whipple (Director, replacing Natalie Thompson) | 07/01/2021 – 12/31/2023 |
| Natalie Thompson (Ex-officio) | 07/01/2021 – 12/31/2023 |
| Eric Silvanic (Tioga County DSS, replacing Steve Herbert) | 07/01/2021 – 12/31/2023 |
| Sean Lanning (Catholic Charities, replacing Kathleen Clark) | 09/01/2021 – 12/31/2023 |
| Margaret McCann (Owego Free Academy Student, replacing Ryleigh Clark) | 07/01/2021 – 12/31/2023 |

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 237-21 RESOLUTION APPOINTING NEW MEMBER
TO COMMUNITY SERVICES BOARD

WHEREAS: Tina Lounsbury has agreed to become a new member; and

WHEREAS: The Community Services Board has recommended Tina's appointment; and

WHEREAS: Section Article 41.11 (d) of the Mental Hygiene Law allows counties to determine the length of term of Community Services Board members; therefore be it

RESOLVED: That Tina Lounsbury be appointed a new member to the Community Services Board, for term starting December 1st, 2021 and ending November 30th, 2025.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 238-21 REAPPOINT AT-LARGE MEMBER TO THE
STERPDB REGIONAL BOARD

WHEREAS: The bylaws of the Southern Tier East Regional Planning Development Board (STERPDB) require the composition of the membership from each county to be 1) a county legislator, 2) a local elected official, another county legislator or an at-large and 3) the County Planning Director; and

WHEREAS: Brittany Woodburn, Tioga County Deputy Director Economic Development and Planning, has served as the at-large member on the STERPDB Regional Board and that term expires as of 12/31/2021; and

WHEREAS: Brittany Woodburn has expressed a desire to continue to serve in this capacity and the STERPDB Regional Board is desirous of Brittany Woodburn to continue to serve for another four-year term; therefore be it

RESOLVED: That the Tioga County Legislature hereby reappoints Brittany Woodburn to the Tioga County's at-large position on the Southern Tier East Regional Planning Development Board for a four-year term, 1/1/2022 – 12/31/2025.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 239-21 *REAPPOINT CHRISTINA BROWN
TO THE TIOGA COUNTY PROPERTY
DEVELOPMENT CORPORATION BOARD*

WHEREAS: Christina Brown, as a member of a County Agency within Tioga County, was appointed by the Tioga County Legislature as a Board Member to the Tioga County Property Development Corporation (TCPDC) for a three-year term from 1/1/19 until 12/31/21; and

WHEREAS: The TCPDC Bylaws allows for consecutive terms and this re- appointment is conditioned upon the board member being a member of a public agency; and

WHEREAS: Christina Brown is willing and able to continue to serve in this position; therefore be it

RESOLVED: That the Tioga County Legislature hereby reappoints Christina Brown as a member of a County Agency within Tioga County to the Tioga County Property Development Corporation Board as a Board Member for a three-year term of 1/1/22 – 12/31/24.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 240-21 *REAPPOINT MICHAEL BARATTA
TO THE TIOGA COUNTY PROPERTY
DEVELOPMENT CORPORATION BOARD*

WHEREAS: Michael Baratta, as a public officer of a municipality within Tioga County, was appointed by the Tioga County Legislature as a Board Member to the Tioga County Property Development Corporation (TCPDC) for an unexpired term until 12/31/21; and

WHEREAS: The TCPDC Bylaws allows for consecutive terms and this re- appointment is conditioned upon the board member holding the public office and confirmed by the governing board of the municipal representative's municipality; and

WHEREAS: Michael Baratta is willing and able to continue to serve in this position; therefore be it

RESOLVED: That the Tioga County Legislature hereby reappoints Michael Baratta, as a public officer of a municipality within Tioga County, to the Tioga County Property Development Corporation Board as a Board Member for a two-year term of 1/1/22 – 12/31/23.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 241-21 REAPPOINT PATRICK AYRES
TO THE TIOGA COUNTY PROPERTY
DEVELOPMENT CORPORATION BOARD

WHEREAS: Patrick Ayres, as a public officer of a municipality within Tioga County, was appointed by the Tioga County Legislature as a Board Member to the Tioga County Property Development Corporation (TCPDC) for an unexpired term until 12/31/21; and

WHEREAS: The TCPDC Bylaws allows for consecutive terms and this re- appointment is conditioned upon the board member holding the public office and confirmed by the governing board of the municipal representative's municipality; and

WHEREAS: Patrick Ayres is willing and able to continue to serve in this position; therefore be it

RESOLVED: That the Tioga County Legislature hereby reappoints Patrick Ayres as a public officer of a municipality within Tioga County to the Tioga County Property Development Corporation Board as a Board Member for a two-year term of 1/1/22 – 12/31/23.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 242-21 ADOPT STATE EQUALIZATION REPORTS

RESOLVED: That the State Equalization Reports for County Tax be and the same hereby are approved, and that the County tax rates be the rates used in computing taxes in the several Towns.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 243-21 MORTGAGE TAX DISTRIBUTION

RESOLVED: That the mortgage tax report for the period April 1, 2021 to September 30, 2021 be and it hereby is accepted; and be it further

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

| | |
|-------------------------|--------------|
| Barton (Town) | \$ 21,905.60 |
| Berkshire (Town) | 12,946.79 |
| Candor (Town) | 28,394.15 |
| Candor (Village) | 5,684.45 |
| Newark Valley (Town) | 23,664.73 |
| Newark Valley (Village) | 5,378.96 |
| Nichols (Town) | 8,593.61 |
| Nichols (Village) | 3,570.61 |
| Owego (Town) | 182,099.86 |
| Owego (Village) | 16,138.20 |
| Richford (Town) | 7,349.27 |
| Spencer (Town) | 20,684.97 |
| Spencer (Village) | 658.38 |
| Tioga (Town) | 18,792.34 |
| Waverly (Village) | 23,172.31 |
| | <hr/> |
| | \$379,034.23 |

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 244-21 *AUTHORIZE CONTRACT BETWEEN
TWIN TIER PATHOLOGY ASSOCIATES, PC
AND TIOGA COUNTY*

WHEREAS: Beginning January 1, 2022 Twin Tier Pathology Associates, PC will provide services for autopsies, laboratory testing, x-rays, and use of morgue facilities for Tioga County; and

WHEREAS: The contract calls for \$950.00 to be paid to Pathologists and various other fees depending on tests, x-rays, etc. that are needed; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Tioga County Chair to sign a contract, upon approval of the County Attorney, with Twin Tier Pathology Associates, PC for services rendered to Tioga County at the costs listed above and for a term of 1/1/22 through 12/31/22.

Legislator Standinger spoke. "The freezing of this fee is the result of the work of the Administrative Coroner, Stew Bennett. So, I thank him for that."

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 245-21 *AUTHORIZE PURCHASE OF EMPLOYER'S LIABILITY INSURANCE FOR WORKERS' COMPENSATION PROGRAM*

WHEREAS: The Tioga County Self-Insurance Plan's employer's liability insurance policy will expire December 31, 2021; and

WHEREAS: The continuance of an employer's liability insurance policy helps to limit exposure to the Tioga County Self-Insurance Plan; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the purchase of employer's liability insurance, subject to review by the County Attorney, for the period of January 1, 2022 through December 31, 2022 to be paid for out of the 2022 Tioga County Self-Insurance Plan budget.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 246-21 *AUTHORIZE THE SALE OF COUNTY OWNED PROPERTY LOCATED IN THE TOWN OF TIOGA TO MICHELLE L. STEBBINS*

WHEREAS: Property located in the Town of Tioga assessed to Bryan Tinnel, identified as Tax Map number 106.19-1-18, parcel number 1646, owes 2018, 2019, 2020 and 2021 taxes and is past the last date of redemption; and

WHEREAS: Lory Tinkham was the closing bidder with the winning bid of \$12,500 and placed a \$3,950 deposit paid at the Foreclosure Auction held on October 7, 2021 and has defaulted by not appearing at closing with forfeiture of the \$3,950; and

WHEREAS: The Treasurer has approached the second bidder Michelle L. Stebbins, hereby making an offer to purchase said property for \$12,000, "as is", thereby placing the property back on the tax rolls; therefore be it

RESOLVED: That the County rescinds its previous resolution to sell said property to Lory Tinkham, the closing bidder with \$3,950, paid at the Foreclosure Auction held on October 7, 2021, by Default of Appearance at closing, with forfeiture of the \$3,950; and be it further

RESOLVED: That the Chair of the Tioga County Legislature be and hereby is authorized to sign and record on receipt of \$12,000 and recording costs, a Quit Claim Deed conveying the property assessed to Bryan Tinnel located in the Town of Tioga identified on the Town of Tioga Tax Map as number 106.19-1-18, parcel number 1646, to Michelle L. Stebbins and/or assigns.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 247-21 *AMEND 2021 BUDGET &
AUTHORIZE APPROPRIATION OF FUNDS
FROM FMAS RESERVE*

WHEREAS: Tioga County established a Financial Management Accounting System (FMAS) Capital Reserve Account; and

WHEREAS: The original contract per Reso 230-14 with Tyler Technologies still had remaining days available for training & additional services from Tyler Technologies, outside the scope of the original contract; and

WHEREAS: Costs for additional training are to be charged to H1325 540140 Contracted Services as they are associated with the Treasurer's Capital Account; and

WHEREAS: Legislative Approval is needed to modify the 2021 Budget; and

WHEREAS: Costs for the additional implementation should be reimbursed through the Financial Management Accounting System (FMAS) Capital Reserve Account H 387808 which requires appropriating funds from the reserve as well as Legislative approval; therefore be it

RESOLVED: That the additional costs, estimated at \$7,500.00 for Munis Training and Implementation, be funded and the Treasurer's Capital Account be modified as follows:

| | | | |
|-------|--------------|------------------------------|------------|
| FROM: | H 387808 | FMAS Capital Reserve Account | \$7,500.00 |
| TO: | H1325 540140 | Treasurers Capital Account | \$7,500.00 |

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 248-21 *AWARD 2021 CRIMINAL JUSTICE
DISCOVERY REFORM GRANT
DISTRICT ATTORNEY*

WHEREAS: The District Attorney's Office has been awarded a grant of \$119,933.00 from the New York State Division of Criminal Justice Services; and

WHEREAS: The grant will be used to offset expenses related to criminal justice services in Tioga County; therefore be it

RESOLVED: That the District Attorney's budget be allowed to accept the awarded Criminal Justice Discovery Reform Grant in the amount of \$119,933.00.

To: A1165 430891 State Aid Grant-Discovery Reform \$119,933.00

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 249-21 *AWARD 2021 EMERGENCY MANAGEMENT
PLANNING GRANT (EMPG21)
EMERGENCY SERVICES*

WHEREAS: The Tioga County Office of Emergency Services has been awarded a matching grant of \$23,664 by the New York State Division of Homeland Security and Emergency Services (NYS DHSES); and

WHEREAS: The matching grant will be used to offset \$23,664 of budgeted salary costs; therefore be it

RESOLVED: That the Emergency Services Office be allowed to accept the awarded 2021 Emergency Management Planning Grant in the amount of \$23,664 and appropriate it to account A3640.443050.EMPG21 Federal Aid-Civil Defense.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ITCS COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 250-21 *AUTHORIZE THE TRANSFER OF FUNDS FOR ITCS*

WHEREAS: ITCS is in need of a standup desk and chair; and

WHEREAS: The funds are available in another account; and

WHEREAS: The Information Technology CIO has approved the purchase of said items; therefore be it

RESOLVED: That the budgeted funds be transferred as follows:

| | | |
|-------|--------------|----------|
| From: | A1680 540420 | \$531.00 |
| To: | A1680 520070 | \$171.00 |
| | A1680 520010 | \$360.00 |

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 251-21 *TRANSFER OF FUNDS
2021 BUDGET MODIFICATION
COUNTY LIABILITY INSURANCE FUND*

WHEREAS: The funds budgeted for 2021 CI1910 540270 Insurance Premiums will be exceeded in November 2021; and

WHEREAS: The 2021 CI1930 540270 Liability Claims has budgeted funds available for transfer; and

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

RESOLVED: That budgeted funds be transferred as follows:

| | | |
|-------|----------------------------------|-------------|
| From: | CI1930 540270 Insurance Claims | \$ 4,000.00 |
| To: | CI1910 540270 Insurance Premiums | \$ 4,000.00 |

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

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|--------------|---------------------|
| REFERRED TO: | PERSONNEL COMMITTEE |
| | FINANCE COMMITTEE |

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|-----------------------|------------------------------|
| RESOLUTION NO. 252–21 | <i>TRANSFER OF FUNDS</i> |
| | <i>WORKERS' COMPENSATION</i> |

WHEREAS: The Tioga County Self-Insurance Plan has received notification from Midwest Employers Casualty Company that an audit of the payroll figures for the period of January 1, 2020 through January 1, 2021 submitted for our workers' compensation Specific Excess Insurance has resulted in additional premium due in the amount of \$13,109.00; and

WHEREAS: There is currently only \$8,409.00 remaining in S1722.40 (540270) Insurance-Liability; therefore be it

RESOLVED: That the following sums be transferred:

| | |
|---|------------|
| From: Workers' Compensation Account S1720.40 (540380) | \$4,700.00 |
| To: Workers' Compensation Account S1722.40 (540270) | \$4,700.00 |

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 253-21 TRANSFER OF FUNDS
BUDGET MODIFICATION
MENTAL HYGIENE

WHEREAS: Tioga County Mental Hygiene (TCMH) has received a request for an ergonomic chair accompanied by a doctor's note for one of its employees; and

WHEREAS: TCMH has determined other chairs in the clinic are in need of replacement at this time; and

WHEREAS: TCMH has determined the amount of additional funding needed to fulfil this request within its own budget, yet this will require a budget modification and transfer of funds; and

WHEREAS: Transfer of funds requires Legislative approval; therefore be it

RESOLVED: That the Mental Hygiene budget be modified and funds be transferred as follows:

| | | |
|--------------------|-----------|-------------|
| From: A4310 540130 | Contracts | \$ 1,000.00 |
| To: A4309 520070 | Chairs | \$ 1,000.00 |

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 254-21 *APPROPRIATION OF FUNDS AND
AMEND 2021 BUDGET
SOCIAL SERVICES*

WHEREAS: Due to supplemental LIHEAP funds received under the American Rescue Plan Act (ARPA) of 2021, districts are receiving additional 2020-2021 allocations from the Office of Temporary and Disability Assistance for HEAP administrative costs; and

WHEREAS: The department has identified the need to replace desktop scanners and a fax machine; and

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

RESOLVED: That funding be appropriated as follows:

| | |
|--|-----------|
| From: A6010.446100 Federal Aid: Administration | \$ 25,000 |
| To: A6010.520200 Office Equipment | \$ 25,000 |

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 255-21 *APPROPRIATION OF FUNDS AND
AMEND 2021 BUDGET
SOCIAL SERVICES*

WHEREAS: Additional funding has been awarded to Tioga County Department of Social Services from the Office of Children and Family Services for Non-Residential Domestic Violence Services; and

WHEREAS: A New Hope Center is the approved Non-Residential Domestic Violence Program in Tioga County; and

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

RESOLVED: That funding be appropriated as follows:

From: A6010.446100 Federal Aid: Administration \$ 41,418

To: A6010.540140 Contracting Services \$ 41,418

And be it further

RESOLVED: Available funds on 12/31 of the original \$41,418 will be carried forward into the New Year.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES
FINANCE COMMITTEE

RESOLUTION NO. 256-21 APPROPRIATION OF FUNDS AND
AMEND 2021 BUDGET
SOCIAL SERVICES

WHEREAS: The County of Tioga has received Federal 5311 funds granted by the Federal Transit Administration and the New York State Department of Transportation; and

WHEREAS: Federal Transit Administration and New York State Department of Transportation have granted these funds to be used to support mobility management services; and

WHEREAS: Tioga County has a contract with Rural Health Network of South Central New York to provide these services; and

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

RESOLVED: That funding be appropriated as follows:

| | |
|--|---------------|
| A 5630.430900 State Aid-Transportation | \$ 92,617.00 |
| A 5630.440900 Federal Aid-Transportation | \$ 740,922.00 |
| A 5630.540140 Contracting Services | \$ 833,539.00 |

And be it further

RESOLVED: Available funds on 12/31 of the original \$833,539.00 will be carried forward into the New Year.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 257-21 *APPROPRIATION OF FUNDS*
2021-2022 NYS STOP DWI
HIGH VISIBILITY ENGAGEMENT GRANT
STOP DWI

WHEREAS: The NYS STOP-DWI Foundation Board has awarded a High Visibility Engagement grant of \$15,000 (contract #C002527) to Tioga County STOP-DWI; and

WHEREAS: Appropriation of funds and budget modification requires Legislative approval; therefore be it

RESOLVED: That the 2021-2022 NYS STOP DWI High Visibility Engagement grant (contract #C002527) be appropriated as follows:

FROM: A3315-445890-CRK21 Federal Aid-Other Transp NPSP \$15,000

TO: A3315-540590-CRK21 Services Rendered-STOP DWI \$15,000

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 258-21 *AMEND CAPITAL BUDGET AND
TRANSFER FUNDS FOR FIRE TRUCK – PUBLIC WORKS*

WHEREAS: The Commissioner of Public Works has budgeted for the purchase of a fire truck within the 2022 Capital Budget; and

WHEREAS: The Newark Valley Fire Department has a used fire truck in good working order that they are selling now; and

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

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

| | | |
|--------------------|------------|-------------|
| From: H5130.521910 | Chipper | \$22,000.00 |
| To: H5130.521063 | Fire Truck | \$22,000.00 |

Legislator Standinger spoke. "The purpose of this fire truck, which some may question but I do not, is to help maintain the bridges by cleaning salt and other debris off of them. I think this is an innovative way to handle the situation and make our bridges last longer."

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

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| REFERRED TO: | PERSONNEL COMMITTEE LEGISLATIVE WORKSESSION LEGAL/FINANCE COMMITTEE |
|--------------|---|

RESOLUTION NO. 259-21 *RATIFY COLLECTIVE BARGAINING AGREEMENT (CSEA)*

WHEREAS: Tioga County and CSEA Unit #8850 have been negotiating a successor agreement to the 2018-2020 collective bargaining agreement; and

WHEREAS: The parties had previously reached an agreement to extend the 2020 terms through 2021 in light of the pandemic and financial uncertainties resulting therefrom; and

WHEREAS: The CSEA members ratified an agreement for 2021 – 2024 at a vote on October 13, 2021; therefore be it

RESOLVED: That the County Legislature hereby ratifies the 2021-2024 Collective Bargaining Agreement; and be it further

RESOLVED: That the Chair of the Legislature, along with the Sheriff, is authorized to sign the Agreement as a joint employer; and be it further

RESOLVED: That the County Legislature does hereby agree to implement the funds necessary to carry out the terms and provisions of said contract

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 260-21

*ABOLISH AND CREATE POSITIONS
SHERIFF'S OFFICE*

WHEREAS: Legislative approval is required to abolish and create any position within a Tioga County department or office; and

WHEREAS: After discussing with the Personnel Officer, the Sheriff has determined he can better address staffing needs and workload by abolishing certain vacant part-time positions in order to create a full-time Cook position; therefore be it

RESOLVED: That one (1) vacant, part-time Cook position (\$15.05 per hour) and one (1) one vacant part-time Deputy Sheriff position (\$20.55 per hour) shall be abolished effective November 10, 2021; and be it further

RESOLVED: That one (1) full-time Cook position (\$39,918 per year) shall be created effective November 10, 2021; and be it further

RESOLVED: That the Sheriff's 2021 authorized full-time headcount shall increase to 108 and his part-time headcount shall decrease to 7.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 261-21 *AUTHORIZE CREATION OF POSITIONS:
ONE (1) SKILLS INSTRUCTOR (PT) AND
ONE (1) VICTIM HELPER (PT)
EMERGENCY SERVICES*

WHEREAS: Legislative approval is required for position reclassifications; and

WHEREAS: A need exists to create additional part-time positions for staff to work within the Department of Emergency Services' training program for Emergency Medical Technicians; and

WHEREAS: The Director of Emergency Services submitted a New Position Duties Statement to create the additional positions and the Personnel Officer has determined the appropriate classifications; therefore be it

RESOLVED: That the Legislature hereby authorizes the creation of one (1) Skills Instructor (PT) at the hourly rate of \$13.11, and one (1) Victim Helper (PT) at the hourly rate of \$12.50 retroactive to September 26, 2021; and be it further

RESOLVED: That the Department of Emergency Services' authorized headcount for 2021 shall increase from 8 to 10.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 262-21 *AUTHORIZE SALARY REALLOCATION WITHIN
CSEA SALARY SCHEDULE FOR TITLES WITHIN
DEPARTMENT OF MOTOR VEHICLES
COUNTY CLERK'S OFFICE*

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

WHEREAS: On September 8, 2021, the Personnel Department received position description questionnaires from Joyce Costantini, Supervisor Motor Vehicle Bureau (CSEA SGVII, \$36,622-\$37,322); Lisa Chandler, Principal Motor Vehicle License Clerk (CSEA SG VI, \$32,286-\$32,986); Cheryl Heffernan, Robert Palanza, Alicia Ross, and Willetta Ryder, Motor Vehicle License Clerks (CSEA SG IV, \$28,352-\$29,052) all of whom work within the Department of Motor Vehicles under the County Clerk's Office; and

WHEREAS: A desk audit occurred and involved the review of work tasks performed by the employees as well as current salary allocation; and

WHEREAS: The Personnel Officer has made a determination that due to the supervisory functions (evaluations, leave time approvals, involvement with disciplinary matters, and transaction audits) of the Supervisor of Motor Vehicle Bureau title; the knowledge base requirements and training responsibilities of the Principal Motor Vehicle License Clerk; and the level of customer service interaction of the Motor Vehicle License Clerks in comparison with other titles within the current CSEA salary grade structure, there is justification to request a salary reallocation; therefore be it

RESOLVED: That the title of Supervisor Motor Vehicle Bureau shall be reallocated from CSEA Salary Grade VII to CSEA Salary Grade XI (\$44,572-45,272); the title of Principal Motor Vehicle License Clerk shall be reallocated from CSEA Salary Grade VI to CSEA Salary Grade VII (\$36,622-\$37,322); the title of Senior Motor Vehicle License Clerk shall be reallocated from CSEA Salary Grade V to CSEA Salary Grade VI (\$32,286-\$32,986); and Motor Vehicle License Clerk shall be reallocated from CSEA Salary Grade IV to CSEA Salary Grade V (\$29,918-\$30,618) effective retroactive to September 8, 2021; and be it further

RESOLVED: That the 2021 annual salaries of current incumbents in said titles shall increase as follows: Joyce Costantini, \$7,950; Lisa Chandler, \$4,336; Cheryl Heffernan, Robert Palanza, Alicia Ross, and Willetta Ryder, \$1,566 (each), effective retroactive to September 8, 2021.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

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| REFERRED TO: | ED&P COMMITTEE PERSONNEL COMMITTEE |
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| RESOLUTION NO. 263-21 | <i>AUTHORIZATION TO CREATE FULL-TIME EDUCATION WORKFORCE COORDINATOR POSITION ECONOMIC DEVELOPMENT & PLANNING</i> |
|-----------------------|---|

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

WHEREAS: The Director of Economic Development & Planning has met with various committees and school district administrators and would like to create a full-time position which will work with area school districts and employers to match students with employment opportunities; and

WHEREAS: The Personnel Officer has met with the Director of Economic Development and Planning and has reviewed the description of work duties for the proposed Education Workforce Coordinator position; and

WHEREAS: The Education Workforce Coordinator position will be funded by way of grant funds for a three (3) year period and will be reviewed and re-evaluated after two (2) years and again at the end of the three (3) year period; therefore be it

RESOLVED: That a full-time position titled Education Workforce Coordinator be created at an annual Non-union salary (\$43,000 – \$53,000) effective November 10, 2021; and be it further

RESOLVED: The Director of Economic Development & Planning is authorized to fill said full-time vacancy provisional pending successful completion of civil service examination requirements; and be it further

RESOLVED: That the Department of Economic Development & Planning's authorized full-time headcount for 2021 shall increase from 7 to 8.

Legislator Mullen spoke. "I have had conversations with LeeAnn Tinney, ED&P Director, and members of the School Superintendent's Committee. The School Superintendent's Committee is extremely supportive of this position. In the conversations, for years, Tioga County has been able to go to potential employers with a very large available workforce where we found companies for people to work and now it is the flipside of the coin. These companies that are here are saying they cannot find workers, we do not have the skilled workers. It is doing the same thing that ED&P has always done, but now just the flipside of the coin where this program will help keep skilled students and marry them up with jobs that are high paying and keep them here in Tioga County. I think this is a great way to do this. I appreciate everyone's efforts on this and I strongly urge my fellow Legislators to vote yes for the creation of this position."

Legislator Sullivan spoke. "I agree that there is a need to ensure our students are coming out of high school with the skills needed to succeed whether they are going on to college or not. A great deal of taxpayer money is poured into all of the education systems and, in my opinion, this leans more toward an education requirement and not a County government requirement."

ROLL CALL VOTE

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

No – Legislator Sullivan.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

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| REFERRED TO: | PERSONNEL COMMITTEE |
| | FINANCE COMMITTEE |

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| RESOLUTION NO. 264-21 | AUTHORIZE APPOINTMENT OF ACCOUNTANT TREASURER'S OFFICE |
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WHEREAS: Legislative approval is required for any appointment to a non-union position within Tioga County; and

WHEREAS: The position of Accountant became vacant as of September 10, 2021 within the Treasurer's Office; and

WHEREAS: The Treasurer has conducted a recruitment search and has identified a

desirable candidate; therefore be it

RESOLVED: That Angela Zito is provisionally appointed to the title of Accountant, pending successful completion of civil service examination requirements, at an annual, non-union salary of \$42,320, effective November 10, 2021; and be it further

RESOLVED: That Ms. Zito may receive an increase after 6 months contingent upon a satisfactory evaluation, per the Non-Union benefits policy.

ROLL CALL VOTE

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

No – Legislator Sullivan.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

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| REFERRED TO: | LEGISLATIVE WORKSESSION PERSONNEL COMMITTEE |
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| RESOLUTION NO. 265-21 | <i>AMEND EMPLOYEE HANDBOOK: ADD NEW POLICY TO SECTION IV. PERSONNEL RULES, SUBSECTION T. ENTITLED TIOGA COUNTY REMOTE WORK POLICY</i> |
|-----------------------|---|

WHEREAS: The Tioga County Legislature supports the use of remote worksites for a portion of the standard workweek and allows Department Heads to implement Remote Work Arrangements for eligible employees, where appropriate; and

WHEREAS: Tioga County currently does not have a policy established identifying the rules and procedures for the use of remote worksites; and

WHEREAS: A new Tioga County Remote Work Policy has been written and reviewed by the Tioga County Legislature, Department Heads, and Information Security Officer; and

WHEREAS: The Tioga County Legislature has agreed to a pilot program effective January 1, 2022 – December 31, 2023 for eligible Non-Union staff only, as deemed appropriate by their Department Head; and

WHEREAS: This policy will automatically terminate on December 31, 2023 unless otherwise expanded; therefore be it

RESOLVED: That the Employee Handbook is hereby amended to add Tioga County Remote Work Policy to Section IV. Personnel Rules, as Subsection t. entitled Tioga County Remote Work Policy.

Tioga County Remote Work Policy

I. PURPOSE

To establish a policy and procedures to allow, where appropriate, the use of remote worksites in order to attract and retain a diverse and talented work force, and improve productivity among employees. Tioga County supports the use of remote worksites for a portion of the standard workweek and allows Department Heads to implement Remote Work Arrangements where appropriate, for eligible employees.

II. ORGANIZATIONS AFFECTED

Applicable to all Tioga County departments where a remote worksite is feasible and appropriate, as determined by the Department Head.

III. DEFINITIONS

- A. "Centrally Located Worksite" means the Tioga County worksite where the employee would be required to work if they were not remote working.
- B. "Remote Work Agreement" means a Remote Work Arrangement has been agreed to by the Department Head and employee for the employee to work one or two days each work week from a non-County location instead of commuting to the employee's centrally located worksite. No more than two days per week may be worked from a remote worksite.
- C. "Remote Work Location" means the non-County site where the employee intends to perform County work.
- D. "Voluntary" means employees choose an alternative working arrangement.

IV. POLICY

A. General Remote Work Standards and Requirements

- 1. This Remote Work Policy shall supersede all prior and/or existing Telecommute guidelines.
- 2. Remote Work Arrangements may be implemented where appropriate and approved by the Department Head for eligible employees. Remote Work Arrangements may be made in recognition of the positive personal and organizational impacts of such arrangements, including increased workplace flexibility and increased productivity.

3. Remote Work Arrangements are not appropriate for all employees. No employee is entitled to, nor guaranteed the opportunity to have a Remote Work Arrangement. Said schedules are not a universal employee benefit; employees do not have the “right” to Remote Work Arrangements. Offering the opportunity for a Remote Work Arrangement is at the discretion of the employee’s Department Head. All Remote Work Arrangements must meet the criteria in this policy and may be terminated by the Department Head. The Department Head shall endeavor to give 10 working days’ notice when terminating a Remote Work Arrangement.
4. An employee wishing to request a Remote Work Arrangement shall submit a written request to his/her Department Head. A determination on a Remote Work Arrangement must be issued in writing by the Department Head. Any changes, other than termination of the arrangement, to the written arrangement must also be documented in writing and the Department Head’s determination issued in writing.
5. Department Heads should routinely evaluate the effectiveness of an employee’s alternative work agreement, minimally every three months. Remote Work Agreements will be reviewed each December for renewal the following January. At the expiration of a Remote Work Agreement, the employee may request renewal of the arrangement. **The Remote Work Agreement can be found on the County’s Intranet under “Employee Handbook – EH Forms”**. The request to renew the arrangement must be made in writing.
6. The Department Head will evaluate and adjust Remote Work Arrangements as needed to meet the organizational and workload needs. Adjustments may be made at any time during the agreement, with 10 days notice and subject to Department Head approval.
7. Should a conflict arise between two or more employees concerning a Remote Work Arrangement, the Department Head shall have final authority to resolve the matter.
8. The business of the County will take precedence over remote workdays. Employees may, at the discretion of their immediate supervisor or Department Head, be called to work with 4 hours notice to their centrally located worksite on their remote workday during their regular work hours to meet workload or operational requirements. Employees will be expected to complete their remote work during regular County hours. Any deviation from standard work hours (Monday – Friday, 9am – 5pm) must be approved in advance by the Department Head; deviations are to be kept to a minimum.
9. When an employee engaged in a Remote Work Agreement comes into their centrally located worksite, the time traveling from the employee’s home to the centrally located worksite will be treated as regular commuting time and the

employee's travel time will not be counted as hours worked, nor will the employee's mileage be reimbursed.

10. The essential duties, obligations, and responsibilities of an employee who remote works are the same as employees at the centrally located worksite. Employees must be available to communicate with those whom he/she normally conducts business (e.g. supervisor, clients/the public, co-workers, etc.) by phone and email while remote working. Employees must respond to inquiries in the same fashion and within the same timeframes, as if she/he were in the office. In-person meetings must not be delayed because of remote work scheduling.
11. A set procedure and schedule for regular communication between a remote working employee, staff, and clients must be identified in the Remote Work Agreement. For all employees, the Remote Work Agreement must indicate the hours that the remote working employee will be available to be reached by staff and clients. The Department Head may also outline specific job assignments and expectations of the remote working employee. Work schedules and variations are subject to Department Head approval.
12. Work hours, overtime compensation, and annual leave schedule must conform to state and federal law and the County policies. Requests to work overtime or use leave time must first be approved by the Department Head/Supervisor in the same manner as when working in the office. If the employee is sick and unable to work, he/she must follow the same policy/procedure as employees at the centrally located worksite and notify his/her supervisor in accordance with county policy/collective bargaining agreement. Employees are to adhere to the lunch break language found in their collective bargaining agreement.
13. Employees must record and report all their time accurately. For Departments that do not have a mechanism for accountability of remote work, the employee will complete the County's *Tele-work Weekly Log*. **This form can be located on the County's Intranet under "Employee Handbook – EH Forms".**
14. Employees who remote work are expected to be working during their Remote Work schedule, without the availability of a direct supervisor during non-standard hours of operation. Personal, vacation, and any other leave time scheduled during a Remote Work employee's scheduled workday must be arranged in the same manner as employees at the centrally located worksite.
15. The Remote Work employee's salary, retirement, and benefits are the same as if the employee were working at the centrally located worksite.
16. While working remotely, responsibilities and tasks need to be completed with the same importance and attention as they would if they were tended to in the centrally located worksite. Non-work-related interruptions must be kept to a minimum. Remote working shall not be used as a substitute for dependent child or elder care. Employees who remote work are expected to make dependent or childcare arrangements during the period they will be working. Remote

working is not intended to enable employees to conduct personal or non-County business while on County time.

17. Employees who remote work may be covered by workers' compensation for job-related injuries occurring during their defined work period. Any claim received will be reviewed on its merit and in accordance with the Workers' Compensation Law. The employee is responsible for maintaining a safe and ergonomic remote working environment, including the work area, bathroom, and other areas that may be necessary for use during the Remote Work Arrangement. Workers' compensation will not apply to non-job-related injuries that occur at the remote work site. The employee remains responsible for injuries to third parties and/or members of the employee's family on the employee's premises. Tioga County will not be responsible for injuries to third parties or members of the employee's family that occur on the employee's premises and employee will hold the County harmless for injury to others at the remote worksite.
18. In the event of a job-related incident, accident or injury during remote working hours, the employee shall report the incident to their supervisor as soon as possible but no longer than 24 hours after and follow established procedures to report and investigate workplace incidents, accidents, or injuries.
19. The employee must allow inspections of the employee's work area(s), home office, or other relevant location to be conducted by the County or its agent if a job-related incident, accident, or injury has occurred.
20. Remote working employees shall not hold in-person business meetings with internal or external clients, customers, or colleagues at their remote worksite.
21. Employees shall not conduct any unauthorized external (non-County) work during their remote work schedule.
22. The employee shall participate in any County-sponsored remote working and/or technology training as requested by the employee's supervisor or Department Head.
23. The employee shall participate as requested in any County evaluation of the remote working arrangement.

B. Remote Work Arrangement Eligibility:

1. Characteristics of the employee will include a demonstrated conscientiousness about work time and productivity, self-motivation and ability to work well alone. The employee communicates effectively with supervisors, co-workers, support staff and clients. The employee operates computer or other equipment independently, to the degree that will be required to work from their home or during non-supervised periods. The employee must be performing currently at an overall satisfactory level or above in their position.

2. An employee's work must be of a nature that face-to-face interaction with internal or external customers or project workgroups is minimal and/or the employee's tasks can be performed successfully away from the centrally located worksite.
3. The need for specialized material or equipment in order to remote work should be minimal. Employees interested in Remote Work must already have a safe and ergonomic home office environment or work area and the primary materials and equipment needed at their home in order to remote work.
4. Employees must have completed at least two years of continuous full-time onsite employment with the County.
5. Employee must have appropriate dependent care arrangements that allow the employee to work without distraction and mitigate undue interruption which could impact productivity.
6. Employees in a training capacity or providing hands-on service will not normally be eligible to participate in a Remote Work Arrangement program.
7. Employees with attendance or tardiness issues will not be eligible.
8. Employees who have been counseled or disciplined within the two years immediately preceding the request for Remote Work Arrangement will not be eligible.
9. Meeting the above eligibility criteria does not guarantee that an employee will be approved for a Remote Work Arrangement. Operational and organizational needs may preclude an employee's Request from being approved.

C. Hardware, Software and Supplies:

1. Employee is responsible for providing computer, laptop or tablet approved by Information Technology as well as workspace, phone, networking and/or internet capabilities at the remote work location and shall not be reimbursed by the County for these or related expenses. Special circumstances may arise and will be reviewed by the Department Head. (*Arrangements made prior to effective date of this policy may remain in effect with approval from Department Head). Internet access is expected to be reliable and secure, and meet the bandwidth needed for the job.
2. The need for specialized material or equipment in order to remote work should be minimal. The County may provide equipment (hardware and/or software) and services (such as technical support) if it is approved in advance by the employee's Department Head and the Chief Information Officer.
3. Department expenses incurred in the implementation and execution of remote work arrangements require the approval of the Department Head. If County equipment is provided to the employee, the employee is responsible for seeing that the equipment is properly used in compliance with County IT policy and

- returned in working order to the County upon conclusion of the Remote Work Arrangement.
4. Standard office supplies (such as paper and pens) will be provided by the County and should be obtained by the employee at the centrally located worksite. Out-of-pocket expenses for supplies normally available at the centrally located worksite will not be reimbursed. Office furniture will not be provided to employees who remote work.
 5. Employees who remote work are subject to the same internal County policies regarding the use of County-provided equipment (hardware and/or software) and services as that of employees at the centrally located worksite.
 6. Employees who remote work shall not allow anyone, except County employees, to use or access County-provided equipment (including hardware, software, and storage devices) and services.
 7. Employees are prohibited from accessing the County network using a public access computer.
 8. **HARDWARE:** New or existing computer equipment may be provided on an as-needed basis to staff by the County if approved in advance by the employee's Department Head and the Chief Information Officer. Staff working remotely will be permitted to use personal computer equipment to access the County data or network. All County owned hardware equipment and devices must be returned to the County as soon as the remote working agreement has ended, or when the equipment is no longer needed to perform related work activities.
 9. The County will provide routine maintenance and repairs for County owned computers and equipment. The County will try and perform maintenance remotely, however, to complete necessary maintenance it may be required that the staff member bring their device back to the worksite or internal network. Staff can request technical support for County computer devices by sending an email to the Tioga County Helpdesk. County IT staff will not visit the employee's remote work location to provide service onsite.
 10. **SOFTWARE:** Employees must conform to the County's software standards. Department Heads will consult with Information Technology staff to ensure that the software needed conforms to the County's software policies.
 11. Remote access to the County's network may be provided to the employee at the discretion of the employee's Department Head and with the approval of the Chief Information Officer or designee. If the County's remote access system includes internet access or other dial-in services, the employee may only use the County provided internet access or other dial-in services in a manner consistent with that of employees at the centrally located worksite. Employees who remote work are subject to the same internal County policies regarding the use of County provided equipment, software and services as that of employees at the centrally located worksite.

12. The County may purchase software for installation on County-provided equipment if approved in advance by the employee's Department Head and the Chief Information Officer or designee.
13. Employees shall forward their County phone extension to their remote work site during Remote Work hours.

D. Confidential Information:

1. The employee will maintain the confidentiality of County and State information and documents, prevent unauthorized access to any County system or information, and dispose of work-related documents in a manner that will not jeopardize the interests of the County or its clients/customers.
2. The employee shall continue to follow all Tioga County policies that address confidentiality and security, as found in the Employee Handbook.

X. PROCEDURE

- A. Employee submits completed Request for Remote Work Arrangement form to Department Head. If Department Head is requesting remote work, completed form to be submitted by Department Head to Chair of the County Legislature. ***The Request for Remote Work Arrangement can be found on the County's Intranet under "Employee Handbook – EH Forms".***
- B. After review by Information Technology for technical needs, Department Head (or Chair of Legislature if Department Head requesting) issues written determination within 10 working days of receipt of Request.
- C. If approved, employee and Department Head (or Chair of Legislature if Department Head requesting) or designee complete Remote Work Agreement form.
- D. Any requests to revise the Agreement are to be submitted by the employee to the Department Head (or Chair of Legislature if Department Head requesting) in writing, and answered in writing by the Department Head (or Chair of Legislature if Department Head requesting).
- E. Department Heads are to file with the Chair of the Legislature and Chair of their Legislative Committee each newly approved Remote Work Agreement, changes to Remote Work Agreements, and the conclusion thereof.

VI. FORMS

Located on the ***County's Intranet "Employee Handbook-EH Forms"***, are the following:

- A. Remote Work Agreement
- B. Request for Remote Work Arrangement
- C. Employee Assessment for Remote Work Suitability
- D. Tele-Work Weekly Log

Legislator Mullen spoke. "I just want to say thank you to the people that worked on this policy. I know a lot of work went into this and it is a policy we have been building for a while and it helps us recruit and retain some of the highly skilled individuals we need to do the work in the County. Thank you and I appreciate you for doing the hard work."

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Monell made a motion to have the following late-file resolution move forward for consideration, seconded by Legislator Hollenbeck and carried.

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

REFERRED TO:

FINANCE COMMITTEE

RESOLUTION NO. 266-21

*CONTINGENCY FUND REQUEST &
TRANSFER OF FUNDS TO COMMUNITY
COLLEGE CHARGEBACKS*

WHEREAS: The cost of Community College tuition has increased, along with payment of some 2020 bills as a result of billing deadlines being extended due to COVID; and

WHEREAS: Additional funding is needed to meet mandated costs; and

WHEREAS: The Treasurer's Office has identified the amount of additional funding needed in 2021; and

WHEREAS: Budget Amendments and Transfer of Funds require Legislative approval; therefore be it

RESOLVED: That funding be transferred and appropriated as follows:

FROM:

| | | |
|--------------|----------------------------|-----------|
| A1990 540715 | County Contingency Account | \$300,000 |
|--------------|----------------------------|-----------|

TO:

| | | |
|--------------|---------------------------------------|-----------|
| A2490 540487 | Community College Tuition Chargebacks | \$300,000 |
|--------------|---------------------------------------|-----------|

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:32 P.M.