

*Third Regular Meeting*  
March 15, 2022

The Third Regular Meeting of 2022 was held on March 15, 2022 and was called to order by the Deputy Chair at 12:00 P.M. Eight Legislative members were present with Legislator/Chair Sauerbrey being absent.

Deputy Chair Hollenbeck asked Legislator Ciotoli to have a moment of prayer. "O Heavenly Father, we thank you today for the opportunity to recognize these five individuals and their 117 years of service to Tioga County and to guide us over our meeting today."

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

There were 61 people in attendance.

Deputy Chair Hollenbeck asked for a unanimous motion for the following five recognition resolutions, seconded unanimously and carried.

Legislator Standinger read and presented the following resolution to Sheri McCall, 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. 75-22      *RECOGNIZE SHERI M. MCCALL  
24 YEARS OF DEDICATED SERVICE  
DEPARTMENT OF SOCIAL SERVICES*

WHEREAS: Sheri began her career with the Tioga County Employment Center on February 2, 1998 as an Employment & Training Assistant. In August 1999, Sheri was promoted to Employment & Training Counselor, and to Senior Employment & Training Counselor in May 2005. Sheri was promoted to her current position as Employment Center Supervisor in September 2007; and

WHEREAS: Sheri McCall has been a dedicated and loyal employee in the performance of her duties; and

WHEREAS: Sheri McCall has shown the highest levels of reliability, trust, loyalty, and competence in the performance of her duties; and

WHEREAS: Sheri McCall will retire on March 26, 2022; 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 Sheri McCall for her twenty-four years of dedicated and loyal service to the Tioga County Employment Center 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, Sheri M. McCall.

ROLL CALL VOTE

Unanimously Yes – Legislators Ciotoli, Hollenbeck, Monell, Mullen, Roberts, Standinger, Weston, and Brown.

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Standinger spoke. "I know you have had a tough job there and I am glad you were doing it. I think I told you a long time ago that you couldn't retire until you found a suitable replacement, so hopefully you have done that. I know that retirement is one of the best things that can happen to a person and you are going to continue doing something I am sure. You are not just going to sit around. I know you better than that."

Commissioner of Social Services Yetter spoke. "Sheri, it is always a pleasure to come here and acknowledge the work and accomplishments of a retiring employee.

"The Employment Center was put under the Department of Social Services umbrella and neither Sheri nor I were jumping for joy about that, but we figured out how to make it work and here's why it worked. It worked because of Sheri's strong work ethic and commitment to the people she has been charged with serving over the years. It worked because Sheri is very smart and can walk circles around everyone else regarding her depth of knowledge about WIOA and Department of Labor rules and regulations. And, it worked because Sheri does not back down when she knows she is doing the right thing and from my vantage point of supervising her, she consistently did the right thing.

“I would be remiss if I did not specifically mention the last two years of the pandemic that all of Sheri’s positive traits came through very strongly. While most people across the State, both working in employment centers and Department of Labor, seemed to disappear from view, we remained present and active throughout. Sheri became a ‘go-to’ person for people with unemployment benefit issues and questions not only in Tioga County, but also for many people from counties across the State who could find no other helpful ear.

“When the unemployment benefit fraud scams kicked into gear and many Tioga County employees were hit by that, myself included, Sheri helped anyone who reached out to her without complaint and putting in the extra hours to make sure everyone’s questions were answered. These past two years define the same level of commitment and expertise that Sheri has applied to her entire 24 years with the County.

“Of course, I have to mention that Sheri is not perfect. I do not want to make her sound that way. Most notably, she has an advanced chocolate addiction that she should seek help for.

“Sheri, it has been a pleasure to work with you for these many years and thank you for everything you have given to the residents of Tioga County.”

Legislator Ciotoli read and presented the following resolution to Bernadette Toombs, Board of Elections.

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

REFERRED TO:	ADMINISTRATIVE SERVICES COMMITTEE
RESOLUTION NO. 76-22	<i>RESOLUTION RECOGNIZING BERNADETTE TOOMBS' 23 YEARS OF DEDICATED SERVICE TO TIOGA COUNTY</i>

WHEREAS: Bernadette Toombs began her employment with Tioga County on August 11, 1998 as the Republican Deputy Commissioner of the Tioga County Board of Elections. On January 1, 2006, Bernadette was appointed as the Republican Commissioner of Elections, which is the position she has retired from; and

WHEREAS: Bernadette Toombs has been a dedicated and loyal employee in the performance of her duties and responsibilities during the past 23 years. During those 23 years, she was committed to serving the voters of Tioga County and supporting the foundation of our democracy by ensuring free and fair elections. In addition, Bernadette faithfully served many years on the Executive and Legislative

Committees of the New York State Election Commissioners' Association, and as a historian of the New York State Election Commissioners' Association; and

WHEREAS: Bernadette Toombs has retired as of February 26, 2022; 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 Bernadette Toombs for her twenty-three years of dedicated and loyal service to Tioga County and its voters; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this dedicated, devoted and exceptional employee, Bernadette Toombs.

#### ROLL CALL VOTE

Unanimously Yes – Legislators Ciotoli, Hollenbeck, Monell, Mullen, Roberts, Standinger, Weston, and Brown.

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED UNANIMOUSLY.

Republican Committee Chairman Castellucci spoke. “Good Afternoon. Back in 1998 when I first started in politics, I got the pleasure of meeting Bernadette and at that time we appointed her as Deputy Commissioner. In 2006, I and many of my colleagues were able to put forth her nomination for Election Commissioner and we have never regretted that decision.

“We have a monthly luncheon with some of our local Republicans and in January, I told them we have to start looking for people to replace those starting to retire. Bernadette and Lin just looked at me funny and I felt bad because I thought they were thinking I was trying to push them out, but I was just trying to say we are all getting older here. A couple weeks later, Bernadette asked to go to lunch to talk about things and the process of the upcoming election, etc. or so I thought that is what we were going to talk about. Little did I know, we were having lunch to talk about her retirement. She started talking about it and I said, ‘you’re kidding me’. We went through the process and she told me she is going to be leaving and after I got over the news we talked about the business at hand.

“Over the past 22 years, she has served the Republican Party very well and more importantly Tioga County and this electorate with honesty and integrity. She has been committed to her responsibilities and took on extra responsibilities by representing the County with distinction at the State level.

“It should be noted that the Board of Elections was recently recognized for not having any discrepancies during the Tenney/Brindisi Race. Tioga County was the only county that had that designation. That speaks not only to Bernadette’s work, but the office as a whole.

“While myself and the Republican Committee will miss you and your dedication and commitment to the Republican Party and the election process in general, we wish you a Happy, Healthy, and Blessed Retirement. May God Bless you in your future endeavors.”

Legislator Hollenbeck read and presented the following resolution to Bethany O’Rourke, Personnel Office.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 77-22                      *RESOLUTION RECOGNIZING  
BETHANY O’ROURKE’S 24 YEARS OF DEDICATED  
SERVICE TO TIOGA COUNTY*

WHEREAS: Bethany O’Rourke began her career with Tioga County as Personnel Officer on March 18, 1998, bringing 10 years of experience with her from Cortland County; and

WHEREAS: Bethany has been dedicated and loyal in the performance of her duties and responsibilities throughout the past 24 years and has earned the respect of her fellow Department Heads, County employees and retirees, labor unions, the Legislature as well as her colleagues across the State; and

WHEREAS: During Bethany’s tenure she navigated a variety of challenges such as changes in Federal and State regulations including the Affordable Care Act and most recently the paid COVID leave programs; and

WHEREAS: Bethany monitored employee benefits and was successful in implementing significant changes that maintained the level of benefits for employees while reducing County expenses; and

WHEREAS: In 2018 Bethany was very instrumental in the formation of Tioga County’s Institute for Advancement (I4A), a training program developed to offer county employees opportunities for professional development, with the goal of enhancing their careers with the County; and

WHEREAS: Since the establishment of I4A, Bethany has devoted her time and energy to the success of the program and became a *Real Colors & Real Solutions* facilitator and conducts this training geared toward building sound working relationships with peers for all I4A participants; and

WHEREAS: Throughout her tenure with Tioga County, Bethany has been an integral member of the New York State Association of Personnel & Civil Service Officers, serving on the Executive Committee for many years and then as President from 2005 to 2007, and was awarded the President's Award by the New York State Civil Service Commission in 2007 in recognition of that service; and

WHEREAS: Bethany assumed the role of Secretary for the New York State Association of Personnel & Civil Service Officers in 2013, an office she held until her retirement; and

WHEREAS: The New York State Association of Personnel & Civil Service Officers honored Bethany with the 2014 Merit and Fitness Award for her commitment to the mission and ideals of the Association by providing continuity of knowledge, sage advice, and stability to the membership; and

WHEREAS: Bethany will be retiring on March 18, 2022; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, expresses sincere gratitude to Bethany O'Rourke for her 24 years of dedicated and loyal service as Personnel Officer to Tioga County and its residents; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to Bethany O'Rourke.

#### ROLL CALL VOTE

Unanimously Yes – Legislators Ciotoli, Hollenbeck, Monell, Mullen, Roberts, Standinger, Weston, and Brown.

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Hollenbeck spoke. "Bethany and her staff do a great job for this County and we are proud of them. Thank you."

Bethany O'Rourke spoke. "I appreciate that the Legislature that was sitting in 1998 took a leap of faith and appointed me at such a young age to a responsible position in the County. I very much appreciate the support of the subsequent Legislators appointing me for three additional terms. I am very

thankful that I had the opportunity to learn the lay of the land here in Tioga County from then County Attorney Tom Emmett, who was just a wealth of knowledge and a true professional. I am thankful that I had the opportunity to work with so many great staff throughout the years here in Tioga County, many of those in the Personnel Department, some of whom are here today. I appreciate you coming today.

"This has been a great place to work and I worked with a lot of great people, faced a lot of great challenges, but for me it is time for a change.

"I thank you for this plaque and recognition. It means a lot. Thank you."

Legislator Mullen read and presented the following resolution to Sherri Harris, Probation Department.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 78-22                      *RESOLUTION RECOGNIZING  
SHERRI HARRIS' 25 YEARS OF  
DEDICATED SERVICE TO TIOGA COUNTY*

WHEREAS: Sherri Harris began her employment with Tioga County on August 9, 1996 as a temporary typist at the Probation Department. On September 5, 1996 her temporary typist position then became a Senior Typist still with Probation until September 30, 1996. On October 1, 1996, Sherri accepted the position of Account Clerk-Typist for the Tioga County Clerk's office. On April 14, 2000, she resigned from that position to adventure back into the banking industry. On September 18, 2000, Sherri was reinstated as an Account Clerk-Typist for DMV which is under the County Clerk's office. On September 30, 2002, she took a lateral position at Tioga County Department of Social Services in the Child Support and Enforcement Unit. On September 4, 2012, Sherri accepted the position Accounting Associate III with the Tioga County Probation Department which is the position she will retire from; and

WHEREAS: Sherri Harris has been dedicated and loyal in the performance of her duties and responsibilities during the past 25 years; and

WHEREAS: Sherri Harris will retire on March 31, 2022; 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 Sherri Harris for her 25

years of dedicated and loyal service to the Tioga County Probation Department and it's 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, Sherri Harris.

ROLL CALL VOTE

Unanimously Yes – Legislators Ciotoli, Hollenbeck, Monell, Mullen, Roberts, Standinger, Weston, and Brown.

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED UNANIMOUSLY.

Probation Director Cain spoke. “Good Afternoon. I wrote what I wanted to say because Joy tells me I ramble if I don’t, so it is going to be short.

“I worked alongside Sherri since she came to Probation, but never really worked with her. The financial person was always the person you knew was important, but weren’t really sure why. Then, as our former Director, Joy Bennett, started including me in various Director duties prior to her retirement, I started to gain an understanding of exactly what Sherri did. After I became Director, it became crystal clear why Sherri was so important and vital to the daily functioning of the Probation Department.

“To use lingo that Sherri is more comfortable with, I would say her value is hard to quantify. She completes her tasks so quietly and efficiently you wonder if it is even a challenge for her. Then, I sit and think about the multitude of claims, budget lines, invoices, credit card statements, contracts, etc. that she keeps track of and it is mindboggling.

“Sherri always has an answer or will get the answer to whatever question I have and I have lots of them.

“Sherri is one of the many people that makes my job easier because of how hard she works and how good she is at what she does. As they say in sports, ‘the great ones make it look easy’. There is also another saying that fits even better in this situation and that is ‘you don’t know what you have until it’s gone’.

“Over the past several months during our search for a new Accounting Associate III, facing the stark reality of no Sherri has been terrifying. While Kristen and Lisa scramble to fill the void until we find someone, we have come to truly



appreciate how valuable Sherri has been to our Department and to Tioga County in general.

"So, since I have not been able to convince her to stay, I will say congratulations and enjoy a long and healthy retirement."

Legislator Mullen read and presented the following resolution to William White, Sheriff's Office.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 79-22                      *RESOLUTION RECOGNIZING  
WILLIAM WHITE'S 21 YEARS OF DEDICATED SERVICE  
TO TIOGA COUNTY SHERIFF'S OFFICE*

WHEREAS: William White was hired as a part-time Guard on September 27, 1993 through December 31, 1996 and appointed to the position of Deputy Sheriff on December 13, 2003; appointed to Road Patrol Sergeant on March 17, 2009; and appointed to Lieutenant of Road Patrol on June 11, 2020; and

WHEREAS: William White has been dedicated and loyal in the performance of his duties and responsibilities during his 21 years of service, thereby earning the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: William White will retire from the Tioga County Sheriff's Office on February 28, 2022; 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 William White for his 21 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, William White.

ROLL CALL VOTE

Unanimously Yes – Legislators Ciotoli, Hollenbeck, Monell, Mullen, Roberts, Standing, Weston, and Brown.

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Mullen spoke. "These resolutions are tough for me because these are my brothers for many years out on the roads in Tioga County. There is a very special man right here. There is a fine human being standing right next to me.

"I am going to tell a quick story and what this man means to all the police officers in Tioga County. I worked with Bill the whole time I was on the road in Tioga County as a State Trooper for 17 ½ years.

"Bill was with the Owego Police Department when I started here and when I retired in 2012, Bill was still here as the Road Patrol Sergeant for the Tioga County Sheriff's Office.

"I remember when Bill became a Sergeant in 2009 when I had just gotten back from a tenure teaching at the State Police Academy and it was always a relief when I knew Sergeant White was the superintendent over at the Sheriff's Office for the night shift when I was working the night shift at the barracks. But, I knew Bill back in the day when we were both young and dumb. The job is addicting. You come to work every day and you say 'Boy, I wonder if I am going to run into somebody that is worse off than me' and you always, always do.

"I will never forget the car/deer accident (a reported car/deer accident) up on Red Brush Road in the Town of Nichols many years ago. Bill and I were both working the afternoon shift, prior to his promotion to Sergeant, and we get the call of a car/deer accident. He is working his post and I am working my post and we both head to the scene and cannot find a car, cannot find a deer, and a lady waves us down and says, 'Come over here'. She took us in her trailer and she had gutted the deer inside the trailer and we weren't sure if we walked into a murder scene or not. Bill is right behind me and I walk in and take a step back and Bill is drawing out his weapon and asking if they were human organs on the couch and then I saw the deer hanging in the kitchen where they had tied it to the ceiling light. Bill looks at me and I look at him and I stated, 'I have no idea how to write this one up' and Bill stated, 'all I am going to put is that I assisted you and you can put down that you assisted me and we are going to leave it at that.' We handed her a deer tag and walked outside, shook our heads, and said, 'I am going to go have a sandwich; I cannot deal with this.'

“So, I can tell you there are many times when you end up on a call out here as a cop in rural Upstate New York covering 572 square miles in Tioga County with one State Trooper car on at night and maybe three Sheriff Deputy cars, with one being the supervisor, and during the day you might have two State Trooper cars and four or five Sheriff Deputy cars covering this entire county. You knew you were going to be all right if your backup was Bill White. He is calm, doesn't say much, but when you park cars tail to nose, he does a lot of head shaking.

“I can tell you this is a hard one because he is a good man. A good man is leaving us today and moving on. I just want to say, 'Brother, I love you, congratulations, and you are going to be missed.'”

Sheriff Howard spoke. “I just want to say that it is with great honor that I got to work with Bill over the years and it is with a heavy heart that he is retiring.

“Bill comes from a family of community service. I worked with his dad, Bill Sr., his sister works in law enforcement, and his whole family was committed to the community. Bill Sr. and I became close friends, we went hunting and fishing together, not that we always brought anything back, but we always had a good time. The White house was always open and coffee was always on for the Deputies and it is still on and that is the family that Bill came from.

“Bill has always been there for anybody that needed help being at the office or home, Bill was always there for us. That tradition has been passed on down through and we are so grateful for it.

“Bill, your calm demeanor and commitment to the citizens of Tioga County and the men and women of the Sheriff's Office will be missed, but not forgotten. From all the citizens in Tioga County, we love you.”

William White spoke. “I just want to say it's been my honor to work for the Sheriff and work with the many fine men and women of the Sheriff's Office. I did not want to have to retire, but unfortunately with medical reasons, I had to. I have been so humbled by my fellow employees who are truly part of my family and if you ever need anything, just ask. Thank you all.”

Deputy Chair Hollenbeck reported we have two Proclamations; **National Nutrition Month and Public Health Week (April 4-10, 2022)** that will be noted in the minutes.

**COUNTY OF TIOGA  
EXECUTIVE PROCLAMATION**

WHEREAS: National Nutrition Month is an annual nutrition education and information campaign created by the Academy of Nutrition and Dietetics used to promote healthy eating and physical activity habits; and

WHEREAS: Good nutrition reduces the risk of costly chronic diseases that shorten the lifespan, such as heart disease, type 2 diabetes, and obesity; and

WHEREAS: According to the Centers for Disease Control and Prevention, only 4 in 10 children and 1 in 7 adults eat the daily recommended amount of fruit. In Tioga County, nearly 30% of residents reported eating fruit less than once per day; and

WHEREAS: Making small consistent changes to improve the nutritional quality of one's diet can make a large impact on their overall health status; and

WHEREAS: There are key messages for everyone regarding their health and nutrition: Eat a variety of nutritious foods from different food groups, practice portion control to avoid overeating, plan healthy meals and snacks, exercise most days of the week, take time to enjoy food, and visit a Registered Dietitian Nutritionist (RDN) for personalized nutrition information; and

WHEREAS: Sharing evidence-based nutrition information is a crucial step toward improving the eating habits of Tioga County residents; therefore

THE TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the month of March 2022 as

**NATIONAL NUTRITION MONTH**

and encourages Tioga County residents to make informed food choices and seek nutrition advice from local resources such as Tioga County Public Health and SNAP-Ed New York.

**COUNTY OF TIOGA  
EXECUTIVE PROCLAMATION**

WHEREAS: The people of Tioga County benefit every day from the efforts of the public health workforce when eating at restaurants, drinking tap water, and learning about prevention of diseases; and

WHEREAS: Throughout the COVID-19 pandemic Public Health has worked diligently to minimize the burden of disease through community outreach, collaboration with community partners, contact tracing, issuing isolation and quarantine orders, and COVID-19 vaccination and booster clinics; and

WHEREAS: Public Health activities protect Tioga County residents from infectious and chronic diseases, environmental and workplace hazards, unintentional injuries and violence; and

WHEREAS: Educating people about the benefits of healthy behaviors is an essential element in attaining good health and preventing premature illness and death; and

WHEREAS: Public Health efforts alone cannot accomplish the goal of a healthier Tioga County without cooperation and partnership with communities and individuals; and

WHEREAS: Each of us needs to do our part by taking personal responsibility to improve behaviors by following public health recommendations: abstaining from tobacco use, prioritizing sleep, staying up-to-date on vaccinations, making time for regular, safe physical activity, and eating more fruits and vegetables in order to prevent disease; and

WHEREAS: National Public Health Week provides an opportunity for our county to learn about public health concerns and success stories that are vital to healthy communities, such as immunizing against infectious disease, providing services for children with developmental delays, ensuring safe living conditions, enforcing environmental health regulations, providing dental services to underserved families, and preventing lead poisoning; and

WHEREAS: The residents of Tioga County recognize the essential role public health plays in their everyday lives; therefore

THE TIOGA COUNTY LEGISLATURE does hereby proclaim the week of April 4 – 10, 2022 as

### **PUBLIC HEALTH WEEK**

and urges all residents to take steps to educate and recognize the role of public health in our community.

There was no privilege of the floor.

Legislator Monell made a motion to approve the minutes of February 15 and 24, 2022, seconded by Legislator Mullen and carried.

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

REFERRED TO: LEGISLATIVE WORKSESSION  
RESOLUTION NO. 80-22 APPOINT MEMBER TO BOARD OF ETHICS

WHEREAS: Tioga County Ethics Policy, Section II, Subsection VI (B) – Ethics Board Membership states members who have served two full three-year terms may not be reappointed for at least one year after the expiration of their last term; and

WHEREAS: A vacancy exists on the Board of Ethics due to Reverend James Stevens term ending; and

WHEREAS: Thomas Mullen, a resident of Tioga County, NY has agreed to serve on the Board of Ethics; therefore be it

RESOLVED: That Thomas Mullen be and hereby is appointed to the Board of Ethics for a term beginning April 1, 2022 through March 31, 2025.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Hollenbeck, Monell, Mullen, Roberts, Standinger, Weston, and Brown.

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE  
RESOLUTION NO. 81-22 APPOINT MEMBER TO THE  
TIOGA COUNTY BOARD OF HEALTH

WHEREAS: Section 344 of the Public Health Law requires that members of the Board of Health shall serve six year staggered terms; and

WHEREAS: Maureen Hawley resigned from the Board of Health November 11, 2020; and

WHEREAS: The appointed term for Maureen Hawley on the Board of Health expires June 13, 2022; and

WHEREAS: William Simmons has agreed to fill the unexpired term of Maureen Hawley and continue with a new six-year term effective June 14, 2022 through June 13, 2028 ; and

WHEREAS: The Board of Health voted, on February 17, 2022, to recommend to the Tioga County Legislature the appointment of William Simmons to the Board of Health; therefore be it

RESOLVED: That William Simmons be appointed to the Board of Health to serve the remainder of the unexpired term of Maureen Hawley and thereafter commence a new six-year term effective June 14, 2022 through June 13, 2028.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Hollenbeck, Monell, Mullen, Roberts, Standinger, Weston, and Brown.

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 82-22 RESOLUTION REAPPOINTING  
MEMBER TO COMMUNITY SERVICES BOARD

WHEREAS: Larrisa Pierce's appointment to the Community Services Board will expire on March 31<sup>st</sup>, 2021; and

WHEREAS: The Community Services Board has recommended Larissa Pierce's reappointment; 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 Larissa Pierce be reappointed to the Community Services Board, for term starting April 1<sup>st</sup>, 2022 and ending March 31<sup>st</sup>, 2026.

## ROLL CALL VOTE

Yes – Legislators Ciotoli, Hollenbeck, Monell, Mullen, Roberts, Standinger, Weston, and Brown.

No – None.

Absent – Legislator/Chair Sauerbrey.

## RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 83-22 RE-APPOINT MEMBERS TO TRAFFIC SAFETY BOARD  
SHERIFF'S OFFICE

WHEREAS: The terms of the Traffic Safety Board members will expire March 31, 2022; therefore be it

RESOLVED: That the following members be appointed to the Traffic Safety Board for a term as follows:

<u>TITLE</u>	<u>TERM</u>
Tioga County Public Works Commissioner or Designee	4/1/22-3/31/25
Tioga County Emergency Services Director	4/1/22-3/31/25
Tioga County Sheriff or Designee	4/1/22-3/31/25
Tioga County Economic Development or Designee	4/1/22-3/31/25
Tioga County Public Health Director or Designee	4/1/22-3/31/25
Art Cacciola - Candor	4/1/22-3/31/25

## ROLL CALL VOTE

Yes – Legislators Ciotoli, Hollenbeck, Monell, Mullen, Roberts, Standinger, Weston, and Brown.

No – None.

Absent – Legislator/Chair Sauerbrey.

## RESOLUTION ADOPTED.



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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 84-22 RE-APPOINT MEMBER TO THE TIOGA COUNTY LOCAL DEVELOPMENT CORPORATION (TCLDC)

WHEREAS: The term of Tioga County Local Development Corporation member, Jon Ward, will expire as of March 31, 2022; and

WHEREAS: Jon Ward has expressed a desire for re-appointment to serve another term; therefore be it

RESOLVED: That the Tioga County Legislature hereby re-appoint Jon Ward for another three-year term of 4/1/22 – 3/31/25.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Hollenbeck, Monell, Mullen, Roberts, Standinger, Weston, and Brown.

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 85-22 RE-APPOINT MEMBER TO THE TIOGA COUNTY LOCAL DEVELOPMENT CORPORATION (TCLDC)

WHEREAS: The term of Tioga County Local Development Corporation member, Marcia Kiechle, will expire as of March 31, 2022; and

WHEREAS: Marcia Kiechle has expressed a desire for re-appointment to serve another term; therefore be it

RESOLVED: That the Tioga County Legislature hereby re-appoint Marcia Kiechle for another three-year term of 4/1/22 – 3/31/25.

## ROLL CALL VOTE

Yes – Legislators Ciotoli, Hollenbeck, Monell, Mullen, Roberts, Standinger, Weston, and Brown.

No – None.

Absent – Legislator/Chair Sauerbrey.

## RESOLUTION ADOPTED.

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

REFERRED TO:

FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 86-22

*ERRONEOUS ASSESSMENT  
TOWN OF SPENCER*

WHEREAS: An application for Corrected Tax Roll for the year 2020 indicates that parcels #68.00-1-13.2-1, 68.00-1-13.3-1, 68.00-1-13.4-1, 68.00-1-13.5-1, 68.00-1-29.11-1, 68.00-1-67.-1, 68.00-1-68.-1 account #5284, 5285, 5286, 5287, 5288, 5289, 5290, in the Town of Spencer assessed to Spencer-Tioga Solar LLC (c/o SUN8 PDC LLC) on the 2020 tax roll of the Town of Spencer is erroneous in that the Spencer-Tioga Solar LLC should have been wholly exempt due to their IDA PILOT for solar farm started in the 2019 roll year and that the exempt code was not applied; therefore be it

RESOLVED: The tax bills for 2020 in the Town of Spencer be null and void; and be it further

RESOLVED: That the erroneous County Tax of \$6.72 be charged to the proper account in the records of the County Treasurer; and be it further

RESOLVED: That the erroneous Town Tax of \$4.76 be charged to the proper account in the records of the County Treasurer; and be it further

RESOLVED: That the Solid Waste Tax of \$.42 be charged to the proper account in the records of the County Treasurer; and be it further

RESOLVED: That the School Tax of \$15.26 be charged to the proper account in the records of the County Treasurer; and be it further

RESOLVED: That the erroneous Fire Tax of \$.42 be charged to the proper account in the records of the County Treasurer;

## ROLL CALL VOTE

Yes – Legislators Ciotoli, Hollenbeck, Monell, Mullen, Roberts, Standinger, Weston, and Brown.

No – None.

Absent – Legislator/Chair Sauerbrey.

## RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 87-22 ADOPT LOCAL LAW NO. 3 OF 2022

WHEREAS: A public hearing was held on February 24, 2022, following due notice thereof to consider the adoption of Local Law Introductory No. C of the Year 2022; a Local Law repealing Local Law No. 1 of 2022 and imposing additional surcharges for telephonic communication pursuant to the authority of Tax Law §186-g and County Law §337; and

WHEREAS: It is in the best interests of the residents of Tioga County to adopt such Local law which will be Local Law No. 3 of 2022; therefore be it

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

County of Tioga

Local Law No. 3 of the Year 2022.

A Local Law of the Tioga County Legislature of the County of Tioga, repealing Local Law No. 1 of the Year 2022 and imposing additional surcharges for telephonic communication pursuant to the authority of Tax Law §186-g and County Law §337.

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

SECTION 1: PURPOSE

A Local Law repealing and replacing Local Law No. 1 of the Year 2022, that amended Local Law No. 3 of 2017 and Local Law No. 1 of 1991 to authorize the County of Tioga to impose an additional surcharge of One Dollar (\$1.00) to the current surcharges which are applied to both wireless and traditional telephone services for a period of ten years.

The charge applied for prepaid and monthly wireless devices is increased from Thirty Cents (\$0.30) to One Dollar and Thirty Cents (\$1.30). The charge for traditional phone service through telephone service providers and Voice Over IP services is increased from Thirty Five Cents (\$0.35) to One Dollar and Thirty Five Cents (\$1.35). This law provides for these fees to return to their prior level after this law's expiration.

#### SECTION 2:

Local Law No. 1 of 2022, which amended Local Law No. 3 of 2017, is hereby repealed.

#### SECTION 3: WIRELESS SURCHARGES

Local Law No. 3 of 2017 is amended by adding a new Section 2-A to read as follows:

##### SECTION 2-A: Imposition of additional wireless surcharges

(a) Pursuant to the authority of Tax Law § 186-g, in addition to the wireless communications surcharges imposed by Section 2 of this local law, there are hereby imposed and there shall be paid additional surcharges within the territorial limits of the County of Tioga on (i) wireless communications service provided to a wireless communications customer with a place of primary use within the County of Tioga, at the rate of One Dollar (\$1.00) per month on each wireless communications device in service during any part of the month; and (ii) retail sales of prepaid wireless communication service sold within the territorial limits of County of Tioga, at the rate of One Dollar (\$1.00) per retail sale, whether or not any tangible personal property is sold therewith.

(b) Such additional surcharges shall be identical to the surcharges imposed by such Section 2 and shall be administered and collected in the same manner as such surcharges. All of the provisions of this local law relating or applicable to the administration and collection of the surcharges imposed by such Section 2 shall apply to the additional surcharges imposed by this section with the same force and effect as if those provisions had been incorporated in full into this section and had expressly referred to the additional surcharges imposed by this section.

#### SECTION 4: LOCAL SURCHARGE FOR ENHANCED EMERGENCY TELEPHONE SYSTEM

Local Law No. 1 of 1991 is amended by adding a new Section 11 to read as follows:

SECTION 11: Imposition of additional surcharges for an Enhanced Emergency Phone System

(a) Pursuant to the authority of County Law §337, in addition to the surcharges imposed by Section 2 of this local law, there are hereby imposed and there shall be paid an additional surcharge of One Dollar (\$1.00) per access line per month on the customers of every service supplier within Tioga County to pay for the costs associated with obtaining, operating and maintaining the telecommunication equipment and telephone services needed to provide an enhanced 911 emergency telephone system (E911) to serve Tioga.

(b) This additional surcharge shall be identical to the surcharge imposed by such Section 2 and shall be administered and collected in the same manner as such surcharges. All of the provisions of this local law relating or applicable to the administration and collection of the surcharges imposed by such Section 2 shall apply to the additional surcharges imposed by this section with the same force and effect as if those provisions had been incorporated in full into this section and had expressly referred to the additional surcharges imposed by this section.

(c) Tioga County will provide a minimum of forty-five (45) days written notice to the service suppliers to allow ample time to add such surcharge to the billings of its customers.

(d) The E911 surcharge imposed must be reflected and made payable on bills rendered to the customer.

(e) Service suppliers shall begin to add such surcharge to the billing of its customers and shall begin to collect such surcharge commencing June 1, 2022.

(f) The Definition of Service Supplier provided in Section 1 (a) is hereby amended to reference the definition provided by New York County Law §301 and will read as follows (a) "Service supplier" means (i) a telephone corporation which provides local exchange access service within a 911 service area, or (ii) a provider of "voice over internet protocol service" or "VOIP service" that provides such service within a 911 service area.

#### SECTION 5: EFFECTIVE DATE

This Local Law shall take effect June 1, 2022, provided however new section 2-A of Local Law No. 3 of 2017, as added by Section 3 of this local law, and new section 11 of Local Law No. 1 of 1991, as added by Section 4 of this local law, shall expire and be deemed repealed August 31, 2031.

## ROLL CALL VOTE

Yes – Legislators Ciotoli, Hollenbeck, Monell, Mullen, Roberts, Standinger, Weston, and Brown.

No – None.

Absent – Legislator/Chair Sauerbrey.

## RESOLUTION ADOPTED.

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

REFERRED TO:                                   LEGAL/FINANCE COMMITTEE  
  INFORMATION TECHNOLOGY COMMITTEE  
  PUBLIC SAFETY COMMITTEE  
  HEALTH AND HUMAN SERVICES COMMITTEE

RESOLUTION NO. 88-22                    *AUTHORIZE EXECUTION OF COOPERATIVE  
AGREEMENTS BETWEEN THE LAW DEPARTMENT,  
ITCS, SHERIFF, PUBLIC HEALTH, DSS, AND  
MENTAL HYGIENE*

WHEREAS: Tioga County has implemented a Direct Charge Pilot Program that will maximize State reimbursement for legal and IT expenses while eliminating the administrative burden of charging all departments for those expenses; and

WHEREAS: The Law Department and ITCS will directly charge the Department of Social Services, Public Health and Mental Hygiene for its services and support pursuant to Cooperative Agreements; and

WHEREAS: The Sheriff's Department will directly charge the Department of Social Services for security services, escort, protection and transport services; and

WHEREAS: It may be necessary for the Budget Officer to make budget adjustments to reflect the budgeted amounts and year end actuals in the cooperative agreements between ITCS and DSS, Public Health and Mental Hygiene and to reflect the budgeted amount in the cooperative agreement between the Sheriff and DSS; therefore be it

RESOLVED: That the Legislature authorizes and directs the Chair to execute Cooperative Agreements between the Law Department and DSS, Public Health and Mental Hygiene; and be it further

RESOLVED: That the Legislature authorizes and directs the Chair to execute Cooperative Agreements between the ITCS Department and DSS, Public Health and Mental Hygiene; and be it further

RESOLVED: That the Legislature authorizes and directs the Chair to execute a Cooperative Agreement between the Sheriff's Department and DSS; and be it further

RESOLVED: That the Cooperative Agreements between DSS and the Law Department, ITCS and Sheriff shall be submitted to the New York State Office of Temporary and Disability Assistance and the Office of Children and Family Services for approval; and be it further

RESOLVED: That the Budget Officer is authorized to make budget adjustments to reflect the budgeted amounts and year end actuals in the cooperative agreements between ITCS and DSS, Public Health and Mental Hygiene and to reflect the budgeted amount in the cooperative agreement between the Sheriff and DSS.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Hollenbeck, Monell, Mullen, Roberts, Standinger, Weston, and Brown.

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO:	PERSONNEL COMMITTEE LEGISLATIVE WORKSESSION
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RESOLUTION NO. 89-22	<i>AUTHORIZE CONTRACT WITH PUBLIC SAFETY PSYCHOLOGY</i>
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WHEREAS: Part 6000 of the NYS Register, which governs medical and physical standards for law enforcement recruits, was revised in late 2021; and

WHEREAS: A significant change was made to the psychological testing regulations, to now require examination by a Psychologist or Psychiatrist certified in New York State; and

WHEREAS: Tioga County has for many years completed this testing utilizing a tool issued and evaluated by an agency in Georgia, which no longer satisfies the revised regulations; and

WHEREAS: The Personnel Department has sought quotes from three agencies to conduct psychological tests that satisfy the new regulations; and

WHEREAS: Only one of the agencies contracted is able to offer the required services; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to enter into a contract with Public Safety Psychology retroactive to March 7, 2022 at a cost of \$325.00/exam, subject to review by the County Attorney, for the administration of psychological testing of law enforcement candidates in accordance with Part 6000 of the NYS Register; and be it further

RESOLVED: That the cost of this contract will be paid out of account A1430-540470.

#### ROLL CALL VOTE

Yes – Legislators Ciotoli, Hollenbeck, Monell, Mullen, Roberts, Standinger, Weston, and Brown.

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 90-22      *AWARD TALCOTT STREET BRIDGE  
CONSTRUCTION CONTRACT*

WHEREAS: Tioga County has budgeted for the repairs to Talcott Street Bridge; and

WHEREAS: The Commissioner of Public Works received sealed bids on February 9, 2022 and the bids results were as follows:

R. DeVincentis Construction Co., Inc.	\$378,000.00
Economy Paving Co. Inc.	\$399,399.00



WHEREAS: Tioga County DPW have completed the review of the bids and finds the low bidder R. DeVincentis Construction Co. Inc., Binghamton, NY meets all of the qualifications of the bid specifications; therefore be it

RESOLVED: That the Tioga County Legislature authorize awarding the bid to R. DeVincentis Construction Co. Inc., Binghamton, NY not to exceed \$378,000.00 to be paid out of the following account: H5110.540004.H2101 – Talcott Street Bridge.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Hollenbeck, Monell, Mullen, Roberts, Standinger, Weston, and Brown.

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 91-22                      *AUTHORIZE INCREASE IN ADMINISTERING  
MORTGAGE TAX BY THE TIOGA COUNTY CLERK AS  
APPROVED BY NEW YORK STATE DEPARTMENT OF  
TAXATION AND FINANCE*

WHEREAS: Section 262 (Article 11) of the New York State tax law mandates that recording officers are entitled to receive for the county all necessary expenses for the purpose of administration of the mortgage tax in their office and approved allowance by the New York State Department of Taxation and Finance; and

WHEREAS: The Tioga County Clerk has requested proper compensation that are reasonable and necessary allowances to cover county expenditures for collection, disbursements of the mortgage tax; and

WHEREAS: The Tioga County Clerk's office has submitted to the New York State Department of Taxation and Finance a mortgage expense request of \$150,774.00 per year; and

WHEREAS: The Tioga County Clerk has been authorized by New York State Department of Taxation and Finance to increase the mortgage expense to be \$150,774.00 for the period of April 1, 2022 – March 31, 2023; therefore be it

RESOLVED: That the County Clerk be authorized to collect or withhold from its

disbursements in twelve (12) equal monthly installments of \$12,564.50 at a total annum amount of \$150,774.00.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Hollenbeck, Monell, Mullen, Roberts, Standinger, Weston, and Brown.

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE  
PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 92-22      *AUTHORIZE SUBMISSION OF HAZARDOUS MITIGATION  
PLANNING GRANT APPLICATION  
EMERGENCY MANAGEMENT, SOIL & WATER,  
ECONOMIC DEVELOPMENT & PLANNING*

WHEREAS: Tioga County currently has an approved Federal Emergency Management Agency (FEMA) Multijurisdictional Multi Hazards Mitigation Plan (HMP); and

WHEREAS: The County's current HMP expires in August of 2024 and FEMA requires five-year HMP updates to be completed before their current expiration date; and

WHEREAS: FEMA has made funding available to NYS Department of Homeland Security and Emergency Services (DHSES) to update Hazard Mitigation Plans; and

WHEREAS: Tioga County Departments of Economic Development & Planning, Emergency Services and Soil & Water Conservation District partner on these HMP updates; and

WHEREAS: Tioga County is eligible for these funds and has been encouraged by NYS DHSES staff to apply this year for our County's HMP Update; and

WHEREAS: This funding is available to cover 75% of the project cost with a required local match of 25%; and

WHEREAS: In 2023, Economic Development and Planning will have \$22,000 available between budget line items of A8020.540140 Contract Services and A8020.540590 Services Rendered and Emergency Services will have \$3,000 available in budget line item A3640.540140 Contract Services totaling a \$25,000 local match and enabling a \$100,000 total grant application; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes said grant application to FEMA for a Tioga County HMP Update in an amount not to exceed \$100,000 and authorizes the Chair of the County Legislature to sign any and all grant related paperwork upon review of the County Attorney.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Hollenbeck, Monell, Mullen, Roberts, Standinger, Weston, and Brown.

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 93-22 *AUTHORIZATION FOR ECONOMIC DEVELOPMENT AND PLANNING TO SUBMIT GRANT APPLICATION TO NYS CDBG-CV CARES ACT PROGRAM AND AUTHORIZE LEGISLATIVE CHAIR SIGNATURE ON GRANT RELATED DOCUMENTS FOR RACKER NON-PROFIT HUB PROJECT*

WHEREAS: Racker intends to construct a 15,000 SF non-profit hub on a 1.6-acre parcel on North Depot Street in the Village of Owego estimated at \$5,824,000 that will address an abundance of needs in Tioga County for the vulnerable and underserved populations disproportionately impacted by the COVID-19 crisis; and

WHEREAS: The non-profit hub will allow Racker and partnering organizations to provide services and programs for people with disabilities and poverty stricken families, early childhood services, immigrant services, and various other community needs; and

WHEREAS: The Community Development Block Grant (CDBG)-CV Cares Act program is administered by the NYS Office of Community Renewal (OCR), and will make available to eligible local governments approximately \$127,000,000 for Small Business Assistance, Public Facilities/Infrastructure, Housing Improvements, and Public Services activities that respond to the impacts of COVID-19 crisis; and

WHEREAS: Tioga County is proposing the submittal of an application under the CDBG-CV program in the amount of \$3,000,000 to assist Racker with the aforementioned project; and

WHEREAS: Racker will be providing the balance of the project cost through a combination of other committed grants sources and cash match; and

WHEREAS: The proposed project is an eligible activity under the CDBG-CV program and Tioga County, NY, as a non-entitlement unit of local government, is an eligible entity to apply for and receive CDBG-CV funds; therefore be it

RESOLVED: That the Tioga County Legislature authorizes said grant application in the amount of \$3,000,000 and upon award, authorizes the Chair of the Legislature to sign any and all grant-related contract and other paperwork, contingent upon review by the County Attorney.

#### ROLL CALL VOTE

Yes – Legislators Ciotoli, Hollenbeck, Monell, Mullen, Roberts, Standinger, Weston, and Brown.

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 94-22                      *SCHEDULE PUBLIC HEARING FOR NEW YORK STATE  
COMMUNITY DEVELOPMENT BLOCK GRANT FOR  
RACKER NON-PROFIT HUB PROJECT*

WHEREAS: Racker intends to construct a 15,000 SF non-profit hub on a 1.6-acre parcel on North Depot Street in the Village of Owego estimated at \$5,824,000 that will address an abundance of needs in Tioga County for the vulnerable and underserved populations disproportionately impacted by the COVID-19 crisis; and

WHEREAS: The non-profit hub will allow Racker and partnering organizations to provide services and programs for people with disabilities and poverty stricken families, early childhood services, immigrant services, and various other community needs; and

WHEREAS: The Community Development Block Grant (CDBG)-CV program is administered by the NYS Office of Community Renewal (OCR), and will make available to eligible local governments approximately \$127,000,000 for Small Business Assistance, Public Facilities/Infrastructure, Housing Improvements, and Public Services activities that respond to the impacts of COVID-19 crisis; and

WHEREAS: The proposed project is an eligible activity under the NYS CDBG-CV Cares Act program and Tioga County, NY, as a non-entitlement unit of local government, is an eligible entity to apply for and receive CDBG-CV funds; and

WHEREAS: The Tioga County Legislature is required to hold a public hearing allowing for citizen feedback on the community and economic development needs of Tioga County and the proposed project; therefore be it

RESOLVED: That the Tioga County Legislature will hold a public hearing for community input in regards to the current Community Development Block Grant project in the Edward D. Hubbard Auditorium of the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, New York 13827 on Thursday, March 24, 2022 at 10:00 A.M. All persons desiring to present written or oral comments may do so at said time.

#### ROLL CALL VOTE

Yes – Legislators Ciotoli, Hollenbeck, Monell, Mullen, Roberts, Standinger, Weston, and Brown.

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 95-22      *AUTHORIZATION FOR ECONOMIC DEVELOPMENT AND PLANNING TO SUBMIT GRANT APPLICATION TO NYS CDBG-CV CARES ACT PROGRAM AND AUTHORIZE LEGISLATIVE CHAIR SIGNATURE ON GRANT RELATED DOCUMENTS FOR TIOGA OPPORTUNITIES, INC. BUILDING UPGRADE AND GENERATOR PURCHASE PROJECT*

WHEREAS: Tioga Opportunities, Inc. (TOI) intends to upgrade and expand the existing HVAC system at the Countryside Community Center, located at 9 Sheldon Guile Blvd, Owego, NY 13827 to provide ventilation throughout the entire building, enhance air filtration, and sanitize air to keep vulnerable populations safe, improve air quality, and reduce transmission of airborne illnesses and risk of exposure; and

WHEREAS: TOI also intends to install a 24kw generator at the Nichols Schoolhouse Apartments, located at 84 Cady Ave, Nichols, NY 13812 to power the complex's common room so that in the event of a power outage, residents could power necessary medical equipment, charge personal items, and prepare food; and

WHEREAS: The Community Development Block Grant (CDBG)-CV program is administered by the NYS Office of Community Renewal (OCR), and will make available to eligible local governments approximately \$127,000,000 for Small Business Assistance, Public Facilities/Infrastructure, Housing Improvements, and Public Services activities that respond to the impacts of COVID-19 crisis; and

WHEREAS: Tioga County is proposing the submittal of an application under the CDBG-CV program in the amount of \$300,000 to assist TOI with the aforementioned project; and

WHEREAS: The proposed project is an eligible activity under the CDBG-CV program and Tioga County, NY, as a non-entitlement unit of local government, is an eligible entity to apply for and receive CDBG-CV funds; therefore be it

RESOLVED: That the Tioga County Legislature authorizes said grant application in the amount of \$300,000 and upon award, authorizes the Chair of the Legislature to sign any and all grant-related contract and other paperwork, contingent upon review by the County Attorney.

## ROLL CALL VOTE

Yes – Legislators Ciotoli, Hollenbeck, Monell, Mullen, Roberts, Standinger, Weston, and Brown.

No – None.

Absent – Legislator/Chair Sauerbrey.

## RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 96-22                      *SCHEDULE PUBLIC HEARING FOR NEW YORK STATE  
COMMUNITY DEVELOPMENT BLOCK GRANT FOR  
TIOGA OPPORTUNITIES, INC. BUILDING UPGRADE  
AND GENERATOR PURCHASE PROJECT*

WHEREAS: Tioga Opportunities, Inc. (TOI) intends to upgrade and expand the existing HVAC system at the Countryside Community Center, located at 9 Sheldon Guile Blvd, Owego, NY 13827 to provide ventilation throughout entire building, enhance air filtration, and sanitize air to keep vulnerable populations safe, improve air quality, and reduce transmission of airborne illnesses and risk of exposure; and

WHEREAS: TOI also intends to install a 24kw generator at the Nichols Schoolhouse Apartments, located at 84 Cady Ave, Nichols, NY 13812 to power the complex's common room so that in the event of a power outage, residents could power necessary medical equipment, charge personal items, and prepare food; and

WHEREAS: The Community Development Block Grant (CDBG)-CV program is administered by the NYS Office of Community Renewal (OCR), and will make available to eligible local governments approximately \$127,000,000 for Small Business Assistance, Public Facilities/Infrastructure, Housing Improvements, and Public Services activities that respond to the impacts of COVID-19 crisis; and

WHEREAS: The proposed project is an eligible activity under the NYS CDBG-CV Cares Act program and Tioga County, NY, as a non-entitlement unit of local government, is an eligible entity to apply for and receive CDBG-CV funds; and

WHEREAS: The Tioga County Legislature is required to hold a public hearing allowing for citizen feedback on the community and economic development needs of Tioga County and the proposed project; therefore be it

RESOLVED: That the Tioga County Legislature will hold a public hearing for community input in regards to the current Community Development Block Grant project in the Edward D. Hubbard Auditorium of the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, New York 13827 on Thursday, March 24, 2022 at 10:05 A.M. All persons desiring to present written or oral comments may do so at said time.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Hollenbeck, Monell, Mullen, Roberts, Standinger, Weston, and Brown.

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 97-22 *FILING OF AN APPLICATION FOR STATE GRANT FROM DEC MUNICIPAL WASTE REDUCTION AND RECYCLING (MWRR) PROGRAM*

WHEREAS: The State of New York announced a grant from the DEC municipal waste reduction and recycling (MWRR) program to assist counties and local governments with their waste reduction program expenses; and

WHEREAS: Through this grant Solid Waste would be partially reimbursed for their eligible costs of their Reduce, Reuse and Recycling program; therefore be it

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

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



## ROLL CALL VOTE

Yes – Legislators Ciotoli, Hollenbeck, Monell, Mullen, Roberts, Standinger, Weston, and Brown.

No – None.

Absent – Legislator/Chair Sauerbrey.

## RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 98-22      *REQUESTING TIOGA COUNTY VETERANS' SERVICE AGENCY BE ALLOWED TO PURSUE A GRANT KNOWN AS NY CARES UP GRANT*

WHEREAS: The New York State Office of Mental Health's Suicide Prevention Center of New York is offering a two-year Veteran Serving Organization Grant that will award \$70,000 to be used to set-up and implement a model national program called the Expiration Term of Service - Sponsorship Program (ETS-SP); and

WHEREAS: This community-based program serves to assist Transitioning Service members and veterans (TSMs/Vs) as they shift from military to civilian life, by connecting them with a local volunteer peer sponsor. The program focuses on the first year of post-military life, a timeframe often referred to as the “deadly gap” due to the high rate of homelessness, criminal justice involvement, alcohol and substance use, unemployment, and suicide. ETS Sponsors are trained and certified to build relationships and resiliency; and

WHEREAS: The grant funding will be used to aid us in becoming an approved ETS-SP program that includes certification as Community Integration Coordinators. Applicants for this grant are encouraged to do so on a regional level; therefore, we have created the Southern Tier Finger Lakes Regional Collaborative that is currently comprised of the Veteran Service Agencies of Tioga (lead entity for grant), Cayuga, Chemung, Cortland, Schuyler and Tompkins Counties as well as, the Tioga County Department of Mental Hygiene, Tioga County Suicide Prevention Coalition and the Tioga ASAP Coalition; therefore be it

RESOLVED: That the Tioga County Legislature allow the Tioga County Veterans' Service Agency to pursue this grant application to establish and maintain an ETS-SP program within the Regional Collaborative as previously described.

## ROLL CALL VOTE

Yes – Legislators Ciotoli, Hollenbeck, Monell, Mullen, Roberts, Standing, Weston, and Brown.

No – None.

Absent – Legislator/Chair Sauerbrey.

## RESOLUTION ADOPTED.

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

REFERRED TO HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 99- 22 AUTHORIZATION TO APPLY FOR GRANT  
DEPARTMENT OF SOCIAL SERVICES

WHEREAS: New York State has released a grant opportunity titled "Victims of Crime Act (VOCA) Victim and Witness Assistance Grant Program"; and

WHEREAS: The Tioga County Department of Social Services desires to pursue this grant opportunity to assist in the implementation of their recently developed Child Advocacy Center; and

WHEREAS: Although the amount of the grant funding is not yet determined, as it will be based upon the competitive award process, the Department of Social Services will be requesting approximately \$450,000 over 3 years; and

WHEREAS: While the grant does require 25% matching expenditures in years two and three, the Department of Social Services will seek all matching costs from community partners and in-kind expenditures; and

WHEREAS: The Tioga County Department of Social Services has partnered with A New Hope Center on this potential grant opportunity; and

WHEREAS: County Policy 47 requires Legislative approval for grant applications that will require the signature of the Chief Elected Official; therefore be it

RESOLVED: That the Tioga County Department of Social Services is authorized to submit an application for the "Victims of Crime Act (VOCA) Victim and Witness Assistance Grant Program" grant.

## ROLL CALL VOTE

Yes – Legislators Ciotoli, Hollenbeck, Monell, Mullen, Roberts, Standinger, Weston, and Brown.

No – None.

Absent – Legislator/Chair Sauerbrey.

## RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE  
LEGISLATIVE WORKSESSION

RESOLUTION NO. 100-22      *AUTHORIZE APPROPRIATION OF YEAR FOUR  
FUNDING FROM THE NYS OFFICE OF INDIGENT LEGAL  
SERVICES FOR HURRELL-HARRING GRANT AND  
AMEND 2022 BUDGET*

WHEREAS: By Resolution No. 257-18 adopted on November 13, 2018, Tioga County entered into a five-year agreement with the New York State Office of Indigent Legal Services for distribution of funds to provide representation to persons legally entitled to counsel but unable to hire an attorney; and

WHEREAS: By Resolution No. 49-22 the fourth year contract amendment was adopted and executed on February 15, 2022 for fiscal year April 2021 – March 2022; and

WHEREAS: The NYS Expense Report has a current balance remaining of \$619,149.17; and

WHEREAS: The 2022 budget and the 2021 carry forward (Resolution 283-21) allocated \$409,350.40 of the \$619,149.17 into the Hurrell-Harring Grant. The remaining \$209,798.77 needs to be allocated to equal the remaining balance of \$619,149.17; and

WHEREAS: The 2022 budget allocated \$359,979.36 in State Aid revenue of the \$619,149.17. The remaining \$259,169.81 needs to be allocated to equal the remaining balance of \$619,149.17; and

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

RESOLVED: That the 2022 Budget be amended and brought into balance with the NYS Expense report in the Amount of \$619,149.17; and amended as follows:

Revenue Account: A 1174 430260 State Aid Indigent	\$ 259,169.81
Expense Account: A 1174 510010 Full Time Salary	\$ - 29,817.36
A 1174 510020 Part Time Salary	\$ 30,757.69
A 1174 520090 Info Tech	\$ - 5,108.09
A 1174 520200 Office Equipment	\$ 10,684.15
A 1174 540140 Contracted Services	\$ 27,345.73
A 1174 540040 Books	\$ 1,493.38
A 1174 540180 Dues	\$ 2,500.00
A 1174 540280 Investigations	\$ 71,312.23
A 1174 540320 Leased Services	\$ -
A 1174 540390 Mileage	\$ 3,483.68
A 1174 540420 Supplies	\$ 9,857.91
A 1174 540480 Postage	\$ -
A 1174 540550 Rent	\$ 11,500.00
A 1174 540620 Software Expenses	\$ 10,633.94
A 1174 540733 Training/CLE	\$ 6,264.00
A 1174 581088 Retirement	\$ 14,634.78
A 1174 583088 Social Security	\$ 16,262.04
A 1174 585588 Disability	\$ 49.85
A 1174 584088 Workers Comp	\$ 3,116.10
A 1174 586088 Health Ins/HRA	\$ 24,795.40
A 1174 588988 EAP	\$ 33.34

And be it further

RESOLVED: Available funds on 12/31 will be carried forward into the New Year.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Hollenbeck, Monell, Mullen, Roberts, Standinger, Weston, and Brown.

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE  
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 101-22 AMEND BUDGET AND TRANSFER FUNDS  
PUBLIC WORKS

WHEREAS: The Commissioner of Public Works has budgeted funds for Talcott Street Bridge repairs; and

WHEREAS: Bids were received for the subject bridge repairs and the budgeted amount of the repairs are insufficient; and

WHEREAS: Budget Amendments and Interfund Transfers require Legislative approval; therefore be it

RESOLVED: That the following Interfund Transfer be approved:

From- H5110.450310	Interfund Transfers	\$155,000
To- D9950.590715	Transfer to Capital	\$155,000

And be it further

RESOLVED: That the following Budget Amendments be approved:

Decrease: D5110.540050	Bridge Projects	\$155,000
Increase: D9950.590715	Transfer to Capital	\$155,000
Increase: H5110-450310	Interfund Transfers	\$155,000
Increase: H5110.540004.H2101	Talcott Street Bridge	\$155,000

ROLL CALL VOTE

Yes – Legislators Ciotoli, Hollenbeck, Monell, Mullen, Roberts, Standinger, Weston, and Brown.

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 102-22      *RESOLUTION APPORTIONING FORFEITURE OF CRIME PROCEEDS FOR DRUG ENFORCEMENT ACTIVITIES*

WHEREAS: Resolution 239-20 established a system for the disposal of property, the order of priority of disbursements and the restrictions on the use of both pre-conviction and post-conviction forfeitures of crime proceeds; and

WHEREAS: Amounts received in general fund of County restricted for Law enforcement purposes should be used for Law enforcement purposes by the District Attorney in the year received. If not used, the unexpended balance shall be transferred to Criminal Proceed Forfeiture Reserve Fund (Account A388901/A388905). The amounts in these accounts must be used in the next succeeding fiscal year for Law enforcement purposes by the District Attorney; and

WHEREAS: There are two Crime Proceeds reserve accounts that have balances that need to be allocated into the District Attorney's budget. Crime Proceeds Restricted (A388901) \$680.57 and Crime Proceeds Unrestricted (A388905) \$18,095.19; and

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

RESOLVED: That funding be appropriated as follows:

FROM: A388901	Forfeiture of Crime Proceeds	\$18,095.19
A388905	Forfeiture of Crime Proceeds Restricted	\$ 680.57
TO: A1165 540335	Asset Forfeiture Expense	\$ 18,095.19
A1165 540336	Asset Forf. Exp Restricted	\$ 680.57

ROLL CALL VOTE

Yes – Legislators Ciotoli, Hollenbeck, Monell, Mullen, Roberts, Standinger, Weston, and Brown.

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE  
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 103-22 APPROPRIATION OF FUNDS AND  
AMEND 2022 BUDGET  
SOCIAL SERVICES

WHEREAS: Tioga County Department of Social Services has received a Pandemic Emergency Assistance Fund (PEAF) allocation to provide financial assistance for the cost of diapers for children under the age of three, to provide food assistance to multi-generational households with older family members, and to provide financial assistance to victims of domestic violence and their families in paying reasonable costs associated with relocation; and

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

RESOLVED: That funding be appropriated as follows:

From: A6109.446090 Federal Aid: Family Assistance \$ 145,580

To: A6109.540487 Family Assistance Program Expense \$ 145,580

ROLL CALL VOTE

Yes – Legislators Ciotoli, Hollenbeck, Monell, Mullen, Roberts, Standinger, Weston, and Brown.

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 104-22 AUTHORIZE SALARY ABOVE CSEA BASE FOR  
PROBATION OFFICER 1 (MICHELLE DUNHAM)  
PROBATION DEPARTMENT

WHEREAS: Legislative approval is required to hire above the established CSEA salary base; and

WHEREAS: The Probation Director has identified a candidate to fill the Probation Officer 1 (CSEA SG XI, \$46,132 – 47,132) vacancy who is currently employed with Tioga County and who has over 13 years of prior relevant work experience; therefore be it

RESOLVED: That Michelle Dunham is hereby provisionally appointed to the title of Probation Officer 1 at \$47,132 / year (increment stage 2) effective retroactive to March 14, 2022, pending successful completion of civil service examination requirements; and be it further

RESOLVED: That on Ms. Dunham's anniversary date, she will be eligible for her seventh year increment in April 2024.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Hollenbeck, Monell, Mullen, Roberts, Standinger, Weston, and Brown.

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 105 -22 *AUTHORIZE SALARY ABOVE CSEA BASE  
FOR PROBATION OFFICER 1 (MICHAEL FRANZ)  
PROBATION DEPARTMENT*

WHEREAS: Legislative approval is required to hire above the established CSEA salary base; and

WHEREAS: The Probation Director has identified a candidate to fill the Probation Officer 1 (CSEA SG XI, \$46,132 – 47,132) vacancy who has 3 years of prior relevant work experience; therefore be it



RESOLVED: That Michael Franz is hereby appointed to the title of Probation Officer 1 at \$47,132 / year (increment stage 2) effective retroactive to March 14, 2022; and be it further

RESOLVED: That Mr. Franz will be eligible for an increment upon completion of his seventh year of service.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Hollenbeck, Monell, Mullen, Roberts, Standinger, Weston, and Brown.

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 106-22 APPOINTMENT OF REPUBLICAN  
ELECTION COMMISSIONER  
BOARD OF ELECTIONS

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

WHEREAS: Due to retirement, the Republican Election Commissioner for the Republican Party became vacant as of February 26, 2022; and

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

RESOLVED: That Vera Lin Layman be and hereby is appointed Election Commissioner for the Republican Party retroactive effective February 28, 2022 through December 31, 2022, at the annual M/C salary of \$49,749.

## ROLL CALL VOTE

Yes – Legislators Ciotoli, Hollenbeck, Monell, Mullen, Roberts, Standing, Weston, and Brown.

No – None.

Absent – Legislator/Chair Sauerbrey.

## RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Standing.

REFERRED TO: PUBLIC WORKS COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 107-22      *CREATE AND FILL TWO (2) HIGHWAY WORKER  
(SEASONAL) POSITIONS  
PUBLIC WORKS*

WHEREAS: There will be a need for the Highway Department to employ two (2) Highway Workers (Seasonal) for 2022; 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 two (2) temporary full-time Highway Worker (Seasonal) positions effective April 1, 2022 through October 7, 2022 at an hourly rate of \$13.20 (minimum wage), however no more than 800 hours may be worked by each worker April 1, 2022 – October 7, 2022.

## ROLL CALL VOTE

Yes – Legislators Ciotoli, Hollenbeck, Monell, Mullen, Roberts, Standing, Weston, and Brown.

No – None.

Absent – Legislator/Chair Sauerbrey.

## RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 108-22 *CONTRACT FOR CONSULTANT SERVICES*

WHEREAS: Legislative approval is required to contract for professional services; and

WHEREAS: The Personnel Officer position will become vacant on March 18, 2022 due to a planned retirement, and a replacement has not yet been hired; and

WHEREAS: There is a need to contract with the recently retired Personnel Officer for continuity of operations and training of the successor; therefore be it

RESOLVED: That the County Legislature authorizes a contract with Bethany O'Rourke for consulting services at the rate of \$150.00 per hour from March 21, 2022 through May 27, 2022; and be it further

RESOLVED: That Ms. O'Rourke shall determine her hours each week, but is not expected to work more than 15 hours per week; and be it further

RESOLVED: That the end date of this arrangement may be earlier than May 27, 2022 upon agreement by both parties.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Hollenbeck, Monell, Mullen, Roberts, Standinger, Weston, and Brown.

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION  
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 109-22 *AMEND EMPLOYEE HANDBOOK; SECTION X:  
BUILDING AND VEHICLE PROCEDURES – SUBSECTION  
C. ASSIGNMENT & USE OF COUNTY VEHICLES*

WHEREAS: During the revamping of the required driver safety training by the County Safety Officer, it has been determined it is in the best interest of the County to replace the full-day driver safety training course with a driver safety training course identified by the County Safety Officer effective April 1, 2022; and

WHEREAS: The change in driver safety training warrants revisions in several areas of the Building and Vehicle Procedures policy; therefore be it

RESOLVED: That Section IV: APPROVED DRIVER LIST, paragraphs B, C, D, and E be revised to read as follows:

B. All employees who operate a County vehicle and/or personal vehicle for County business and who are on an approved driver list shall be required to certify by attending the County's driver training course. The driver training course shall be identified by the County Safety Officer with the approval of the Finance, Legal, and Safety Legislative Standing Committee. The employee must initially complete the course within 60 days of having been approved as a County driver. There will be a recertification date every three years. All drivers must thereafter recertify by the recertification date. The first recertification date shall be June 1, 2022 and occur every three years thereafter.

C. The County Safety Officer shall monitor the driver's license status of each person on the Approved Driver List through the New York State Department of Motor Vehicles License Event Notification System (LENS). In the event the driving privileges of an individual on the list is suspended or revoked, the County Safety Officer shall immediately notify the individual and Department Head, and that individual shall be removed immediately from the Approved Driver List. In NO EVENT shall said individual operate a County vehicle or personal vehicle for County business until driving privileges are restored and verified through the LENS system.

D. All employees and Legislators who receive reimbursement for using their personal vehicle for County business shall be required to complete the Tioga County Driver Safety Training within 60 days of assuming their duties and must retake the course on the same schedule as referenced in Section (B) above.

E. Employees who have been involved in an accident where they were at fault may be required to recertify or take other training as directed by their supervisor or Department Head with the advice of the County Safety Officer.

And be it further

RESOLVED: That Section V: POLICY, paragraphs F.1. and G.2. be revised to read as follows:

F.1. The first two letters preceding the serial number will identify County departments (e.g., PW: Public Works; SH: Sheriff's Office; MH: Mental Hygiene; PH: Public Health; FC: Fire Coordinator; PR: Probation; SS: Social Services; TR: Treasurer; EPD and EPA: Economic Development & Planning).

G.2. Vehicles are assigned to the following individuals:

- a. Commissioner of Public Works
- b. Deputy Commissioner of Public Works
- c. Commissioner of Social Services
- d. Director of Public Health
- e. Sheriff
- f. Undersheriff

And be it further

RESOLVED: That Section VI. RESTRICTIONS ON USE OF VEHICLES, paragraphs A.5. and A.6. be revised to read as follows:

5. Stopping while in transit to purchase items for personal and/or family use that are not required for the purpose of the trip. (Except for "de Minimis" use of vehicles [e.g., stopping for lunch or dinner on the way home]).

6. Transporting family members or any other non-County employee while the employee is on/or off-duty. The exception, when on duty, is the transportation of DSS clients who have an open case with Services.

And be it further

RESOLVED: That Section VIII. MAINTENANCE, paragraph H be deleted in its entirety.

And be it further

RESOLVED: That Section IX. ACCIDENT REPORTING, paragraphs A and B be revised to read as follows:

- A. Law enforcement must be notified for all accidents involving County vehicles, regardless of severity or fault, except minor accidents only involving Public Works vehicles with damages of less than \$1,000, which occurred entirely on County property. When reporting an accident, obtain the name of the investigating officer, agency, and the report number.
- B. Employees are also to report the nature and extent of all vehicle accidents, acts of vandalism, burglary, and or theft to their direct supervisor and Department Head immediately. Such information shall also be reported to the County Law Department and County mechanic as shall all vehicle accidents involving Department Heads and elected officials. An Incident Report, which can be obtained on the Tioga County Intranet under County Attorney forms, must be filed with the Tioga County Attorney's Office as soon as possible, but no later than the close of the next

business day. All invoices must be sent to the County Law Department as soon as they are received for review.

And be it further

RESOLVED: That Section X. GENERAL INFORMATION, paragraph B. be revised to read as follows:

- B. Operation of vehicles while under the influence of drugs or alcohol, or consumption of alcohol and/or drugs when in County vehicles, is strictly prohibited. Smoking, vaping and/or marijuana usage is prohibited in all County-owned vehicles.

And be it further

RESOLVED: That the remainder of the Building and Vehicle Procedures policy remains unchanged

ROLL CALL VOTE

Yes – Legislators Ciotoli, Hollenbeck, Monell, Mullen, Roberts, Standinger, Weston, and Brown.

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED.

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

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 110-22      *AMEND 2022 BUDGET  
APPROPRIATION OF FUNDS  
AMERICAN RESCUE PLAN ACT  
BUDGET OFFICE REQUEST 2022-003*

WHEREAS: On March 11<sup>th</sup>, 2021 the State and Local Coronavirus Fiscal Recovery Fund legislation, part of the American Rescue Plan Act, hereinafter referred to as ARPA, was signed into law, awarding Tioga County \$9,362,868 in fiscal recovery funds, half of the funds were received in 2021, and the other half are to be received in 2022; and

WHEREAS: On May 10<sup>th</sup>, 2021 the U.S. Department of Treasury released guidance as to how the fiscal recovery funds are to be spent in the response effort against the COVID-19 pandemic including support of the public health response, replacement of public sector revenue losses, and water & sewer infrastructure; and

WHEREAS: The Tioga County Legislature has identified internal departments and external agencies that would greatly benefit from the provision of the ARPA funds, that also meet the treasury's guidelines for use and provide the greatest benefit to Tioga County residents, and

WHEREAS: Upon the successful receipt and review of the One Time ARPA request form(s), both the Legislative Chair and the ARPA Fund Administrator have granted their approval of the form, and have submitted the request to the Tioga County Legislature for final review and approval; and

WHEREAS: Amending of the 2022 Budget and appropriation of Fiscal Recovery Funds require Legislative Approval; therefore be it

RESOLVED: That the 2022 Budget be amended, and funds be appropriated as follows:

TO: <b>A1325 540429 M7674 Outside Support</b>	\$50,000.00
VID: 5105 CASA-Trinity, Inc.	
ARPA Category: 1.10 Mental Health Services	
TC ASAP Community Organization Youth Substance Abuse Prevention	
Manual Check Payment	

ROLL CALL VOTE

Yes – Legislators Ciotoli, Hollenbeck, Monell, Mullen, Roberts, Standinger, Weston, and Brown.

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:48 P.M.