

First Regular Meeting
January 11, 2022

The First Regular Meeting of 2022 was held on January 11, 2022 and was called to order by the Chair at 12:05 P.M. Eight Legislative members were present with Legislator Weston being absent.

Chair Sauerbrey formally welcomed our three new Legislators; Legislator Brown, Legislator Ciotoli, and Legislator Roberts for 2022.

Chair Sauerbrey asked for a moment of prayer. "Heavenly Father, we thank you for your blessings every day and in a plain and simple prayer we ask you to guide us in our decision-making over the County and over the people we represent. We pray for COVID-19 to end and normal life to return."

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

Chair Sauerbrey asked for a moment of silence in remembrance of our former Commissioner of Public Works, Ken Del Bianco who passed away on December 25, 2021.

There were 11 people in attendance.

Chair Sauerbrey reported we have two Proclamations; Human Trafficking Awareness Month that will be read and presented by Legislator Standing and National Radon Action Month that will be noted in the minutes.

Legislator Standing spoke. "The blue candles were given to the Legislature today by Jen Green and Liz Myers as a result of this proclamation.

Legislator Standing read and presented the Human Trafficking Awareness Month proclamation to Jen Green, Child Advocacy Center Supervisor.

COUNTY OF TIOGA
EXECUTIVE PROCLAMATION

WHEREAS: Each year, January is recognized as National Human Trafficking Awareness Month and January 11 is Wear Blue for Human Trafficking Awareness Day. Tioga County's Safe Harbour Task Force takes steps each January, and throughout the year to identify, support and help keep safe youth and children in Tioga County who are impacted by the Commercial Sexual Exploitation of Children. Tioga County Safe Harbour also works with community agencies,

schools, families, and services organizations to reduce the risk of exploitation of our children by providing education, prevention, and awareness; and

WHEREAS: The commercial sexual exploitation of children is not only a global, but a local problem; the safety of our children depends on a community response; and

WHEREAS: The aftermath of child sexual exploitation is evident not only among the child affected, but their family and community at large; and

WHEREAS: The success of prevention and awareness programs such as Safe Harbour is enhanced by strong alliances with established services such as A New Hope Center, Cornell Cooperative Extension, Tioga Opportunities, the Tioga County District Attorney's Office, and many others; and

WHEREAS: All adults, youth and children should be aware of and be able to recognize the signs of commercial sexual exploitation of children, the risk it poses to our youth and the importance of children having a safe, risk-free community within which to live; therefore

THE TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby Proclaim the month of January 2022 as

HUMAN TRAFFICKING 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 and reduce the risk of the commercial sexual exploitation of children.

Jen Green spoke. "Thank you all for the recognition and your assistance in bringing this issue to the public's attention. Some of the things that make our County wonderful, its rural idyllic setting, are the factors that also increase children's risk of commercial sexual exploitation. It's my hope and the goal of Tioga County Safe Harbour Program that through increased awareness, education, and prevention programs our children can grow and flourish in a safe community. Thank you."

County of Tioga
EXECUTIVE PROCLAMATION

WHEREAS: Radon is the leading cause of lung cancer deaths among non-smokers in America and claims the lives of about 21,000 Americans each year; and

WHEREAS: Tioga County has been identified as one of five counties in New York State with the highest levels of radon. The Towns of Candor, Barton, Newark Valley, Nichols, and Berkshire have the highest rates within the county; and

WHEREAS: You can't see, smell or taste radon, but it could be present at a dangerous level in your home; and

WHEREAS: Homes tested to date in Tioga County show 57% have elevated levels above 4 picocuries per liter in the basement and 33% on the first floor; and

WHEREAS: Radon is constantly being generated by the radium in rocks, soil, water and derived materials, such as certain building supplies; and

WHEREAS: Radon can get into buildings through cracks in solid floors and walls, construction joints, gaps in suspended floors, gaps around service pipes, cavities inside walls or the water supply; and

WHEREAS: Exposure to radon is a preventable health risk, and the Environmental Protection Agency (EPA) and the U.S. Surgeon General urge all Americans to protect their health by testing their homes, schools and other buildings for radon to prevent unnecessary exposure; and

WHEREAS: Tioga County Public Health offers free radon testing for Tioga County residents through the Healthy Neighborhoods program. Appointments can be scheduled by calling 607-687-8600; therefore

The TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby Proclaim the month of January 2022 as:

NATIONAL RADON ACTION MONTH

and urges all residents to take steps to educate themselves, their families, and the community about the importance of radon testing.

There was no privilege of the floor.

Legislator Monell made a motion to approve the minutes of December 14, 2021, seconded by Legislator Hollenbeck and carried.

Chair Sauerbrey made the following appointment to the Cornell Cooperative Extension Board for a one-year term for 2022:

Legislator W. Jake Brown – 1/1/22-12/31/22

Chair Sauerbrey thanked Mr. Brown for his willingness to continue to serve.

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.

Chair Sauerbrey reported we have two very special appointments to the Board of Ethics; Clifford Balliet, Jr. and Jenny Ceccherelli.

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

REFERRED TO: LEGISLATIVE WORKSESSION
LEGAL/FINANCE COMMITTEE

RESOLUTION NO. 13-22 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 the prior term of Craig Jochum having expired on March 31, 2021; and

WHEREAS: Clifford Balliet Jr., a resident of Tioga County, NY has agreed to serve on the Board of Ethics for the currently vacant three-year term with an additional term being available thereafter subject to Legislative reappointment; therefore be it

RESOLVED: That Clifford Balliet Jr. be and hereby is appointed to the Board of Ethics for a retroactive term beginning April 1, 2021 through March 31, 2024.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION
LEGAL/FINANCE COMMITTEE

RESOLUTION NO. 14-22 APPOINT MEMBER TO
BOARD OF ETHICS

WHEREAS: Tioga County Ethics Policy, Section II, Subsection VI (A) excludes elected County Officials from serving on the Tioga County Board of Ethics and Section II, Subsection VI (B) allows members to serve for two full three-year terms; and

WHEREAS: The recent election of Ron Ciotoli to the position of County Legislator has created a vacancy on the Tioga Board of Ethics effective December 31, 2021; and

WHEREAS: Ron Ciotoli was appointed to continue an unexpired term which was set to expire on March 31, 2022; and

WHEREAS: Jenny Ceccherelli, a resident of Owego, NY has agreed to serve on the Board of Ethics and fill the unexpired term created by the resignation of Ron Ciotoli and continue with a new three-year term effective April 1, 2022 through March 31, 2025 with an additional term being available thereafter subject to Legislative reappointment; therefore be it

RESOLVED: That Jenny Ceccherelli be and hereby is appointed to the Board of Ethics to serve the remainder of an unexpired term retroactive to January 1, 2022 through March 31, 2022 and thereafter commence a new three-year term commencing April 1, 2022 through March 31, 2025.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

County Attorney DeWind spoke. "The Board of Ethics is fairly important and it is one of these things where every government being able to ensure that their County representatives and elected officials are doing the right thing and for the right reasons is fundamental to our democracy. If we have seen anything over the past year, it's how that can go awry and lose public confidence in what we are trying to accomplish."

County Attorney DeWind presented copies of the certified resolutions to Mr. Balliet and Ms. Ceccherelli.

Chair Sauerbrey thanked Mr. Balliet and Ms. Ceccherelli for serving.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 15-22 *RECOMMEND MEMBERS TO THE
SUSQUEHANNA HERITAGE AREA COMMISSION*

WHEREAS: Per Resolution 25-16, the Tioga County Legislature resolved that the Economic Development and Planning Committee recommend designees for the Municipal Representative and also the Advisory Board Member on the Susquehanna Heritage Area (SHA) Commission for the term of office of the County Legislative Chair who appoints said persons; and

WHEREAS: Currently Rebecca Maffei, Tioga County Tourism Director, and Abbey Ortu, Community Development Specialist of Economic Development and Planning, have been serving as the two (2) SHA Commission members; and

WHEREAS: Rebecca Maffei, Tioga County Tourism Director, and Abbey Ortu, Community Development Specialist of Economic Development and Planning, are willing to serve as the two (2) SHA Commission members; therefore be it

RESOLVED: That the Economic Development and Planning Committee recommend Rebecca Maffei, the Tioga County Tourism Director, continue to serve as the Municipal Representative and Abbey Ortu, Community Development Specialist, continue to serve as the Advisory Board member on the Susquehanna Heritage Area Commission for the term of office of the County Legislative Chair who appoints said person.

ROLL CALL VOTE

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

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. 16-22	<i>ERRONEOUS ASSESSMENT TOWN OF TIOGA</i>

WHEREAS: An application for corrected tax roll for the year 2022 indicates that parcel #104.00-2-43.42 account #1800 in the Town of Tioga assessed to State of New York Mortgage on the 2022 tax roll of the Town of Tioga is erroneous in that New York State Mortgage is exempt upon purchase; and

WHEREAS: New York State Mortgage purchased the parcel on November 8, 2021; therefore be it

RESOLVED: That tax bill 1810 in the Town of Tioga be null and void; and be it further

RESOLVED: That the erroneous county tax of \$ 963.70 be charged to the proper account in the records of the County Treasurer; and be it further

RESOLVED: That the erroneous town tax of \$355.96 be charged back to the Town of Tioga; and be it further

RESOLVED: That the erroneous FIRE TAX of \$109.47 be charged back to the Tioga Fire District.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 17-22 AUTHORIZATION FOR PRIMARY PRINT
ADVERTISING WITH THE OWEGO PENNYSAVER

WHEREAS: The Tioga County Veterans' Service Agency spends thousands of dollars on advertising each year in order to make the veteran population in Tioga County aware of our services, events, and hours of operation with a goal of reaching every veteran household in Tioga County; and

WHEREAS: The Owego Pennysaver has a distribution of 60,000 households each week that includes all of Tioga County and those in the immediate surrounding areas, many of whom seek assistance from our Agency as well; and

WHEREAS: The County Purchasing and Payment Policy requires a gathering of 3 verbal quotes for any cumulative purchase from any one vendor of \$500-\$1,499, and 3 written quotes for any cumulative purchase from any one vendor of \$1500-\$4,999, but the Legislature by resolution can waive aforementioned quote requirements, and being that we advertise extensively with them each month of the year; therefore be it

RESOLVED: That the Veterans' Service Agency be allowed to make monthly purchases from the Owego Pennysaver for Year 2022 without the need for the required quotes as the Agency's primary advertising provider, in that they reach all of our targeted households in Tioga County and its immediate surrounding area, which none of their other competitors can accomplish.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 18-22 *PURCHASING QUOTE EXEMPTION FOR THE USE OF
LOCAL NEWSPAPERS, BILLBOARDS & RADIO
ADVERTISING FOR TIOGA COUNTY DEPARTMENTS*

WHEREAS: Tioga County spends thousands of dollars on newspaper, billboard and radio advertising each year in order to make Tioga County residents aware of public announcements, services, events, department hours, etc.; and

WHEREAS: The County Purchasing and Payment Policy requires a gathering of three quotes for any cumulative purchase from any one vendor exceeding \$500.00; and

WHEREAS: Tioga County Departments utilize all local advertising agencies during the course of the year. The local agencies offer the best option for reaching out to Tioga County residents. Having all options available to departments will ease the purchasing process; and

WHEREAS: Section XIII of The County Purchasing and Payment Policy states that an exemption may be granted under any of the following circumstances, one including to be determined as sufficient justification by the Legislature; therefore be it

RESOLVED: That Tioga County Departments be allowed to advertise as needed with Local Newspaper, Billboard and Radio agencies without acquiring three quotes. Agencies include Park Outdoor Advertising of New York, Owego Pennysaver, Morning Times, Tioga County Courier, Press & Sun-Bulletin (Gannett CNY Newspapers) and Radigan Broadcasting Group.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 19-22 *RESOLUTION TO ENTER CONSULTANT CONTRACT
FOR MUNICIPAL SOLAR PROJECTS BEST
PRACTICES AND POLICIES*

WHEREAS: The Sustainability Manager and Planning Director submitted a Request for Proposal (RFP) for the development of Municipal Solar Development Best Practices and Policies; and

WHEREAS: Three firms responded to the RFP with scope of services and associated costs; and

WHEREAS: The Sustainability Manager and Planning Director created a committee to rank the submissions and this committee consisting of Sustainability Manager, Planning Director, Economic Development & Planning Director, Tioga County IDA Executive Administrator, and IDA Board member ranked MRB Group's proposal as the best; therefore be it

RESOLVED: That the Tioga County Legislature does hereby authorize the Sustainability Manager to enter into a contract with MRB Group to perform Municipal Solar Projects Practices and Policies not to exceed \$31,500 from Solid Waste Appropriation account A8160 540140, and authorizes the Tioga County Legislative Chair to sign all related contract paperwork, contingent upon review and approval of the County Attorney.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 20-22 *RESOLUTION TO APPROVE A SOLE SOURCE CONTRACT AND MAINTENANCE AGREEMENT BETWEEN THE TIOGA COUNTY PROBATION DEPARTMENT AND AUTOMON LLC TO PROVIDE SOFTWARE AND MAINTENANCE OF THE CASELOAD EXPLORER PRODUCT*

WHEREAS: The Tioga County Legislature has approved contracts between Tioga County Probation Department and AutoMon, LLC since 2008; and

WHEREAS: AutoMon, LLC has changed their contract status with New York State, therefore the Tioga County Legislature is approving that the Probation Department can contract with AutoMon, LLC as a sole source provider of Caseload Explorer, a software program that meets the qualifications of 9 NYCRR 345, which mandates Probation Departments to use a software program that automatically sends Presentence Investigation completed in the software program to the DCJS PSI Repository in Albany, NY. Caseload Explorer software is the only software in New York State that meets this criteria; and

WHEREAS: AutoMon, LLC has submitted their yearly Maintenance Agreement to Tioga County Probation which consists of the base charge of \$5,046.04, plus a fee of \$247.11 per user. Probation has 17 registered users of the software, so the total cost for basic software maintenance for 2022 is \$9,246.91; therefore be it

RESOLVED: That the Probation Director is approved to contract with AutoMon, LLC as a sole source provider for software and maintenance costs in 2022 for Caseload Explorer and Ce Assessments in the amount of \$9,246.91.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 21-22 *AUTHORIZING LEGISLATIVE CHAIR SIGNATURE
ON NY TIOGA III, LLC PAYMENT IN LIEU OF
TAX AGREEMENT*

WHEREAS: NY Tioga III, LLC has submitted a Notice of Intent to the Town of Tioga that it plans to build and operate a "Solar Energy System" with an expected total capacity of approximately 5.0 Megawatts AC; and

WHEREAS: The project location is situated at 3167 State Route 17C, tax map #137.00-3-17, Town of Tioga, County of Tioga, State of New York; and

WHEREAS: The Taxing Jurisdiction is defined as the Town of Tioga, the Tioga Central School District and The County of Tioga; and

WHEREAS: The Taxing Jurisdiction has not opted out of Real Property Tax Law (RPTL) Section 487; and

WHEREAS: The Taxing Jurisdiction has indicated its intent to require Payment in Lieu of Taxes (PILOT) Agreements with NY Tioga III, LLC; and

WHEREAS: Pursuant to RPTL 487, the Taxing Jurisdiction has agreed to place the project as exempt upon the assessment rolls of the Taxing Jurisdiction; and

WHEREAS: NY Tioga III, LLC has agreed to make annual lump sum payments to the Taxing Jurisdiction in lieu of real property taxes for a period of fifteen (15) consecutive fiscal tax years; and

WHEREAS: Such fifteen (15) year term shall commence on the first taxable status date selected by NY Tioga III, LLC following the commencement of the construction of the project, and shall end by the fifteenth fiscal year following; and

WHEREAS: The first annual payment shall be in the aggregate amount of \$4,000 per built out Megawatt AC of capacity, and thereafter annual payments shall escalate by one and one half (1.5 %) percent per year; and

WHEREAS: The annual payments for the Taxing Jurisdiction shall be made payable to the Town of Tioga and mailed to the Town of Tioga and are due no later than January 15th of each year; and

WHEREAS: The Town of Tioga shall be responsible for distributing the annual payments to the Tioga Central School District and the County of Tioga; and

WHEREAS: The Taxing Jurisdictions have agreed that the said payments shall be disbursed to the Town of Tioga, Tioga Central School District and County of Tioga in equal portions; therefore be it

RESOLVED: That the Tioga County Legislature agrees to authorize the Legislative Chair to sign the Payment in Lieu of Tax Agreement between NY Tioga III, LLC, and the Town of Tioga, Tioga Central School District and Tioga County.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 22-22

*AUTHORIZE THE SUBMISSION OF STATEWIDE
INTEROPERABLE COMMUNICATIONS FORMULA
GRANT (SICG 21) APPLICATION 2021
OFFICE OF EMERGENCY SERVICES*

WHEREAS: The Office of Homeland Security and Emergency Services has issued a Statewide Interoperable Communications Formula Grant 2021. The grant will be used for upgrading the radio communications in the county and there is no local share associated with said grant; and

WHEREAS: County Policy #47 requires that permission be obtained prior to submitting said application; therefore be it

RESOLVED: That the Tioga County Office of Emergency Services be authorized to submit the Statewide Interoperable Communications Formula Grant application 2021.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 23-22 *AMEND RESOLUTION # 291-19*
AUTHORIZE AMENDED AGREEMENT
WITH MOTOROLA SOLUTIONS
CHANGE ORDER #2
EMERGENCY MANAGEMENT

WHEREAS: Resolution #291-19 authorized the Director of Emergency Services to enter into an agreement with Motorola Solutions for a P25 Phase 1 Digital Simulcast Trunked Radio System at an amount not to exceed \$9,620,000; and

WHEREAS: With the progression of the radio project it was recommended that we add additional tower sites, equipment and convert to a P25 Phase 2 Digital Simulcast Trunked Radio System as it has been determined that this would provide more ample radio coverage; and

WHEREAS: The additional cost would not exceed \$3,100,000; therefore be it

RESOLVED: That the County Legislature hereby authorizes an agreement with Motorola Solutions, 500 West Monroe Street, 44th Floor, Chicago, IL 60661 for a P25

Phase 2 Digital Simulcast Trunked Radio System for the Office of Emergency Services for a period of December 20, 2019 through December 20, 2024; and be it further

RESOLVED: That the County will utilize available grant funding as the initial payment under the terms and conditions of the contract and will continue to seek and use grant funding for the project at which time the County may bond or lease for the balance of the project cost. In the event that the County does not receive the anticipated grant funding for this project, or the remaining funds are not locally appropriated, the contract may be terminated without further obligation and any balance applied toward other equipment at the County's option; and be it further

RESOLVED: That the Chairwoman of the Legislature is authorized to execute any such agreements, documents, or papers, approved as to form by the County Attorney, as may be necessary to implement the intent and purpose of this resolution.

Chair Sauerbrey spoke. "This is a change order to an agreement that the Legislature made in 2019 with Motorola for our interoperable communications project."

Legislator Roberts spoke. "I will be abstaining, as I am new and I do not have enough information."

ROLL CALL VOTE

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

Abstention – Legislator Roberts.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 24-22 *AWARD DESIGN SERVICES TO
DELTA ENGINEERS FOR HVAC
CONTROLS AT HHS*

WHEREAS: Tioga County has budgeted for replacement of the HVAC controls at the HHS Building; and

WHEREAS: The Commissioner of Public Works received a proposal for design services for this project from Delta Engineers, Endwell, NY; and

WHEREAS: The proposal for the design phase of the project is \$66,000.00; therefore be it

RESOLVED: That the Tioga County Legislature approve the proposal for design services of the HVAC Controls Replacement at the HHS Building for Delta Engineers not to exceed \$66,000.00 to be paid out of the following account:

H1621.520926 HVAC Control System

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 25-22 *AWARD DESIGN SERVICES TO DELTA ENGINEERS
FOR CHILLER REPLACEMENT AT PSB*

WHEREAS: Tioga County has budgeted for the replacement of the chiller at the Public Safety Building; and

WHEREAS: The Commissioner of Public Works received a proposal for design services for this project from Delta Engineers, Endwell, NY; and

WHEREAS: The Tioga County Legislature has granted the utilization of American Recovery Plan Act (ARPA) Funds in total of \$400,000.00 to cover the upgrade of the chiller system for the Public Safety Building under the ARPA Provision of Governmental Services; and

WHEREAS: The proposal for the design phase of the project is \$75,000.00; therefore be it

RESOLVED: That the Tioga County Legislature approve the proposal for design services of the Chiller Replacement at PSB for Delta Engineers not to exceed \$75,000.00 to be paid out of the following account:

H1620 520926 M7674 ARPA HVAC Control System

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 26-22 *RE-ESTABLISH PRIOR YEAR 2021
UNSPENT FUNDS FOR 2022 BUDGET
SOCIAL SERVICES*

WHEREAS: NYS has not billed the Department of Social Services for the local share of Secure Detention Services for 2015 through 2020; and

WHEREAS: The Department of Social Services has estimated the amount of unbilled services to be \$191,228; and

WHEREAS: Re-establishment of prior year funds requires Legislative approval; therefore be it

RESOLVED: That the following account and amount are re-established and the 2022 budget is amended.

A6010.540487 JD Program Expense	\$ 191,228.00
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ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO:	HEALTH & HUMAN SERVICES COMMITTEE FINANCE COMMITTEE
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RESOLUTION NO. 27-22	<i>RE-ESTABLISH PRIOR YEAR 2021 CAPITAL EQUIPMENT FUNDS AMEND 2022 BUDGET SOCIAL SERVICES</i>
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WHEREAS: Tioga County Social Services ordered 4 vehicles utilizing 2021 budgeted monies. Due to COVID production delays, the vehicles will not be received prior to the closing of the budget year 2021; and

WHEREAS: 2021 Capital Equipment funds and related revenues need to be re-established and the 2022 budget increased accordingly; therefore be it

RESOLVED: That Capital Equipment Cars/Truck account H6010 521060 be re-established with 2021 money in the amount of \$73,461.72 and the 2022 budget be increased accordingly.

H6010 521060	Cars/Truck	\$73,461.72
H6010 436100	State Aid-Social Services Admin	\$14,692.34
H6010 446100	Federal Aid-Social Services-Admin	\$36,730.86

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 28-22 TRANSFER OF FUNDS
2021 BUDGET MODIFICATION
MENTAL HYGIENE

WHEREAS: Tioga County is required to pay the full costs for the treatment of Tioga County residents that have been assigned Criminal Psychiatric services by the NYS Court system; and

WHEREAS: Tioga County Mental Hygiene (TCMH) has received notice that a Tioga County resident was assigned these services, along with the required payment amount; and

WHEREAS: TCMH has determined the amount of additional funding needed for these already incurred mandated expenses 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 2021 budget be modified and funds be transferred as follows:

From: A4210 510010 Full Time	\$ 21,814.70
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	A4310 540130 Contracts	\$100,000.00
To:	A4390 540590 Criminal Psychiatric: Services Rendered	\$121,814.70

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO:	ADMINISTRATIVE SERVICES COMMITTEE
	FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 29-22	<i>TRANSFER OF FUNDS</i>
	<i>2021 BUDGET MODIFICATION</i>
	<i>VETERANS' SERVICE AGENCY</i>

WHEREAS: The Veterans' Service Agency was in need of a new coffee machine and accessories used for outreach with Veterans in our office to replace the previous donated one; and

WHEREAS: Tioga County purchasing guidelines prohibit the purchasing of coffee machines and accessories with County funds, the Veterans' Service Agency shall be utilizing funds as allowed by Veterans' Outreach Grant Funding to pay for the machine; and

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

RESOLVED: That Veterans' Service Agency budget be modified and the following sums be transferred from within the Veterans' Service Agency budget to cover the costs of said office furnishings.

From: A6510 540640 Supplies (Not Office)	\$253.36
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To: A6510 520130 Equipment (Not Car)	\$253.36
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ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 30-22 *MODIFY 2021 BUDGET*
PROJECT LIFESAVER
SHERIFF'S OFFICE

WHEREAS: The Tioga County Sheriff's Office has received donations for the recently implemented Project Lifesaver Program; and

WHEREAS: An expenditure and revenue account needs to be established for said donations that will be used to purchase supplies related to this program; and

WHEREAS: Legislative approval is needed to modify the budget; therefore be it

RESOLVED: That the following expenditure and revenue accounts be established and the year-end balances be carried forward to the next year.

A3110.540640.PLS01 Supplies (not office)	\$750.00
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A3110.427050.PLS01 Gifts & Donations	\$750.00
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ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

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

RESOLUTION NO. 31-22 ABOLISH AND CREATE POSITION
AMEND 2022 BUDGET
MENTAL HYGIENE

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 Director of Community Services has determined she can better address staffing needs and workload by abolishing a recently vacated position in order to create a full-time Supervising Clinical Social Worker position; therefore be it

RESOLVED: That one (1) vacant, full-time Clinical Social Worker position (\$60,296 CSEA SG XVI) shall be abolished effective January 12, 2022; and be it further

RESOLVED: That one (1) full-time Supervising Clinical Social Worker position (\$65,625 CSEA SG XVIII) shall be created effective January 12, 2022; and be it further

RESOLVED: That funding be appropriated as follows:

From: A4310 416200	Mental Health Fees	\$ 6,773.16
To: A4310 510010	Full Time Salary	\$ 5,153.80
A4310 581088	State Retirement Fringe	\$ 270.11
A4310 583088	Social Security Fringe	\$ 230.52
A4310 584088	Workers Compensation Fringe	\$ 72.98
A4310 585588	Disability Insurance Fringe	\$ 5.23
A4310 586088	Health Insurance Fringe	\$ 1,039.77
A4310 588988	Eap Fringe	\$ 0.75

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 32-22 APPOINTMENT OF
ADMINISTRATIVE CORONER

WHEREAS: The Tioga County Coroners have selected an Administrative Coroner for 2022; and

WHEREAS: Such Administrative Coroner will perform the supervisory duties of managing their budget, paying the bills, and various office functions of the Coroner's office; and

WHEREAS: The Administrative Coroner will have no supervisory authority over the other Coroners; therefore be it

RESOLVED: That W. Stewart Bennett, Tioga County Coroner, has been selected by the four duly elected County Coroners to be designated as the Administrative Coroner for 2022 and be given a stipend of \$5,000 as set forth in the County budget.

Legislator Standinger spoke. "We are very fortunate to have Stew Bennett as a Coroner let alone an Administrative Coroner. He is very thorough in his investigations of unattended deaths. It's a good thing that he is there and keeping track of everything. I appreciate his diligence."

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 33-22 *AUTHORIZE APPOINTMENT OF
EDUCATION WORKFORCE COORDINATOR
IN THE ECONOMIC DEVELOPMENT &
PLANNING DEPARTMENT*

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

WHEREAS: Resolution 263-21 authorized the creation of a full-time Education Workforce Coordinator position; and

WHEREAS: The Director of Economic Development & Planning has conducted a recruitment search and has identified a candidate, which Personnel has found to be qualified; therefore be it

RESOLVED: That the Director of Economic Development & Planning is hereby authorized to appoint Sean Lanning to the position of Education Workforce Coordinator at an annual salary of \$44,720 effective on January 31, 2022, in accordance with payroll processing standards; and be it further

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

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
 PERSONNEL COMMITTEE
 LEGISLATIVE WORKSESSION

RESOLUTION NO. 34-22 2022 STAFF CHANGES
 DEPARTMENT OF SOCIAL SERVICES

WHEREAS: The Commissioner of Social Services requested staffing changes as part of the 2022 Budget process; and

WHEREAS: These requests were approved by the County Legislature; therefore be it

RESOLVED: That the following staffing changes be effective retroactive to January 1, 2022:

<u>Name</u>	<u>Current Title/ Salary</u>	<u>New Title/ Salary</u>	<u>Budget Impact</u>
Create		Case Supervisor, Grade B (CSEA Grade 14)	+ \$53,384
Create		Principal Social Welfare Examiner (CSEA Grade 10)	+ \$44,246
Create		Social Welfare Examiner (CSEA Grade 6)	+ \$33,416
Abolish	Accounting Associate I (Vacant) (CSEA Grade 4)		- \$28,352

and be it further:

RESOLVED: That the Department of Social Services authorized full-time headcount is increased from 86 to 88.

Legislator Standinger spoke. "One thing about the Department of Social Services is they are always examining their staffing and tailoring it to the needs of the community. That is the purpose of this resolution."

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO:	LEGISLATIVE WORKSESSION PERSONNEL COMMITTEE
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RESOLUTION NO. 35-22	<i>CHANGE REFERENCE TO "NON-UNION" EMPLOYEE GROUP TO "MANAGEMENT/CONFIDENTIAL"</i>
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WHEREAS: The group of salaried employees who are not represented by any labor union have traditionally been referred to as "Non-Union"; and

WHEREAS: Recently it was suggested that use of such label may be misconstrued as the County favoring either union or non-union employees; and

WHEREAS: Tioga County Legislature wishes to clarify no such intent was behind the label and in order to avoid any misinterpretation, will change the label; therefore be it

RESOLVED: That effective immediately, any and all policies, forms, procedures, etcetera which reference the "Non-Union" employee group shall be revised to instead reference "Management/Confidential", and be it further

RESOLVED: That the aforementioned policies, procedures shall include in part the Non-Union Vacation Policy, Non-Union Benefits Policy, Non-Union Evaluation Forms (PT & FT), Non-Union Salary Committee, Non-Union Vacation Sell-Back Notice, plus any other references not included listed here.

ROLL CALL VOTE

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

No – Legislator Monell.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Chair Sauerbrey spoke. “Following this meeting, we will have our two new Board of Ethics members sworn-in by Legislative Clerk Haskell.”

The meeting was adjourned at 12:23 P.M.