

Second Regular Meeting
February 14, 2023

The Second Regular Meeting of 2023 was held on February 14, 2023 and was called to order by the Chair at 12:00 P.M. All Legislative members were present.

Chair Sauerbrey asked Legislator Mullen to have a moment of prayer. "Lord, we take this moment to thank you for the blessings you have bestowed upon all of us; our family, our friends, and our community. It is a great country to be so blessed to live in. We ask you for your guidance in doing the people's business today. We also thank you for the opportunity to welcome our newest Legislator into the fold of serving the people of Tioga County."

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

There were 11 people in attendance.

Chair Sauerbrey announced and welcomed newly appointed District 7 Legislator, Keith Flesher.

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

Chair Sauerbrey reported this resolution will be noted in the minutes, as Deputy Clifford Little, Sheriff's Office, is not in attendance.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 50-23

*RESOLUTION RECOGNIZING
CLIFFORD LITTLE'S 22 YEARS OF
DEDICATED SERVICE TO TIOGA COUNTY
SHERIFF'S OFFICE*

WHEREAS: Clifford Little was hired as a Corrections Officer on July 12, 2000 and appointed to the position of Deputy Sheriff on November 16, 2002; and

WHEREAS: Clifford Little has been dedicated and loyal in the performance of his duties and responsibilities during his 22 years of service, thereby earning the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: Clifford Little retired from the Tioga County Sheriff's Office on January 21, 2023; 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 Clifford Little for his 22 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, Clifford Little.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

There was no privilege of the floor.

Legislator Monell made a motion to approve the minutes of January 3, 10, and 19, 2023 seconded by Legislator Brown and carried.

Chair Sauerbrey appointed the following Legislators and staff to the **County Strategic Plan Committee** and **Negotiations Mediation Committee**:

County Strategic Plan Committee:

- Legislator Barbara Roberts
- Planning Director Elaine Jardine
- ED&P Director LeeAnn Tinney
- Commissioner of Social Services Shawn Yetter
- Interim Public Health Director Heather Vroman

Negotiations Mediation Committee:

- Chair Martha Sauerbrey
- Legislator Ron Ciotoli
- Personnel Officer Linda Parke
- Sheriff Gary Howard

Chair Sauerbrey announced the 2023 Legislative Standing Committees have been revised to include newly appointed Legislator Flesher. Legislator Flesher has been assigned as Chair of the Public Safety Committee, as well as a member of the Economic Development & Planning and Personnel Legislative Standing Committees.

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

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

REFERRED TO: LEGISLATIVE WORKSESSION
PERSONNEL COMMITTEE

RESOLUTION NO. 51-23 APPOINT COUNTY LEGISLATOR

WHEREAS: District 7 Legislative position representing the Berkshire, Newark Valley, and Richford areas has been vacant since November 23, 2022; and

WHEREAS: The term of office for Legislative District 7 runs until December 31, 2024; and

WHEREAS: Pursuant to Local Law 3 of 2016, the vacancy may be filled by Legislative appointment by way of majority vote until such time as the office is filled as a result of a general election as provided by law; and

WHEREAS: The next upcoming general election is November 7, 2023; and

WHEREAS: The Legislature has found and determined that a qualified resident-electror residing in the Town of Berkshire shall be appointed to discharge the duties of District 7 Legislator until December 31, 2023 with the understanding that continued service is contingent upon the results of the November 7, 2023 general election; therefore be it

RESOLVED: That Keith Flesher is hereby appointed District 7 Legislator effective February 14, 2023 to discharge the duties of District 7 Legislator until December 31, 2023.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

Chair Sauerbrey invited County Clerk Klett and Legislator Flesher to the podium for the official Oath of Office swearing in process.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 52-23 *APPOINT MEMBERS ALTERNATIVES TO
INCARCERATION ADVISORY BOARD*

RESOLVED: That the following members be appointed to the Alternatives to Incarceration Advisory Board for the following terms:

	TERM
Ex-Offender	4/1/23-3/31/24
Crime Victim	4/1/23-3/31/24
State Certified Provider of Alcohol and/or Substance Abuse Treatment	4/1/23-3/31/24

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 53-23 *RESOLUTION RE-APPOINTING MEMBER TO
COMMUNITY SERVICES BOARD*

WHEREAS: Francis Bialy's appointment to the Community Services Board expired on January 31, 2023; and

WHEREAS: The Community Services Board has recommended Francis Bialy'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 Francis Bialy be re-appointed to the Community Services Board, for term starting February 1, 2023 and ending January 31, 2027.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 54-23 *RESOLUTION RE-APPOINTING MEMBER TO
COMMUNITY SERVICES BOARD*

WHEREAS: Patricia Gillule's appointment to the Community Services Board expires on February 28, 2023; and

WHEREAS: The Community Services Board has recommended Patricia Gillule's re-appointment; and

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

RESOLVED: That Patricia Gillule be re-appointed to the Community Services Board, for term starting March 1, 2023 and ending February 28, 2027.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 55-23 *RESOLUTION RE-APPOINTING MEMBER TO
COMMUNITY SERVICES BOARD*

WHEREAS: Legislator William Standinger III appointment to the Community Services Board will expire on March 31, 2023; and

WHEREAS: Legislator William Standinger III has served two consecutive terms and pursuant to Local Law No. 2 of 2005, upon the recommendation of the Chair of the Community Services Board members, may be appointed to more than two consecutive terms of office; and

WHEREAS: The Community Services Board has recommended re-appointment of Legislator William Standinger III; therefore be it

RESOLVED: That Legislator William Standinger III be re-appointed to the Community Services Board, for a term starting April 1, 2023 and ending March 31, 2027.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 56-23 ADOPT LOCAL LAW NO. 1 OF 2023

WHEREAS: A public hearing was held on January 19, 2023, following due notice thereof to consider the adoption of Local Law Introductory No. A of the Year 2023; A Local Law establishing the salary for the Offices of County Clerk and County Sheriff for the four-year term of office commencing January 1, 2024 and continuing through and including December 31, 2027; and

WHEREAS: It is in the best interest of the residents of Tioga County to adopt such Local Law which will be Local Law No. 1 of 2023; therefore be it

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

County of Tioga

Local Law No. 1 of 2023.

A Local Law establishing the salary for the Offices of County Clerk and County Sheriff for the four-year term of office commencing January 1, 2024 and continuing through and including December 31, 2027.

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

SECTION 1: PURPOSE

As set forth at Local Law No. 3 of 2003, the annual salary for the elected public Offices of County Clerk and County Sheriff shall not be increased during a term of office.

Accordingly, it is the purpose and intent of this Local Law to establish the salary for the Offices of County Clerk and County Sheriff for the four-year term of office commencing January 1, 2024 and continuing through and including December 31, 2027.

SECTION 2: ANNUAL SALARY

A) The annual salary for the Offices of County Clerk and County Sheriff for the term of office beginning January 1, 2024 and continuing through and including December 31, 2027 is hereby established as follows:

- | | |
|-------------------|-----------|
| 1. County Clerk | \$ 80,000 |
| 2. County Sheriff | \$104,055 |

SECTION 3: SEVERABILITY

If any clause, sentence, phrase, paragraph, subdivision, section, rule or part of this ordinance shall be adjudged by any Court or Agency of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, phrase, paragraph, subdivision, section, rule or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 4: EFFECTIVE DATE

This Local law shall take effect January 1, 2024.

Legislator Mullen spoke. "I am going to abstain from this vote with the understanding that I would gladly vote yes for the salary for the County Clerk. Aside from that because of the ongoing political campaign, I am abstaining on the vote for this piece of legislation.

ROLL CALL VOTE

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

No – Legislator Mullen.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 57-23

SET PUBLIC HEARING FOR 2023 ANNUAL
AGRICULTURAL DISTRICT INCLUSIONS

WHEREAS: The Tioga County Legislature, as per Resolution 296-03 designated January 2nd through January 31st as the official annual enrollment period for inclusion of viable agricultural properties in agricultural districts as required by §303-B of the NYS Agricultural and Markets Law 25-AA; and

WHEREAS: Tioga County Planning has received requests for inclusion of land in agricultural districts and said law requires that the Tioga County Legislature hold a public hearing before making a decision on inclusion of lands; therefore be it

RESOLVED: That the Tioga County Legislature will hold a public hearing on requests of inclusion of viable agricultural land in agricultural districts received within the designated time period in 2023 on February 23, 2023 at 10:00 A.M. in the Legislative Conference Room of the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, NY. All interested parties will be heard by the Tioga County Legislature at this hearing.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 58-23 *CALLING ON THE STATE OF NEW YORK TO CONTINUE TO PASS-THROUGH FEDERAL AFFORDABLE CARE ACT ENHANCED FEDERAL MEDICAID ASSISTANCE PERCENTAGE FUNDS*

WHEREAS: The SFY 2024 State Budget proposal would end the Affordable Care Act (ACA) enhanced Federal Medicaid Assistance Percentage (eFMAP) Federal pass-through to counties and New York City; and

WHEREAS: The State is proposing to keep all of these Federal savings going forward and use them to cover further expansions of Medicaid eligibility and benefits and to increase payments to health care providers; and

WHEREAS: The elimination of this ACA eFMAP Federal pass-through funding will require the 57 counties to spend at least \$280 million more in SFY 2024, and approximately \$1 billion when New York City is included; and

WHEREAS: The annualized increase in Tioga County's Medicaid budget would be approximately \$900,000; and

WHEREAS: The SFY 2024 costs to counties and New York City are scheduled to grow by 30 percent by SFY 2027; and

WHEREAS: It is the strong view of NYSAC that Congress intended these Federal savings to be shared with counties proportional to the amount they contributed toward the non-Federal Medicaid match; and

WHEREAS: Since 2003, the State has shared the funds proportionally based on our analysis of savings we have received during periods when an enhanced Federal Medicaid match was enacted by Congress; and

WHEREAS: Enacted in 2011, the Medicaid statutory cap for all 62 counties is \$7.6 billion. The Medicaid statutory cap for the 57 counties outside of New York City is \$2.25 billion; and

WHEREAS: Starting in SFY 2014, New York began sharing these Federal ACA savings directly with counties. The savings for a year were provided by lowering the weekly payments each county and NYC make to the State to support the State's Medicaid program. Through February 1, 2023, the State continues to share the Federal savings from the ACA eFMAP with the 57 counties and New York City; and

WHEREAS: Tioga County strongly disagrees with the need to cut county funding so deeply when the Governor's budget proposes to fully fund its own reserves two years ahead of schedule depositing \$5.4 billion in to reserves before the end of SFY 2023, while also projecting a general fund surplus of \$35 billion by the end of SFY 2024; therefore be it

RESOLVED: That the Tioga County Legislature calls on the State to continue to share these Federal funds with Tioga County as it has been the precedent for over 20 years; and be it further

RESOLVED: That certified copies of this resolution be sent to Governor Kathy Hochul, Congressman Marc Molinaro, Senator Charles E. Schumer, Senator Thomas F. O'Mara, Assemblyman Christopher S. Friend, and New York State Association of Counties.

Legislator Standinger spoke. "It seems that the State is trying to penalize the counties so they can get a windfall regarding this money. I am obviously not in favor of the State dipping their fingers in what they shouldn't."

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 59-23 *AUTHORIZING LEGISLATIVE CHAIR SIGNATURE ON FARMER BROWN SOLAR, LLC PAYMENT IN LIEU OF TAX AGREEMENT*

WHEREAS: Farmer Brown Solar, LLC has submitted a Notice of Intent to the Town of Owego that it plans to build and operate a “Solar Energy System” with an expected total capacity of approximately 4.95 Megawatts AC; and

WHEREAS: The project location is situated on a portion of the property located at State Route 434, tax map #130.00-2-66.111, Town of Owego, County of Tioga, State of New York; and

WHEREAS: The Taxing Jurisdiction is defined as the Town of Owego, the Owego Apalachin 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 Farmer Brown Solar, 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: Farmer Brown Solar, 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 Farmer Brown Solar, 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 \$8,500 per built out Megawatt AC of capacity, and thereafter annual payments shall escalate by two (2.0 %) percent per year; and

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

WHEREAS; The Town of Owego shall be responsible for distributing the annual payments to the Owego Apalachin 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 Owego, Owego Apalachin 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 Farmer Brown Solar, LLC, the Town of Owego, Owego Apalachin Central School District and Tioga County.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGAL/FINANCE COMMITTEE

RESOLUTION NO. 60-23 *AUTHORIZING AND APPROVING A SETTLEMENT AGREEMENT WITH TEVA CONCERNING CLAIMS RELATED TO THE OPIOID CRISIS*

WHEREAS: Tioga County has joined in a legal action seeking compensation from those who are responsible for causing and perpetuating the opioid addiction crisis (the "Action"); and

WHEREAS: The Action is against several defendants, including manufacturers of opioids, distributors of opioids and chain pharmacies; and

WHEREAS: The Action alleges several causes of action against defendant Teva based on claims that Teva contributed to the opioid epidemic by falsely promoting prescription opioids it manufactured and sold and by falsely promoting the increased use of opioids directly and generally through various "front groups" and failing to implement measures to prevent diversion of prescription opioids in connection with distribution of its products, all of which contributed to a public health crisis in New York; and

WHEREAS: Teva has offered to settle the claims against it by entering into a national settlement and paying a sum to be used for restitution and abatement and agreeing to not manufacture, sell or promote opioids; and

WHEREAS: The final amount to be received by Tioga County will vary depending on several factors including the number of Plaintiff's ultimately agreeing to enter into the settlement but will have an approximate value to Tioga of \$303,293.00; and

WHEREAS: It is in the best interest of Tioga County to resolve this matter with respect to Teva without further litigation and enter into an agreement to settle all allegations against Teva and avoid protracted litigation; therefore be it

RESOLVED: That Tioga County is authorized to participate in the proposed settlement with Teva and Tioga County Chair of the Legislature, Martha Sauerbrey, is authorized to execute such forms and agreements, as approved by the County Attorney to compromise the claim the Defendants Teva and distribute the proceeds between the participating Plaintiffs.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE
PUBLIC WORKS COMMITTEE

RESOLUTION NO. 61-23 *AUTHORIZATION FOR LEGISLATIVE CHAIR TO EXECUTE DOCUMENTS TO DEDICATE AND DECLARE A PORTION OF BELVA LOCKWOOD LANE AS A COUNTY ROADWAY*

WHEREAS: Owego Gardens Associates II, LLC constructed a ninety-three (93) unit working family housing development in the Village of Owego; and

WHEREAS: Said development required the construction of a public roadway for access to the housing units; and

WHEREAS: The newly constructed portion of roadway is identified as Belva Lockwood Lane and assigned tax map #129.09-2-18.14; and

WHEREAS: Owego Gardens Associates II, LLC designed and constructed the roadway to meet acceptable public roadway specifications and has received an approval by the Village of Owego Planning Board; and

WHEREAS: There will be families with school aged children residing in the housing units; and

WHEREAS: The Owego Apalachin School District necessitates that a public roadway is required to provide bus transportation services for school aged children; and

WHEREAS: Lighting was installed along the roadway as required by the Village of Owego Planning Board; and

WHEREAS: The County will not assume ownership, maintenance, or any cost to operate said lighting; and

WHEREAS: A water system was constructed to provide services to the housing units; and

WHEREAS: The County will not assume ownership, maintenance or any cost associated with the water system positioned along the roadway; and

WHEREAS: The utility requires the water system be located within a publicly owned right of way; therefore be it

RESOLVED: That the Tioga County Legislature, out of concern for families and children residing at Owego Gardens II, and as the Village of Owego is not taking action to take ownership of the road, approves the dedication of the newly constructed portion of Belva Lockwood Lane as a County roadway until such time as the roadway will be abandoned to the Village of Owego; and be it further

RESOLVED: That the Tioga County Legislature authorizes the Legislative Chair to execute documents as approved by the County Attorney to expedite the dedication and transfer of the newly constructed portion of the roadway known as Belva Lockwood Lane from Owego Gardens Associates II, LLC to Tioga County.

Legislator Mullen spoke. "Thank you to LeeAnn and her staff. This is something we have to do to move forward with this, but it is a lot of work and I really appreciate all their effort."

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 62-23 *AUTHORIZATION FOR THE DEPARTMENT OF
ECONOMIC DEVELOPMENT AND PLANNING TO
APPLY, ADMINISTER AND PAY APPLICATION FEE
FOR RESTORE NY GRANT ON THE PROPERTY
LOCATED AT 48-50 LAKE STREET, OWEGO NY*

WHEREAS: The Restore New York Communities Initiative ("Restore NY") provides municipalities with financial assistance for the revitalization of commercial and residential properties; and

WHEREAS: Restore NY funding is available for projects involving the demolition, deconstruction, rehabilitation and/or reconstruction of vacant, abandoned, condemned and surplus properties; and

WHEREAS: Restore NY funding must be initiated by a municipality; and

WHEREAS: The Tioga Trails building located at 48-50 Lake Street, Village of Owego, County of Tioga, New York has been identified as blighted and in need of stabilization; and

WHEREAS: The Restore NY application requires a five hundred dollar (\$500) wire transfer fee as part of the application; and

WHEREAS: Tioga County is in support of taking a proactive approach to stabilizing the building in an effort to prevent the continued decay, potential property foreclosure and any additional expense to the County; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes the Department of Economic Development and Planning to submit and administer a Restore New York Communities Initiative in the amount of two million dollars (\$2,000,000) and the wire transfer of the application fee in the amount of five hundred dollars (\$500) for the property located at 48-50 Lake Street, Owego New York.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 63-23 *AUTHORIZE THE SUBMISSION OF THE
FISCAL YEAR 2023 BODY WORN CAMERA GRANT
SHERIFF'S OFFICE*

WHEREAS: United States Bureau of Justice Assistance (BJA) has announced the fiscal year 2023 Body Worn Camera (BWC) grant funding; and

WHEREAS: Applications for this grant are required to be submitted by February 17th, 2023; and

WHEREAS: County Policy Section III (e) requires that a resolution be approved before any such grant application is submitted; therefore be it

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

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:	PUBLIC SAFETY COMMITTEE
RESOLUTION NO. 64-23	<i>RESOLUTION TO APPROVE A SOLE SOURCE CONTRACT AND MAINTENANCE AGREEMENT BETWEEN THE TIOGA COUNTY PROBATION DEPARTMENT AND CATALIS COURTS & LAND RECORDS, LLC f/k/a AUTOMON LLC TO PROVIDE SOFTWARE AND MAINTENANCE OF THE CASELOAD EXPLORER PRODUCT</i>

WHEREAS: The Tioga County Legislature has approved contracts between Tioga County Probation Department and Catalis Court & Land Records, LLC f/k/a AutoMon LLC since 2008; and

WHEREAS: Catalis Court & Land Records, LLC f/k/a 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 Catalis Courts & Land Records, LLC f/k/a 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: Catalis Courts & Land Records, LLC f/k/a AutoMon, LLC has summited their yearly Maintenance Agreement to Tioga County Probation which consists of the base charge of \$5,298.34, plus a fee of \$259.47 per user. Probation has 17 registered users of the software, so the total cost for basic software maintenance for contract period of 3/25/2023 to 3/24/2024 is \$9,709.33; therefore be it

RESOLVED: That the Probation Director is approved to contract with Catalis Courts & Land Records, LLC f/k/a AutoMon, LLC as a sole source provider for software and maintenance costs in 2023 for Caseload Explorer and Ce Assessments in the amount of \$9,709.33.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO

HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 65-23

*AUTHORIZE CONTRACT WITH
GLOVE HOUSE INC.*

WHEREAS: The Department of Social Services posted a Request for Proposals for an In-Home Parent Education Program; and

WHEREAS: The Department received four bids from the following Agencies: CASA-Trinity, Children's Home of Wyoming Conference, Glove House Inc., and Tioga Opportunities Inc.; and

WHEREAS: The lowest responsible bidder was Glove House Inc., at \$64,898; and

WHEREAS: The Department of Social Services wishes to contract for February 15, 2023 through December 31, 2023 in the amount of \$64,898; therefore be it

RESOLVED: That the Tioga County Department of Social Services is authorized to contract with Glove House Inc., for In-Home Parent Education Services for the period February 15, 2023 through December 31, 2023 contingent upon County Attorney review.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ITCS COMMITTEE

RESOLUTION NO. 66-23 *AUTHORIZE AGREEMENT WITH NEW YORK STATE
INFORMATION TECHNOLOGY SERVICES FOR
ENDPOINT DETECTION AND RESPONSE SOFTWARE*

WHEREAS: New York State Information Technology Services has partnered with the New York State Division of Homeland Security and Emergency Services and the City of New York Joint Security Operations Center (JSOC) in a JSOC Initiative; and

WHEREAS: This initiative provides for Participating Entities to receive Endpoint Detection and Response software at no cost; and

WHEREAS: The initial term of this agreement shall be for a period of (3) years and will be automatically renewed for additional (12) month terms based upon approval of funding in the NYS budget and approval of the NYS Office of the State Comptroller; and

WHEREAS: The Endpoint Detection and Response software vendor provided in the initiative is CrowdStrike; and

WHEREAS: The CrowdStrike Endpoint Detection and Response software can be run in parallel with existing cyber security software employed by Tioga County; therefore be it

RESOLVED: That the Chair of the County Legislature is authorized to execute this agreement between Tioga County and New York State Information Technology Services and New York State Division of Homeland Security upon review by the County Attorney.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ITCS COMMITTEE
 FINANCE COMMITTEE

RESOLUTION NO. 67-23 *AUTHORIZE PARTICIPATION IN SOURCEWELL
 COOPERATIVE PURCHASING PROGRAM*

WHEREAS: Tioga County is dedicated to the procurement of the right goods and services at the right price for the various County departments in a timely manner assuring the prudent and economical use of public monies; and

WHEREAS: Tioga County declares its intention to purchase competitively without prejudice and to seek maximum operational value for every dollar expended; and

WHEREAS: Tioga County's purchasing policy shall be administered in accordance with all ethical rules called for by the County of Tioga and the National Institute of Governmental Purchasing Code of Ethics; and

WHEREAS: Sourcewell Cooperative Purchasing Program serves government, education and non-profit organizations with a cooperative purchasing program whose procurement process meets or exceeds local purchasing requirements; and

WHEREAS: Tioga County purchasing procedures shall be subject to the approval of the Legislature; therefore be it

RESOLVED: That the Sourcewell Cooperative Purchasing program satisfies certain purchasing requirements and is hereby authorized for use by all Tioga County departments within the scope of Section VII – Purchasing and Payment Policy of the Tioga County Employee Handbook.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ITCS COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 68-23 *AUTHORIZE PARTICIPATION IN
PEPPM COOPERATIVE PURCHASING PROGRAM*

WHEREAS: Tioga County is dedicated to the procurement of the right goods and services at the right price for the various County departments in a timely manner assuring the prudent and economical use of public monies; and

WHEREAS: Tioga County declares its intention to purchase competitively without prejudice and to seek maximum operational value for every dollar expended; and

WHEREAS: Tioga County's purchasing policy shall be administered in accordance with all ethical rules called for by the County of Tioga and the National Institute of Governmental Purchasing Code of Ethics; and

WHEREAS: PEPPM is a technology cooperative purchasing program administered by the Central Susquehanna Intermediate Unit (CSIU) which solicits bids on popular lines of hardware, software, and services satisfying legal bid requirements; and

WHEREAS: Tioga County purchasing procedures shall be subject to the approval of the Legislature; therefore be it

RESOLVED: That the PEPPM Cooperative Purchasing program satisfies certain purchasing requirements and is hereby authorized for use by all Tioga County departments within the scope of Section VII – Purchasing and Payment Policy of the Tioga County Employee Handbook.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: *FINANCE COMMITTEE*

RESOLUTION NO. 69-23 *ERRONEOUS ASSESSMENT
TOWN OF OWEGO*

WHEREAS: An application for Corrected Tax Roll for the year 2023 indicates that parcel #121.00-1-32.26 acct#13340 in the Town of Owego assessed to Andrew J Gable on the 2023 tax roll of the Town of Owego is erroneous in that owner qualified for exemptions 41132, 41133, 41142, 41143 for the 2022 assessment roll but they were not applied; therefore be it

RESOLVED: That a new 2023 tax bill be issued by the Town of Owego Tax Collector to Andrew J Gable for parcel 121.00-1-32.26 as follows:

	Original Bill #13340	Corrected Bill #13340
County	1488.37	1082.10
Townwide	141.55	84.93
Part Town	342.08	205.25
Owego Fire	430.00	430.00
Total	2402.00	1802.28

And be it further

RESOLVED: That the erroneous county tax of \$406.27 be charged to the proper account in the records of the County Treasurer; and be it further

RESOLVED: That the erroneous town tax of \$56.62 be charged back to the Town of Owego; and be it further

RESOLVED: That the erroneous Part Town tax of \$136.83 be charged back to the Town of Owego.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 70-23 ERRONEOUS ASSESSMENT
TOWN OF OWEGO

WHEREAS: An application for Corrected Tax Roll for the year 2023 indicates that parcel #154.05-2-33 acct#6556 in the Town of Owego assessed to Alice M Sergi on the 2023 tax roll of the Town of Owego is erroneous in that owner qualified to receive Partial Tax Exemption for Senior Citizens on the 2022 assessment roll and did not receive it; therefore be it

RESOLVED: That a new 2023 tax bill be issued by the Town of Owego Tax Collector to Alice M Sergi for parcel 154.05-2-33 as follows:

	Original Bill #7496	Corrected Bill #7496
County	1107.53	553.76
Townwide	105.33	52.67
Part Town	254.55	127.28
Apalachin Fire	279.31	279.31
Lighting 2	9.08	9.08
Total	1755.80	1022.10

And be it further;

RESOLVED: That the erroneous county tax of \$553.77 be charged to the proper account in the records of the County Treasurer; and be it further

RESOLVED: That the erroneous town tax of \$52.66 be charged back to the Town of Owego; and be it further

RESOLVED: That the erroneous Part Town tax of \$127.27 be charged back to the Town of Owego.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE
 RESOLUTION NO. 71-23 ERRONEOUS ASSESSMENT
 TOWN OF RICHFORD

WHEREAS: An application for Corrected Tax Roll for the year 2023 indicates that parcel #8.00-1-14 acct#530 in the Town of Richford assessed to State of New York on the 2023 tax roll of the Town of Richford is erroneous in the fact that School Taxes were paid; therefore be it

RESOLVED: That a new 2023 tax bill be issued by the Tioga County Treasurer's Office to State New York for parcel 8.00-1-14 as follows:

	Original Bill #530	Corrected Bill #530
County	0.00	0.00
Townwide	1584.80	1584.80
Return School	3277.38	0.00
Richford Fire	237.18	237.18
Total	5099.36	1821.98

And be it further

RESOLVED: That the erroneous school tax and penalty of \$3277.38 be charged back to the proper accounts of the Tioga County Treasurer's Office.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE, LEGAL & SAFETY COMMITTEE
 PERSONNEL COMMITTEE

RESOLUTION NO. 72-23 *ESTABLISH NEW BUDGET LINE,
MODIFY PERSONNEL 2023 BUDGET AND
TRANSFER FUNDS FOR THE PURCHASE OF
A LAPTOP COMPUTER*

WHEREAS: The Personnel Officer has found a need for a laptop computer; and

WHEREAS: Personnel's Budget does not have an established computer expense line for the purchase of this laptop; and

WHEREAS: Amending Personnel's Budget with the addition of a computer expense line, A1430 520090 and transfer of funds requires Legislative approval; therefore be it

RESOLVED: That the Personnel Officer be authorized to purchase the laptop and the following funds be transferred for this purchase:

From:	A1430 540420 Office Supplies	\$936.00
To:	A1430 520090 Computers	\$936.00

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 73-23 *RE-ESTABLISH PRIOR YEAR 2022 CAPITAL
FOR 2023 BUDGET FOR FIRE/EMO*

WHEREAS: Personal Protective Equipment order was placed in 2022 for the Fire/EMO department but will not be received prior to the closing of 2022; and

WHEREAS: Prior year Capital Equipment requests need to be re-established for the remaining unspent balance as of year-end 2022 for purchase or completion in 2023; therefore it be

RESOLVED: That the following accounts and amounts be re-established:

Capital Equipment

A3410 520215	Personal Protective Equipment	\$13,144.19
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ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:	FINANCE COMMITTEE PUBLIC WORKS COMMITTEE
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RESOLUTION NO. 74-23	<i>RE-ESTABLISH PRIOR YEAR 2022 PUBLIC WORKS FUNDS</i>
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WHEREAS: Prior Year Public Works Funds need to be re-established for the remaining unspent balance as of year-end 2022 for purchase or completion in 2023; therefore be it

RESOLVED: That the following account and amounts be re-established and the 2023 budget is amended:

<u>Capital Construction</u>	<u>Amount to Re-Establish</u>
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H1620.520911	Renovations 56 Main Street	\$38,900.35
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H1620.520994.BG001	Truck Wash Building	\$481,580.00
H1620.520926	HVAC Controls & B&G Heat	\$331,656.51
H1621.520926	HHS HVAC Controls	\$524,828.46

Capital Equipment	Amount to Re-Establish
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H5130.521908	Tandem Trucks	\$546,000.00
H5130.521902	Auto Shop Equip/Reno	\$35,000.00

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION
 FINANCE COMMITTEE
 ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 75-23 RE-ESTABLISH PRIOR YEAR ARPA FUNDS
 AMEND 2023 BUDGET
 VETERANS SERVICE AGENCY

WHEREAS: American Rescue Plan Act “ARPA” Funds have been granted to Tioga County by the US Treasury in 2021; and

WHEREAS: As of 12/31/2022 there is approximately \$15,405.40 in unspent ARPA funds awarded to the Tioga County Veterans Service Agency for Suicide Prevention and Outreach Efforts; and

WHEREAS: The Tioga County Veterans Service Agency has shown a need for the unspent funds to be carry forwarded into 2023 for its program initiative and outreach goals; and

WHEREAS: It has been determined by the US Treasury that ARPA funds granted shall be considered obligated by calendar year end 2024, and expended by the end of calendar year 2026, therefore be it

RESOLVED: That the following accounts and amounts be re-established:

TO: A6510 540640 M7674 SUPPLIES (NOT OFFICE) \$15,405.40

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 76-23 *APPROPRIATION OF FUNDS*
BUDGET MODIFICATION 2023
MENTAL HYGIENE

WHEREAS: Tioga County Mental Hygiene (TCMH) has been allocated additional pass through state aid funding for the purpose of Alcohol and Substance Abuse Prevention; and

WHEREAS: TCMH has contracted with Tompkins-Seneca-Tioga BOCES to provide these services to Tioga County residents; and

WHEREAS: TCMH will incur no local share increase, yet this will require an appropriation of funds into the proper account codes; and

WHEREAS: The appropriation of funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated and 2023 budget modified as follows:

From: A4211 434861 State Aid Council on Alcoholism \$ 10,284.00

To: A4211 540590 Services Rendered \$ 10,284.00

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 77-23 *APPROPRIATION OF FUNDS*
BUDGET MODIFICATION 2023
MENTAL HYGIENE

WHEREAS: Tioga County Mental Hygiene (TCMH) has been allocated additional pass through state aid funding for the purpose of Alcohol and Substance Abuse Prevention; and

WHEREAS: TCMH has contracted with the Council on Alcohol and Substance Abuses of Livingston County, d.b.a. Trinity to provide these services to Tioga County residents; and

WHEREAS: TCMH will incur no local share increase, yet this will require an appropriation of funds into the proper account codes; and

WHEREAS: The appropriation of funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated and 2023 budget modified as follows:

From: A4211 434861	State Aid Council on Alcoholism	\$ 2,831.00
To: A4211 540590	Services Rendered	\$ 2,831.00

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 78-23 APPROPRIATION OF FUNDS AND
AMEND 2023 BUDGET
SOCIAL SERVICES

WHEREAS: Safe Harbor NY funding has been awarded to Tioga County Department of Social Services from the Office of Children and Family Services to raise awareness about sexually exploited youth; and

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

RESOLVED: That funding be appropriated as follows:

From: A6010.436100 State Aid: Administration	\$ 43,350
To: A6010.540487 Program Expense	\$ 40,000
To: A6010.520200 Office Equipment	\$ 3,350

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 79-23 *APPROPRIATION OF FUNDS
AUTHORIZE THE ACCEPTANCE OF THE
2022 NYS DCJS BODY WORN CAMERA GRANT
SHERIFF'S OFFICE*

WHEREAS: The Sheriff's Office applied for and was awarded a NYS DCJS Body Worn Camera (BWC) grant in the amount of \$50,000; and

WHEREAS: The funding will help mitigate the costs of Body Worn Camera, required accessories, and data storage; and

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

RESOLVED: That the Tioga County Legislature authorizes the acceptance of this award and authorizes the Chair of the County Legislature to sign any and all grant related paperwork upon review of the County Attorney; and be it further

RESOLVED: That the 2023 budget be appropriated as follows:

FROM: A3110-433890-BWC22 State Aid Sheriff NYS DCJS \$50,000

TO: A3110-520130-BWC22 Equipment (not car) \$50,000

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 80-23 AMEND BUDGET & APPROPRIATE FUNDS
MENTAL HYGIENE

WHEREAS: Tioga County Mental Hygiene, in partnership with Trinity CASA, Tioga County Alcohol and Substance Abuse Prevention (TC ASAP) Community Coalition, continues to receive \$124,957 annual funding awards from the Centers for Disease Control and Prevention (CDC); and

WHEREAS: The award is designated for the existing Drug-Free Communities (DFC) Support Program; and

WHEREAS: These grant funds were previously part of annual Department budget, yet removed from 2023 per Budget Officer Directives; and

WHEREAS: The funding represents January 1, 2023 thru September 29, 2023 balance of the award; and

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

RESOLVED: That funding be appropriated as follows:

From: A4213 444863 Federal Aid DFC Grant	\$ 89,301.45
To: A4213 540590 Services Rendered	\$ 89,301.45

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 81-23 AMEND BUDGET & APPROPRIATE FUNDS
MENTAL HYGIENE

WHEREAS: Tioga County Mental Hygiene in partnership with Trinity CASA, Tioga County Alcohol and Substance Abuse Prevention (TC ASAP) Community Coalition, continues to receive \$50,000 annual funding awards from the Centers for Disease Control and Prevention (CDC); and

WHEREAS: The award is designated for the existing Comprehensive Addiction and Recovery Act (CARA) Program; and

WHEREAS: These grant funds were previously part of annual Department budget, yet removed from 2023 per Budget Officer Directives; and

WHEREAS: The funding represents January 1, 2023 thru June 30, 2023 balance of the award; and

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

RESOLVED: That funding be appropriated as follows:

From: A4213 444863 CARA Federal Aid CARA Grant \$ 34,615.18

To: A4213 540590 CARA Services Rendered \$ 34,615.18

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 82-23 *AMEND CAPITAL BUDGET AND
TRANSFER FUNDS FOR SWEEPER
PUBLIC WORKS*

WHEREAS: Tioga County entered into an agreement with the Villages of Owego and Nichols and the Town of Owego to jointly purchase a street sweeper/catch basin cleaner in 2022; and

WHEREAS: Village of Owego has now decided to opt out of this agreement; and

WHEREAS: Tioga County and the Town of Owego have agreed to reimburse the Village of Owego for their share of the joint purchase; and

WHEREAS: Cost savings was achieved in another 2023 Capital Reserve Budget line and Legislative approval is needed to authorize all Capital Reserve expenses; and

WHEREAS: Legislative approval is needed to amend 2023 Capital Budget and transfer funds; therefore be it

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

From: H5130.520915	Patrol Truck	\$27,265.02
To: H5130.521945	Sweeper - Road	\$27,265.02

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION
 FINANCE COMMITTEE
 PUBLIC WORKS COMMITTEE
 PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 83-23 TRANSFER OF FUNDS CAPITAL APPROPRIATIONS
 EMERGENCY SERVICES

WHEREAS: Capital Funds have been appropriated by the Tioga County Legislature for use of Communication Upgrades for Tioga County Emergency Response Services; and

WHEREAS: It has been requested by the Emergency Management Office that the funds be moved to H3021 Public Safety from H1620 Buildings for more appropriate tracking and utilization of funds as the Communication Upgrade project proceeds; and

WHEREAS: Transfer of Capital Funds requires Legislative approval; therefore be it

RESOLVED: That the following Capital amounts be transferred as follows:

FROM:

H1620 521230	RADIO & EQUIPMENT	\$8,000,000
H1620 521230 M7674	RADIO & EQUIPMENT ARPA	\$4,000,000

TO:

H3021 521230 E911	RADIO & EQUIPMENT	\$8,000,000
H3021 521230 M7674	RADIO & EQUIPMENT ARPA	\$4,000,000

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGAL & FINANCE COMMITTEE

RESOLUTION NO. 84-23 *TRANSFER OF FUNDS*
2023 BUDGET MODIFICATION
COUNTY LIABILITY INSURANCE FUND

WHEREAS: The cyber insurance cost is higher than anticipated; and

WHEREAS: The funds budgeted for 2023 CI1910 540270 Insurance Premiums will not cover the cyber and flood insurance costs for the remainder of the year; and

WHEREAS: The 2023 CI1930 540270 Liability Claims has budgeted funds available for transfer; and

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

RESOLVED: That budgeted funds be transferred as follows:

From: CI1930 540270 Insurance Claims \$ 30,000.00

To: CI1910 540270 Insurance Premiums \$ 30,000.00

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 85-23 *TRANSFER OF FUNDS*
2023 BUDGET MODIFICATION
VETERANS' SERVICE AGENCY

WHEREAS: The Tioga County Veteran Services' Agency (TCVSA) will be purchasing furniture, equipment and technology for our new office needs; and

WHEREAS: The TCVSA shall be utilizing funds as allowed by ARPA program guidelines to pay for the necessary furniture, equipment and technology; and

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

RESOLVED: That TCVSA budget be modified, and the following sums be transferred within the 2023 TCVSA budget to cover the costs of furniture, equipment and technology needs:

From: A6510 540640 M7674	ARPA Supplies (Not Office)	\$ 6,800.00
To: A6510 520130 M7674	ARPA Equipment (Not Car)	\$ 1,000.00
To: A6510 520621 M7674	ARPA Computer Equipment	\$ 1,800.00
To: A6510 520210 M7674	ARPA Furniture (Other)	\$ 4,000.00

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE
 LEGISLATIVE WORKSESSION
 LEGAL/FINANCE COMMITTEE

RESOLUTION NO. 86-23 *AUTHORIZE TO CREATE AND FILL
 SECRETARY TO 1ST ASSISTANT COUNTY ATTORNEY;
 TEMPORARILY INCREASE FULL-TIME HEADCOUNT
 LAW DEPARTMENT*

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

WHEREAS: Due to the announced retirement of the current Secretary to 1st Assistant County Attorney as of March 31st, 2023, the County Attorney has implemented a succession plan which includes the current Secretary to 1st Assistant County Attorney training her replacement for a period of time in order to transition duties; and

WHEREAS: In an attempt to recruit and train for said replacement the County Attorney would like to temporarily increase his authorized full-time headcount to offer the employee benefits; therefore be it

RESOLVED: That one full-time Secretary to the 1st Assistant County Attorney position shall be created effective February 15, 2023, at an annual salary of \$39,940 – \$49,740 (Management/Confidential); and be it further

RESOLVED: That the authorized full-time headcount for the Tioga County Law Department shall increase from 8 to 9 through March 31st, 2023 and shall revert back to 8 as of April 1, 2023.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 87-23 AUTHORIZATION TO CREATE AND FILL
ONE, FULL-TIME HEO III POSITION
PUBLIC WORKS

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

WHEREAS: The Commissioner of Public Works has acquired two new pieces of equipment classified as "Heavy Equipment" in 2023; and

WHEREAS: The Commissioner of Public Works has identified a staffing need for an additional HEO III position due to the acquisition of equipment; and

WHEREAS: The operation of these two pieces of equipment would require an additional HEO III position; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the creation and promotional filling of one, full-time HEO III position (CSEA SG 3) effective February 15, 2023; therefore be it

RESOLVED: That once the newly created HEO III position has been filled promotionally, it will cause a series of internal movement from MEO I to HEO II. Once all internal promotions have been finalized, this will result in a vacant MEO I. The Commissioner of Public Works will then abolish the vacant MEO I; and be it further

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

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:

ITCS COMMITTEE
PERSONNEL COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 88-23

AMEND RESOLUTION 35-23;
AUTHORIZE TO CREATE AND FILL GIS MANAGER;
TEMPORARILY INCREASE FULL-TIME HEADCOUNT
INFORMATION TECHNOLOGY &
COMMUNICATION SERVICES

WHEREAS: This Resolution amends Resolution 35-23 which authorized the Chief Information Officer to create a temporary GIS Technician position effective February 1, 2023 with authorization to recruit and fill said temporary position on or after January 11, 2023 through April 1, 2023, at an hourly rate of \$25.55; and

WHEREAS: Legislative approval is required for the creation of any new position within Tioga County and any appointments made to a Management/Confidential position; and

WHEREAS: The GIS Manager position will become vacant upon the retirement of the current incumbent, William Ostrander; and

WHEREAS: The Chief Information Officer has implemented a succession plan which includes the current GIS Technician, Bryan Goodrich to be promoted to the GIS Manager position; and

WHEREAS: The Chief Information Officer would like to create another full-time GIS Manager position to aid in the transition of the incumbent GIS Manager's planned retirement; therefore be it

RESOLVED: That one full-time GIS Manager position (Management/Confidential \$60,379 – \$70,379) be created for a temporary duration effective February 15, 2023 through April 30, 2023; and be it further

RESOLVED: That the current GIS Technician, Bryan Goodrich be appointed to the GIS Manger position effective February 15, 2023 at an annual salary of \$65,073; and be it further

RESOLVED: That the authorized full-time headcount for the Information Technology & Communication Services shall temporarily increase from 10 to 11 effective February 15, 2023 and shall revert back to 10 as of April 30, 2023.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 89-23 *AUTHORIZE SALARY ABOVE HIRING BASE
CORRECTIONS OFFICER
SHERIFF'S OFFICE*

WHEREAS: As of January 1st, 2023, there were six full-time Corrections Officer positions vacant; and

WHEREAS: In order to maintain adequate staffing levels for the Corrections Division, the Sheriff has an immediate need to backfill said position; and

WHEREAS: Kenneth Wilbur, a transfer candidate with over 10 years of Corrections experience, applied and he is eligible and willing to accept a transfer from the Delaware County Sheriff's Office to a Corrections Officer vacancy in Tioga County; and

WHEREAS: Resolution 211-99 requires Legislative approval for any appointments made above an established base salary amount. The Sheriff has received approval from the Tioga County Corrections Association to hire a new Corrections Officer, who has over 10 years of corrections experience, at an annual salary rate reflecting ten years of experience per the current union contract, or \$53,428; therefore be it

RESOLVED: That the Sheriff is hereby authorized to backfill the vacant, full-time Corrections Officer position with Kenneth Wilbur at an annual salary of \$53,428 effective March 13, 2023.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 90-23 RECLASSIFY VACANT POSITION
MENTAL HYGIENE

WHEREAS: Legislative approval is required for all position reclassifications; and

WHEREAS: One Senior Certified Drug and Alcohol position (CSEA Salary Grade XIII) has been vacant since March 11, 2022; and

WHEREAS: The Director of Community Services has reviewed the staffing needs within the Mental Hygiene Department and has determined that said vacancy would be better utilized in the service of clients if the position was classified as a Certified Drug and Alcohol Counselor; and

WHEREAS: Due to program needs, there is need to fill the vacancy as a Certified Drug and Alcohol Counselor; therefore be it

RESOLVED: That the Legislature hereby authorizes the reclassification of one vacant, full-time Senior Certified Drug and Alcohol position (CSEA Salary Grade XIII) to a full-time Certified Drug and Alcohol Counselor (CSEA Salary Grade XI) effective February 15, 2023.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

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

RESOLUTION NO. 91-23 *AUTHORIZATION TO FUND THE POSITION OF
DIRECTOR OF ADMINISTRATIVE SERVICES
SOCIAL SERVICES*

WHEREAS: Legislative approval is required to fund any position within Tioga County; and

WHEREAS: The Commissioner of Social Services currently has a vacant, unfunded, full-time Director of Administrative Services; and

WHEREAS: Upon the anticipated retirement of Gary Grant, Deputy Commissioner of Social Services, the Commissioner of Social Services would like to fund the position of Director of Administrative Services; and

WHEREAS: This position is critical for continuity in the functioning of the fiscal operation of the Department; therefore be it

RESOLVED: That the Commissioner of Social Services is authorized to fund the Director of Administrative Services Position within the Management/Confidential annual salary range of \$59,997 - \$69,997 effective February 15, 2023; and be it further

RESOLVED: That the Department of Social Services full-time headcount will increase from 88 to 89.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 92-23 *AMEND EMPLOYEE HANDBOOK:
SECTION I. RULES OF THE LEGISLATURE;
SUBSECTION IV. ORDER OF BUSINESS,
SECTION 2. – COMMITTEES AND
SECTION 4. – APPOINTMENTS*

WHEREAS: Due to several updates and minor revisions, Section I. Rules of the Legislature policy is in need of amendment; and

WHEREAS: SECTION 1. Subsection IV. ORDER OF BUSINESS needs to be revised to remove Unfinished Business, as this is not part of the County's standard agenda for each regular Legislature meeting; and

WHEREAS: SECTION 2. – COMMITTEES needs to be revised to update the Administrative Services Committee, Finance, Legal & Safety Committee, and Personnel Committees to accurately reflect the matters pertaining to each committee; and

WHEREAS: SECTION 4. – APPOINTMENTS needs to be revised to accurately reflect the County's current Boards, Committees, and Specialized Teams; therefore be it

RESOLVED: That SECTION I. Rules of the Legislature, Subsection IV. ORDER OF BUSINESS is amended to read as follows:

IV. ORDER OF BUSINESS

(1) The order of business at each regular meeting of the Legislature shall be as follows:

- Roll Call of Members
- Prayer
- Pledge of Allegiance
- Approve Minutes of Previous Meeting
- Privilege of the Floor
- Petitions, Communications and Notices
- Appointments
- Reports of Legislative Standing Committees
- Reports of Special Committees
- Presentation of Motions and Resolutions
- Late-Filed Resolutions
- Adjournment

(2) The following regulations shall be applicable to the foregoing order of business:

(a) Roll Call of Members

The Legislative Clerk shall call the roll of the members and record by name all members absent and shall further record the arrival of any members listed as present during the course of each meeting. In all cases of absence during any regular or special meeting, a majority of the Legislature may impose a penalty of fifty dollars for each non-attendance without sufficient excuse.

(b) Prayer

The Chair may direct a Legislator at each meeting to have prayer.

(c) Pledge of Allegiance

The Chair shall designate one of the members of the Legislature at each meeting to lead the assemblage in the Pledge of Allegiance to the United States of America.

(d) Approve Minutes of Previous Meeting

The formal reading of the minutes of the previous meeting shall not be required. Opportunity for corrections, alterations and additions shall be afforded to members of the body, after which the minutes, as corrected, shall be approved by a vote of the Legislature.

(e) Privilege of the Floor

Persons not members of the Legislature may be accorded the privilege of the floor and be permitted to speak on any matter relevant to the business of the Legislature. Such privilege shall be granted to those who fill out a sign-up sheet prior to the beginning of the meeting. Such privilege shall be limited to five (5) minutes. The privilege may also be granted on motion of any member, if approved by majority vote. Those persons granted the privilege of the floor shall address the Legislature with proper civility and shall refrain from any personal attacks or accusations directed at any member of the public, including members of the Legislature and officers and employees of the County of Tioga. The Chair, or the Legislature by majority vote, may extend the time afforded any speaker, or may limit the number of speakers on any subject.

(f) Petitions, Communications and Notices

Petitions, communications and notices may be presented by the Chair, Legislative Clerk, any member, or individual, and shall be read by the Legislative Clerk. The Chair may direct the Clerk to dispense with the

reading of petitions and communications, provided that any member may offer a point of order and call for the reading of the same. Disposition thereof shall be directed by the Chair unless objections be made, in which case dispositions shall be directed by majority vote.

(g) Appointments

Appointments to any agency, committee, organization or group that are the sole prerogative of the Chair shall be made at this point.

(h) Reports of Legislative Standing and Special Committees

Reports of Legislative Standing and Special Committees may be oral if written minutes have been filed with the Clerk of the Legislature.

(i) Presentation of Motions and Resolutions

All resolutions to be presented at any regular meeting shall be submitted for consideration by the appropriate committee by filing with the Clerk of the Legislature at least two (2) business days before any regularly scheduled committee meetings. The title of any resolution shall be sufficiently clear as to describe the resolution's general purpose and intent to the casual reader. (See Resolution Procedures) Any resolutions not filed in a timely fashion will be deferred to the next scheduled regular meeting and shall not be considered at the current meeting; or such special meeting as may be called for the purpose of considering any such resolution, except by the consent of the majority of the Legislature. If the Legislature accepts the resolution to be heard, it must be submitted to the Clerk of the Legislature.

(j) Late-filed Resolutions

Any resolution not filed in a timely manner as defined above in Section IV, subparagraph 2, section h shall be considered a late-filed resolution. Any Department Head, individual, or designee seeking Legislative consideration of a late-filed resolution shall first obtain the consent of a majority of the members of the Legislature prior to submitting a late-filed resolution to the Legislative Clerk. The Legislature requires that any Department Head, individual, or designee seeking a late-filed resolution shall personally appear before the Legislature as directed by the Chair.

(k) Variance from Order

The Chair may, for any meeting, vary the foregoing order of business unless any member objects, in which event the variance may be made only upon majority vote. The Chair may not, however, omit any item except upon unanimous consent of the Legislature.

And be it further

RESOLVED: That SECTION 2. – COMMITTEES be amended to read as follows:

SECTION 2 - COMMITTEES

- (1) The Chair of the Legislature shall be an ex-officio member (i.e. non-voting) of all Legislative Standing and Special Committees with the exception of labor negotiations.
- (2) The Chair of the Legislature shall appoint the members and designate the Chair of all Legislative Standing Committees within the (10) days following his/her election. He/she shall also appoint the members and designate the Chair of all subsequently created Legislative Standing Committees within ten (10) days following creation thereof.
- (3) Any vacancy, including that of Committee Chair, occurring on any Legislative Standing or Special Committee, shall be filled by the Legislative Chair within thirty (30) days after such vacancy occurs.
- (4) Neither the Chair nor any other member of a Legislative Standing or Special Committee shall be removed during the term for which the Chair or committee was appointed except for due cause. The issue of due cause shall be determined by the members of the Legislature and recorded by a roll call vote.

With the approval of the members of the Legislature, Legislative Standing Committee members may seek or exchange other committee assignments for any reason.
- (5) The members of all Legislative Standing Committees shall be appointed for the calendar year and shall continue in office until their successors have been appointed, but nothing herein contained shall be construed to allow any person to continue to serve on any committee after he or she has ceased to be a member of the Legislature.
- (6) The Legislature, by majority vote, or the Chair may, from time to time, create and appoint members of Special Committees. Any resolution creating a Special Committee shall specify the powers and duties of the committee and the number of members. Each member of any Special Committee shall serve for the period specified in such resolution but in any event no longer than the term for which he or she shall have been elected as a Legislator. Such Special Committees may be completely legislative in composition or may include county officers, employees or members of the public, provided

however, that any such committee consisting of non-members of this body shall possess none of the duties, powers or authority vested in the Legislature.

- (7) Legislative Standing Committees shall consist of at least three (3) Legislators, but not more than four (4) Legislators with the exception of the Finance/Legal Committee, which shall be a committee of the whole.
- (8) Each Legislative Standing and Special Committee shall perform the duties so designated by the rules of this Legislature, as required by law or as assigned by the Chair of the Legislature.
- (9) Upon a two-thirds vote of the whole number of the members of the Legislature, any matter assigned by the rules, or otherwise, to any Legislative Standing Committee may be withdrawn from the consideration of such committee and referred to a Special Committee appointed in such manner, as the resolution withdrawing such matter shall direct.
- (10) The Chair of each Legislative Standing Committee and Special Committee shall be the presiding officer and shall cause the members thereof to be notified in advance of each meeting. The Legislative Standing or Special Committee Chair shall call all necessary meetings. Upon their refusal or neglect to call any meetings, the Legislative Clerk of the Legislature upon written request signed by the Chair of the Legislature or by a majority of the committee, shall call such meeting.
- (11) There shall be the following Legislative Standing Committees and their duties shall be as required by law, as directed by the Chair of the Legislature, or as so, designated herein.

Administrative Services - Within the jurisdiction of this committee shall fall all matters pertaining to the following:

- (1) All matters pertaining to the operation of the County Clerk's Office.
- (2) All matters pertaining to the operation of the Department of Motor Vehicles.
- (3) All matters pertaining to the operation of the County Historian and county history.
- (4) All matters pertaining to the operation of the Real Property Tax Services and with regard to the correction of assessments and corrections of any manifest errors on the assessment rolls.
- (5) All matters pertaining to the operation of the Veterans Service Agency.
- (6) All matters pertaining to the operation of the Board of Elections.

- (7) All matters pertaining to Records Management, including both current and archive records and physical asset inventory of County personal property.

Economic Development/Planning/Tourism/Agriculture - (ED&P Committee) - Within the jurisdiction of this committee shall fall all matters pertaining to the following:

- (1) All matters pertaining to the operation of the Economic Development Office. This specifically includes the interfaces to the Tioga County Industrial Development Agency, the Tioga County Local Development Corporation, the Tioga County Property Development Corporation (Land Bank) and any subsequent entities created by the Legislature in support of economic development within Tioga County.
- (2) All matters pertaining to County Planning.
- (3) All matters pertaining to the operation of the Tourism Office.
- (4) Agriculture - All matters pertaining to societies and/or organizations for the prevention of cruelty to animals, County extension service associations, Soil & Water Conservation District, and Agricultural Districts.
- (5) All matters pertaining to recycling, household hazardous waste, and renewable energy.

Finance/Legal & Safety – Within the jurisdiction of this committee shall fall all matters pertaining to the following:

- (1) Finance - All matters pertaining to the fiscal affairs of the County, including all matters relating to the methods and operation of the County Treasurer's Office, the appropriation of County funds, the borrowing of money for County purposes, the reports of the Budget Officer and the various steps in the preparation of the County budget, and the apportionment of license, mortgage and other taxes among the Towns and Villages of the County. This committee is also designated as the committee for the purpose of receiving tentative budgets filed with the Legislative Clerk, pursuant to Section 357 for the County Law.
- (2) Legal - All matters pertaining to the County Attorney's Office, District Attorney's Office, Public Defender's Office, Assigned Counsel, justices, and the New York State Court Systems Tioga County operations. All matters and litigation in which the County is concerned which may require legal action by the County and Freedom of Information duties.

- (3) All matters pertaining to Safety, Right to Know and ADA regulations including building accommodations.

Information Technology & Communications Services – (Information Technology Committee) Within the jurisdiction of this committee shall fall all matters pertaining to the following:

- (1) Information Technology & Communications Services – All matters pertaining to data processing and telecommunications, including but not limited to budgetary reports and processes, information systems and development of new programs and software.
- (2) Purchasing - The Chief Information Officer is the responsible person for overseeing the administrative details of Tioga County's purchasing program.

Health & Human Services – Within the jurisdiction of this committee shall fall all matters pertaining to the following:

- (1) Social Services - Within the jurisdiction of this committee shall fall all matters pertaining to areas affecting the Department of Social Services. Said committee shall also examine the bills and accounts of the Department of Social Services, including its administration of all programs related thereto. Shall also include all matters pertaining to the Youth Bureau, the development of youth services, and all matters pertaining to the operation of the Tioga Career Center.
- (2) Public Health - Within the jurisdiction of this committee shall fall all matters pertaining to Public Health Nursing, Physically Handicapped Children's Programs, general supervision of the Public Health Services, the Environmental Health Division, the Board of Health, and the functions of the Sealer of Weights and Measures.
- (3) Mental Hygiene – Within the jurisdiction of this committee shall fall the following matters pertaining to all Mental Health functions and related sub-agencies and services, all Developmental Disabilities functions and related sub-agencies and services, and all Drug and Alcohol functions and related sub-agencies and services.
- (4) Transportation – All matters related to public transportation.

Public Safety/Probation, STOP DWI & Coroner – Within the jurisdiction of this committee shall fall the following:

- (1) Public Safety - All matters pertaining to all areas affecting the Sheriff's Office, including the County Jail, road patrol, and emergency communication center (911).
- (2) All matters pertaining to the Department of Emergency Services.
- (3) All matters pertaining to County Fire Safety.
- (4) Probation -All matters pertaining to the Probation Department and related services.
- (5) STOP DWI Program – All matters pertaining to the STOP DWI Program and related services.
- (6) All matters pertaining to the Coroners and related services.

Public Works & Capital Projects - Within the jurisdiction of this committee shall fall the following:

- (1) All matters pertaining to the maintenance of all County-owned or leased real property, and the capital construction and improvements thereon.
- (2) All matters pertaining to the maintenance and construction of highways and bridges in which the County has responsibility, together with general overall supervision of the Commissioner of Public Works.
- (3) All matters relating to the County's fleet of vehicles.

Personnel Services (Personnel Committee) - Within the jurisdiction of this committee shall fall the following matters:

- (1) Personnel Administration & Services - All matters pertaining to the administration of County officers and employees' compensation, both union and Management/Confidential, including salaries, health insurance and retirement benefits, and any matters properly referable to the Personnel Department. All requests for creation or abolition of position(s) shall be referred to this committee.

- (2) All matters pertaining to civil service involving the County and all reports of the NYS Civil Service Commission required by law or by direction of the Legislature shall be referred to this committee.
- (3) Worker's Compensation - All matters pertaining to Workers' Compensation.

And be it further

RESOLVED: That SECTION 4. – APPOINTMENTS be amended to read as follows:

SECTION 4 – APPOINTMENTS

The Chair of the Legislature shall appoint the members of all Legislative Standing and Special Committees of the Legislature in accordance with Section 2, Rule 2.

(1) At the organizational meeting the Legislature shall appoint:

(a) Clerk to the Legislature who shall serve during the pleasure of the membership of the Legislature and shall be appointed for a term as set forth in Group One of Local Law 1 of 2021. He or she shall serve until a successor is appointed and qualified. (County Law No. 475).

(b) County Attorney who shall serve for the term for which the membership in Group One of Local Law 1 of 2021 of such Legislature appointing him or her was elected (County Law No. 500).

(c) Budget Officer who shall serve during the pleasure of the membership of such Legislature appointing him or her, shall be appointed for a term as set forth in Group One of Local Law 1 of 2021 (County Law No. 351, sub. 3).

(d) Public Defender whose term of office is fixed with Group One of the Tioga County Legislators pursuant to Local Law 2 of 2011.

(2) The following County positions are to be appointed by the Legislature whenever called for:

- (a) Commissioner of Social Services who shall serve a five (5) year term.
- (b) Commissioner of Public Works who shall serve a five (5) year term.
- (c) Director of Real Property Tax Services I who shall serve a six (6) year term.

- (d) Director of Weights and Measures I who shall serve according to Civil Service Law.
 - (e) Historian who shall serve at the pleasure of the Legislature.
 - (f) County Auditor who shall serve a term consistent with that of the Clerk to the Legislature.
 - (g) Personnel Officer who shall serve for a term of six years (Civil Service Law, Section 16(b)).
 - (h) Director of Community Services who shall serve for a term of five (5) years.
 - (i) Public Health Director who shall serve for a term of six (6) years.
 - (j) Economic Development & Planning Director who shall serve at the pleasure of the Legislature.
 - (k) Chief Information Officer who shall serve at the pleasure of the Legislature.
 - (l) Director of Veterans Service Agency who shall serve at the pleasure of the Legislature.
 - (m) Probation Director II who shall serve according to Civil Service Law.
 - (n) Two Board of Election Commissioners, one Republican, one Democratic, who shall serve for a two (2) year term according to Legislative resolution.
 - (o) Director of Emergency Services who shall serve according to Civil Service Law.
- (3) The following committees, boards, specialized teams, or positions shall be filled by the Legislature by resolution. The appropriate Legislative Standing Committee shall be consulted, by the Chair, and reported to the members of the Legislature, for recommendations. Geographic and demographic representation throughout the County shall be considered.

ADA Coordinators (2)
Ag & Farmland Protection Board
Alternatives to Incarceration Board
Assigned Counsel
Board of Ethics
Board of Health
Broome-Tioga Workforce Development Board
Community Services Board
Critical Incident Stress Debriefing Team
Fire Investigation Team
Fish & Wildlife Management Board
Hazardous Materials Team
Industrial Development Agency
Local Development Corporation

REAP Board
 Soil & Water Conservation District Directors
 Southern Tier East Regional Planning Development Board (ST8)
 Tactical Medical Team
 Tioga County Planning Board
 Tioga County Property Development Corporation (Land Bank)
 Traffic Safety Board
 Youth Board

(4) The Chair of the Legislature shall fill any Legislator representative vacancies on the following boards, commissions or position:

Binghamton Metropolitan Transportation Study (BMTS) Policy Committee
 Cornell Cooperative Extension Board
 Council of Governments (COG)

And be it further

RESOLVED: That the remainder of the Rules of Legislature policy remains unchanged.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION
 FINANCE COMMITTEE

RESOLUTION NO. 93-23 AMEND EMPLOYEE HANDBOOK:
 SECTION III. FINANCIAL RULES,
 SUBSECTION A. BUDGET TRANSFERS

WHEREAS: When the County transitioned to the Munis Financial Management Accounting System, the manner in which all accounting procedures, auditing procedures, and budgetary transactions changed; and

WHEREAS: Due to the transition to Munis, the Tioga County Legislature adopted Financial Guidelines, which addressed the process for budget requests, transfers, amendments, and modifications; and

WHEREAS: Section III. Financial Rules, Subsection a. Budget Transfers policy in the Employee Handbook was not updated to reflect the new processes and procedures; therefore be it

RESOLVED: That Section III. Financial Rules, Subsection a. Budget Transfers policy is hereby amended in its entirety to be in compliance with the current Munis processes and practices and as defined by the County.

SECTION III – FINANCIAL RULES

a. BUDGET TRANSFERS **(FORMERLY POLICY #4)**

FINANCES, (BUDGET), ACCOUNTING PROCEDURES, AUDITING PROCEDURES, PROGRAM AUDITS, EXIT AUDITS OR EXIT CONFERENCES

SECTION I. FINANCES

- A. Budget Requests
- B. Budget Transfers and Amendment Types
 - 1. Budget Transfers
 - 2. Budget Amendments
- C. Budget Modifications

SECTION II. ACCOUNTING PROCEDURES

SECTION III. AUDITING PROCEDURES

SECTION IV. PROGRAM AUDITS, EXIT AUDITS, OR EXIT CONFERENCES

SECTION I. FINANCES

As of 2015, all accounting and budgetary transactions are managed through Munis financial management accounting system.

A. Budget Requests

1. The Budget Officer will annually notify all Legislators, Department Heads, and Administrative Assistants when the Next Year Budget Entry Module in Munis is available for budget entry.

2. Each Department Head is responsible for entering their Department budget in Munis, in accordance with the Budget Officer's budget directives and budget year calendar. This includes Capital Budgets.
3. All budget requests shall receive the approval of the Department's respective Legislative Standing Committee. Department Heads are required to present their budgets to their Legislative Standing Committees, in accordance with the Budget Officer's budget directives and budget year calendar. This includes Capital Budgets.
4. Failure to enter a Department budget in Munis by the date specified without an authorized extension may result in the Budget Officer preparing a budget in Munis based on the previous year budget.
5. The Budget Officer and the Legislative Standing Committee Chair shall have prior review of the budget.
6. Department Heads are required to begin discussions with the Commissioner of Public Works and the Chief Information Officer for any capital needs/requests.
7. Department Heads are required to begin discussions with the Personnel Officer for any new positions or staff changes during the budget process and prior to budget presentation to the Department's respective Legislative Standing Committee.
8. The Budget Officer will present the County's Tentative Budget at a public hearing no later than November 15th. The Budget Officer is responsible for posting the Tentative Budget on the County website. Following the public hearing, the Tentative Budget cannot be increased without conducting another public hearing.
9. The Legislature is required to adopt the County budget no later than December 20th each year. The Budget Officer is responsible for posting the Adopted Budget on the County website and providing the Clerk of the Legislature with a copy.

B. Budget Transfers & Amendment Types:

Type 1 – Transfer between two revenue or two expense accounts within the same Org.

Type 2 – Bottom line fund budget is being increased or decreased. **This type of transfer can only be entered by the Budget Officer).**

Type 3 – “One-sided” entry, journal will not be balanced.

1. Budget Transfers

- a. A Budget Transfer CANNOT cross over ORGS or FUNDS.
- b. A Budget Transfer in Munis is defined as a transfer of appropriations or revenues among two or more accounts with the same ORG. A Budget Transfer does NOT change the total budgeted funds of the ORG (FUND).
- c. Departments are responsible for initiating and entering Budget Transfers in the Munis Budget Module – Budget Transfers and Amendments. The Department Head is responsible for Step 10 approval and the Budget Officer is responsible for the Step 20 approval and posting of the Budget Transfer. This all occurs within the established Munis workflow.
- d. All budget transfer requests require Department Head and Budget Officer approval via Munis workflow.

2. Budget Amendments

- a. A Budget Amendment CANNOT cross over ORGS or FUNDS.
- b. A Budget Amendment in Munis is defined as any budgetary action that changes the original approved budgeted line-item structure, but does not modify the approved budgeted amount, budgetary level defined, or Department funded.
- c. All Budget Amendment requests need to be initiated and entered in Munis by the Department with the attached “Budget Amendment Request Form” located on the County’s Intranet.
- d. All Budget Amendment requests that need a new line item or account to be added to the Chart of Accounts, requires a “New Account Request Form” to be scanned and attached with the Budget Amendment request in Munis.
- e. All approved Budget Amendment requests initiated by a Department into a newly budgeted expense object that was not in the original approved budget requires Budget Officer review and approval.

C. Budget Modifications

1. A Budget Modification CAN cross over ORGS and FUNDS with a certified Legislative resolution.
2. A Budget Modification in Munis is defined as any budgetary action that changes the original approved budgeted amount, the highest level defined, or Department originally funded. Examples include Contingency Fund

requests, a transfer from Department to Department, and a transfer from one object code to another outside of the accounting series (51 to 54, etc.).

3. All Budget Modification requests need to be initiated by the Department via resolution for Legislature consideration. The resolution is required to be sent to the Budget Officer and Chief Accountant for review prior to submission to the Legislative Clerk for Legislature consideration. Resolution must go through the Department's Legislative Standing Committee AND Finance, Legal, Safety Committee for approval. Upon Legislative approval via certified resolution, the Budget Officer will enter and approve the budget transaction in Munis.
4. Periodic reporting will be provided to the Legislative Office as requested for all budgetary changes.

SECTION II. ACCOUNTING PROCEDURES

The County Treasurer, as chief fiscal officer, may formulate and prescribe systems of keeping accounts by departments, and may, from time to time whenever deemed necessary, prescribe changes in methods of record keeping by the Department.

[NOTE: The County Treasurer is required by law to maintain records in a certain form.]

SECTION III. AUDITING PROCEDURES

Munis workflow is designed for Department approval (Step 10) and County Auditor approval (Step 20).

Department Heads or designated staff are responsible for ensuring that AP invoices entered in Munis for payment are accurate and in compliance with the Procurement and Purchasing Policy and that all supporting documentation is in Munis prior to Step 10 approval and initiating Step 20 County Auditor for final review and approval.

SECTION IV. PROGRAM AUDITS, EXIT AUDITS, OR EXIT CONFERENCES

The Department Head responsible for the program, agency or budget, shall notify the Chair of the County Legislature, the Chair of the appropriate Legislative Standing Committee, the Personnel Officer, the County Treasurer and the Clerk of the Legislature of the date, time and location of said program audit, exit audit or exit conference.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION
PERSONNEL COMMITTEE

RESOLUTION NO. 94-23 *AMEND EMPLOYEE HANDBOOK:
SECTION IV. PERSONNEL RULES;
SUBSECTION T. ENTITLED TIOGA COUNTY
REMOTE WORK POLICY-PILOT PROGRAM,
SUBSECTION IV. POLICY C. HARDWARE, SOFTWARE
AND SUPPLIES*

WHEREAS: The Tioga County Legislature adopted Resolution 265-21 on November 9, 2021 establishing a new policy entitled Tioga County Remote Work supporting the use of remote worksites for a portion of the standard workweek and allowing Department Heads to implement Remote Work Arrangements for eligible Management/Confidential employees, where appropriate; and

WHEREAS: On January 10, 2023, the Tioga County Legislature adopted Resolution 47-23 to rename, amend, and replace the Remote Work Policy-Pilot Program in its entirety for continuation as a pilot program set to expire on December 31, 2023, unless otherwise expanded; and

WHEREAS: As a pilot program, it is known that this policy is subject to additional revisions as deemed necessary; and

WHEREAS: The Chief Information Officer has determined to mitigate the risk of a security and/or data breach that the County will provide the hardware devices needed, as approved by the respective Department Head and Information Technology; and

WHEREAS: Section IV. POLICY, Subsection C. Hardware, Software, and Supplies has been revised identifying the County and employee responsibilities; therefore be it

RESOLVED: Section IV. POLICY, Subsection C. Hardware, Software, and Supplies is hereby amended to read as follows:

IV. POLICY

C. Hardware, Software and Supplies:

1. The County will provide a computer, laptop or tablet approved by Information Technology. The Employee will be responsible for workspace, networking and/or internet capabilities at the remote work location and shall not be reimbursed by the County for these or related expenses. Special circumstances may arise and will be reviewed by the Department Head. (*Arrangements made prior to effective date of this policy may remain in effect with approval from Department Head). Internet access is expected to be reliable and secure, and meet the bandwidth needed for the job.
2. The need for specialized material or equipment in order to remote work should be minimal. The County shall provide equipment (hardware and/or software) and services (such as technical support) if it is approved in advance by the employee's Department Head and the Chief Information Officer.
3. Department expenses incurred in the implementation and execution of remote work arrangements require the approval of the Department Head. If County equipment is provided to the employee, the employee is responsible for seeing that the equipment is properly used in compliance with County IT policy and returned in working order to the County upon conclusion of the Remote Work Arrangement.
4. Standard office supplies (such as paper and pens) will be provided by the County and should be obtained by the employee at the centrally located worksite. Out-of-pocket expenses for supplies normally available at the centrally located worksite will not be reimbursed. Office furniture will not be provided to employees who remote work.
5. Employees who remote work are subject to the same internal County policies regarding the use of County-provided equipment (hardware and/or software) and services as that of employees at the centrally located worksite.
6. Employees who remote work shall not allow anyone, except County employees, to use or access County-provided equipment (including hardware, software, chargers, storage devices) and services.
7. Employees are prohibited from accessing the County network using a public access computer.
8. **HARDWARE:** New or existing computer equipment shall be provided to staff by the County if approved in advance by the employee's Department Head and the Chief Information Officer. All County owned hardware equipment and devices must be returned to the County as

- soon as the remote working agreement has ended, or when the equipment is no longer needed to perform related work activities.
9. The County will provide routine maintenance and repairs for County owned computers and equipment. The County will try and perform maintenance remotely, however, to complete necessary maintenance it may be required that the staff member bring their device back to the worksite or internal network. Staff can request technical support for County computer devices by sending an email to the Tioga County Helpdesk. County IT staff will not visit the employee's remote work location to provide service onsite.
 10. **SOFTWARE:** Employees must conform to the County's software standards. Department Heads will consult with Information Technology staff to ensure that the software needed conforms to the County's software policies.
 11. Remote access to the County's network may be provided to the employee at the discretion of the employee's Department Head and with the approval of the Chief Information Officer or designee. If the County's remote access system includes internet access or other dial-in services, the employee may only use the County provided internet access or other dial-in services in a manner consistent with that of employees at the centrally located worksite. Employees who remote work are subject to the same internal County policies regarding the use of County provided equipment, software and services as that of employees at the centrally located worksite.
 12. The County may purchase software for installation on County-provided equipment if approved in advance by the employee's Department Head and the Chief Information Officer or designee.

And be it further

RESOLVED: That the remainder of the Remote Work Policy-Pilot Policy is unchanged.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE, LEGAL AND SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 95-23 AMEND EMPLOYEE HANDBOOK:
SECTION IV. PERSONNEL RULES:
SUBSECTION V. LEAVE TIME

WHEREAS: The County Attorney has reviewed the Employee Handbook for compliance with State and Federal Law and has identified the need to amend Section IV. Personnel Rules, Subsection V. Leave Time, with the revision of Paragraph C. and the addition of Paragraphs E. and F.; and

WHEREAS: Section 202-j of the New York State Labor Law requires employers to provide up to three (3) hours of unpaid leave time per calendar year to donate blood; and

WHEREAS: Section 202-a of the New York State Labor Law requires employers to allow unpaid leave absences to undergo a medical procedure to donate bone marrow not exceeding twenty-four (24) hours per each request; and

WHEREAS: Tioga County does not have its own leave time for blood donation and bone marrow donation policies; and

WHEREAS: The County Attorney has written and proposed new paragraphs entitled E. related to blood leave donation and F. related to bone marrow donation; and

WHEREAS: Paragraph C. related to cancer screening has been revised to remove the term "male/female" and to add the word "time" to the following sentence "Leave time for cancer screening(s) is not cumulative and expires at the close of business on the last day of each calendar year"; therefore be it

RESOLVED: That Section IV., Personnel Rules, Subsection V. Leave Time, Paragraph C. related to cancer screening is hereby amended to read as follows:

C. In accordance with Section 159-b of the Civil Service Law (amended as of March 18, 2018, all County employees (full-time, temporary or permanent) are allowed up to four (4) hours of paid leave time per calendar year annually for cancer screening(s). Leave time for cancer screening(s) is not cumulative and expires at the close of business on the last day of each calendar year. Travel time to and from the screening(s) is included in the four

hours. Absence beyond the four hours must be charged to other leave time. Employees who undergo the screening(s) outside their regular work schedule do so on their own time. Employees are not granted compensatory time off for cancer screening(s) that occur on days off or holidays. Employees are required to provide satisfactory medical documentation that their absence was for the purpose of screening for cancer. The documentation should be attached to the employee's time sheet or presented to the Department Head.

And be it further

RESOLVED: That Section IV., Personnel Rules, Subsection V. Leave Time, is hereby amended to add new Paragraphs E. related to blood work donation and F. related blood marrow donation to read as follows:

- E. In accordance with Section 202-j of the New York State Labor Law all County employees, full-time, temporary, or permanent are allowed up to three (3) hours of unpaid leave time per calendar year annually for the purpose of donating blood. Leave time for blood donation(s) is not cumulative and expires on the last day of each calendar year. Travel time to and from blood donation sites is included in the three hours. Leave taken by employees at a county-designated donation alternative (such as an employer-sponsored blood drive at the workplace) must be paid leave that is provided without requiring the employee to use accumulated vacation, personal, or other leave time. Employees are required to give reasonable notice of at least three working days prior to the day of their intended use of leave time. Documentation should be attached to the employee's time sheet or presented to the Department Head.
- F. In accordance with Section 202-a of the New York State Labor Law all County employees, full-time, temporary, or permanent are allowed unpaid leaves of absence to undergo a medical procedure to donate bone marrow. The length and duration of leave must be determined by a physician, but the combined leaves may not exceed twenty-four (24) hours per each request for the purpose of donating bone marrow, unless agreed to by the Department Head. This leave is available only to the extent that it conflicts with the employee's work schedule. Leave may be taken in increments of either full or partial days, and may include any necessary travel time, medical testing, or further procedures to determine bone marrow compatibility, medical procedure, and recovery time. Employees must provide suitable verification from a physician regarding the purpose

and length of each leave. Documentation should be attached to the employee's time sheet or presented to the Department Head.

And be it further

RESOLVED: That the remainder of the Section IV. Personnel Rules: Subsection V. Leave Time Policy remains unchanged.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:	PERSONNEL COMMITTEE LEGISLATIVE WORKSESSION FINANCE, LEGAL & SAFETY COMMITTEE
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RESOLUTION NO. 96-23	<i>AMEND EMPLOYEE HANDBOOK; SECTION IX. SAFETY RULES, SUBSECTION J. WORKPLACE VIOLENCE PREVENTION PROGRAM POLICY AND DISCRIMINATORY HARASSMENT POLICY</i>
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WHEREAS: Tioga County's Workplace Violence Prevention Program Policy and Discriminatory Harassment Policy was reviewed by the Workplace Violence Advisory Team and the Loss Control Committee for the annual review of the Workplace Violence Prevention Program Policy and Discriminatory Harassment Policy for necessary updates; and

WHEREAS: The Workplace Violence Prevention Program Policy and Discriminatory Harassment Policy warrants revisions in several sections and the need for forms to be updated in their entirety; therefore be it

RESOLVED: That the Workplace Violence Prevention Program Policy and Discriminatory Harassment Policy be updated to include inclusive pronouns; and be it further

RESOLVED: That **Section I. Workplace Violence Prevention Program Policy, Subsection III. Definitions** is hereby amended to include two new definitions; 6. Harassment and 7. Furniture Abuse to read as follows:

III. Definitions

6. Harassment occurs when you have the intent to harass, annoy or alarm some person and you: Strike them in some manner or make physical contact with them (or attempt to do so); or follow a person around in public areas; or engage in a course of conduct (repeated actions) of annoyance or alarm to that person without any legitimate reason to do so.
7. Furniture Abuse can be defined as the deliberate kicking, smashing, slamming or hitting of chairs, tables, workstations, walls, doors, objects or other items of furniture in the workspace.

And be it further

RESOLVED: That **Section I. Workplace Violence Prevention Program Policy, Subsection V. Responsibilities**, 1. Department Head/ Supervisor Responsibility and 3. Safety Officer are hereby amended to read as follows:

V. Responsibilities

1. Department Head/Supervisor Responsibility

Department Heads and supervisors are expected to enforce the program in a fair and consistent manner and ensure all aspects of the program under their area of responsibility are properly met.

If an employee notifies their Department Head of an actual or potential workplace violence incident or submits a completed Workplace Violence Incident Report, the Department Head is responsible for following the reporting procedures as outlined in Section VII of this policy. Failure to follow reporting procedures could result in disciplinary action.

3. County Attorney's Office

The County Attorney's Office, or their designee, will be responsible for annual training and disseminating any changes made to this policy to County personnel, as well as ensuring the policy is posted appropriately throughout county buildings and other work sites.

And be it further

RESOLVED: That **Section I. Workplace Violence Prevention Program Policy, Subsection VIII. Incident Investigation, 1. Risk Evaluation After a Workplace Violence Incident** is hereby amended to read as follows:

VIII. Incident Investigation

1. Risk Evaluation After a Workplace Violence Incident

The County Attorney's Office, or their designee, will perform a risk evaluation and determination immediately after the occurrence of a workplace violence incident. The investigation may take various forms, depending upon the type of incident.

Upon completion of the review, the County Attorney's Office, or their designee, will address the cause(s) of the incident and take the necessary steps to eliminate or reduce the likelihood of such an incident occurring again. The County Attorney's Office may also make recommendations for revising the Workplace Violence Prevention Policy. Any revisions to the policy will be put in writing and made available to employees. Employee training will be provided if significant changes to the policy are made. The County will also consider global prevention enhancements at all work sites which may be necessary to properly protect employees.

And be it further

RESOLVED: That **Section I. Workplace Violence Prevention Program Policy, Subsection X. Workplace Risk Evaluation** is hereby amended to include additional risk factors, worksite locations, and applicability in Tioga County and to read as follows:

X. Workplace Risk Evaluation

As required by Section 27-b of the NYS Labor Law, the County conducted an evaluation of the workplace in general, and each worksite specifically, to identify existing or potential hazards that might place employees at risk of workplace violence.

The following risk factors, locations and applicability in Tioga County are listed below:

1. Working in public settings applies to all County locations and personnel.
2. Working late night or early morning hours applies to personnel at the Ronald E. Dougherty County Office Building, Court Annex/County Clerk's Building, Health and Human Services Building, Public Safety Building, Highway Department, Buildings & Grounds, Mental Hygiene Building in Waverly, Public Defender's Building, ILS Building, Child Advocacy Center Building, and the

- County Truck Wash Building.
3. Exchanging money with the public applies to personnel at the County Office Building, Public Safety Building, Court Annex/County Clerk's Building, Health and Human Services Building, Ronald E. Dougherty County Office Building and the Mental Health Building in Waverly.
 4. Working alone or in small numbers applies to personnel at all County Office Buildings. It also applies to personnel who do County work off County premises.
 5. Uncontrolled access to the workplace applies to personnel at the County Office Buildings or sites with unrestricted access.
 6. Areas of previous security problems include the Ronald E. Dougherty County Office Building and Health and Human Services Building.

And be it further

RESOLVED: That **Section I. Workplace Violence Prevention Program Policy, Subsection XI. Methods for Hazard Prevention and Control, #2** is hereby amended to read as follows:

XI. Methods for Hazard Prevention and Control

2. The hierarchy of controls to be used is:
 - Elimination
 - Substitution
 - Engineering Controls.
 - Administrative Controls.
 - Personal Protective Equipment.

And be it further

RESOLVED: That **Section 2 Discriminatory Harassment Policy, Subsection I. Policy Statement, paragraph 1** is hereby amended to read as follows:

It is the policy of the County of Tioga to provide and maintain a work environment which is free from unlawful discrimination based on race, creed, color, national origin, sexual orientation, military status, sex, age, marital status, domestic violence victim status, disability, pregnancy-related condition, predisposing genetic characteristics, prior arrest or conviction record, familial status, gender identity, and any other class protected by law (collectively referred to as "discriminatory harassment" or "harassment"). Harassment based on these characteristics is a form of unlawful discrimination and is prohibited in each and every work environment and each and every situation which directly impacts the work environment.

And be it further

RESOLVED: That **Section 2 Discriminatory Harassment Policy, Subsection II. Definitions, 1. Sexual Harassment** is hereby amended to read as follows:

1. "Sexual Harassment" is defined as:

A form of gender-based discrimination. Unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature when:

- A. Submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment (e.g., promotion, training, assignments, etc.);
- B. Submission to or rejection of such conduct by an individual is used as a basis for employment decisions (e.g., hiring, evaluation, promotion) affecting such individual; or
- C. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Examples of specific behaviors that may be considered sexual harassment include, but are not limited to:

- Spoken or written words related to an employee's sex
- Any sexual advance that is unwelcome
- Sexually oriented comments
- Showing or displaying pornographic or sexually explicit objects or pictures in the workplace
- Offensive touching, patting or pinching
- Requests for sexual acts or favors
- Abusing the dignity of an employee through insulting or degrading sexual remarks or conduct
- Threats, demands or suggestions that an employee's work status is contingent upon her/his toleration of or acquiescence to sexual advances
- Subtle pressure for sexual activities
- Leering at a person

Sexual harassment is gender neutral and may involve members of the same or different gender.

And be it further

RESOLVED: That **Section 3. FORMS – ALL FORMS ARE LOCATED ON COUNTY INTRANET** is hereby amended to read as follows with the following updated forms located on the County Intranet:

SECTION 3 – FORMS – ALL FORMS ARE LOCATED ON COUNTY INTRANET

Form 1: Workplace Violence Incident Report Form

Form 2: Workplace Violence Prevention Program Policy Acknowledgement Form

Form 3: Workplace Violence Prevention Program Training Acknowledgement Form

Form 4: Workplace Violence Discriminatory Harassment Complaint Form

Form 5: Workplace Violence Notice of Withdrawal of Complaint of Discriminatory Harassment

And be it further

RESOLVED: That the remainder of the Workplace Violence Prevention Program Policy and Discriminatory Harassment Policy remains unchanged.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell made a motion to bring forth two late-file resolutions for Legislature consideration, seconded by Legislator Mullen. Motion carried.

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

REFERRED TO: ED&P COMMITTEE
AGRICULTURAL COMMITTEE

RESOLUTION NO. 97-23 *APPOINT MEMBER TO THE
TIOGA COUNTY AGRICULTURAL AND FARMLAND
PROTECTION BOARD*

WHEREAS: The Agricultural & Farmland Protection Board is looking to fill the unexpired term previously held by County Legislator Ed Hollenbeck; and

WHEREAS: The Agricultural and Farmland Protection Board is desirous of filling the County Legislator position on the Agricultural & Farmland Protection Board and has found Legislator Barbara Roberts willing to serve in this position; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoints Legislator Barbara Roberts to the Agricultural and Farmland Protection Board in the Legislator position effective February 15, 2023 for term of office.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE, LEGAL AND SAFETY COMMITTEE

RESOLUTION NO. 98-23 *AUTHORIZE APPOINTMENT OF SAFETY OFFICER*

WHEREAS: Legislative approval is required for any appointments made to a Management/Confidential position; and

WHEREAS: Since November 1, 2022, the position of Safety Officer has been vacant due to resignation; and

WHEREAS: The County Attorney has recruited and identified a qualified candidate whom he would like to hire for said position; therefore be it

RESOLVED: That the County Attorney is hereby authorized to provisionally appoint Doreen Holbrook to the title of Safety Officer effective February 27, 2023, pending successful completion of civil service examination requirements at an annual Management/Confidential salary of \$56,000.00.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

Meeting was adjourned at 12:23 P.M.