

*Fifth Regular Meeting
May 11, 2021*

The Fifth Regular Meeting of 2021 was held on May 11, 2021 and was called to order by the Chair at 12:00 P.M. All nine Legislative members were present.

Chair Sauerbrey asked for a Moment of Silence in memory of our colleague, former Legislator Richard (Dick) Huttleston, who passed away on April 22, 2021.

Chair Sauerbrey asked Legislator Weston to have a moment of prayer. "I am going to do this extemporaneously, which is about the way I do most everything. This prayer is going to be a debate on right or wrong, which is usually what you hear when you go to church. Your own brain is going to be the moderator of this little excursion. It will be the mediator of what comes up in your head. This is between one side of your head and the other. On the right side of your head there is a person sitting there that has a long beard and bunch of commandments sitting beside him. On the other side of your head, there is a little person who has horns, a trident, and wears a red suit. You ask these questions every time you get involved in some sort of a deal or sometimes determining what is right and what is wrong. If things turn out right, you probably have listened to your right ear. If things get you into trouble, you probably have listened to your left ear. In essence, I pray that you listen to your right ear and not your left ear and if you do this the world will be a much better place to live."

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

There were 22 people in attendance.

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

Legislator Mullen read and presented the following resolution to Greg Hall, Corrections Officer, Sheriff's Office.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 114-21 *RESOLUTION RECOGNIZING
GREG HALL'S 32 YEARS OF
DEDICATED SERVICE TO TIOGA COUNTY*

WHEREAS: Greg Hall was hired as a Guard on January 19, 1989 and appointed to his current position as a Corrections Officer on March 28, 1989; and

WHEREAS: Greg Hall has been dedicated and loyal in the performance of his duties and responsibilities during the past 32 years to Tioga County, thereby earning the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: Greg Hall will retire from the Tioga County Sheriff's Office on May 27, 2021; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Greg Hall for his 32 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, Greg Hall.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Mullen spoke. "Greg is one of the few guys left that actually worked downtown before the new jail was built. To put the number of years in place, you have to remember the old jail. That is where he started and his career is longer than even the new building. Congratulations."

Greg Hall spoke. "Thank you."

Legislator Mullen read and presented the following resolution to Jeff Tiffany, Cook Manager, Sheriff's Office.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 115-21 *RESOLUTION RECOGNIZING
JEFF TIFFANY'S 22 YEARS OF
DEDICATED SERVICE TO TIOGA COUNTY*

WHEREAS: Jeff Tiffany was hired as a part-time Cook on June 25, 1998 and appointed to his current position as a Cook Manager on May 22, 1999; and

WHEREAS: Jeff Tiffany has been dedicated and loyal in the performance of his duties and responsibilities during the past 22 years to Tioga County, thereby earning the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: Jeff Tiffany will retire from the Tioga County Sheriff's Office on May 28, 2021; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Jeff Tiffany 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, Jeff Tiffany.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Jeff Tiffany spoke. "Thank you."

Sheriff Howard spoke. "It seems like I am here every other month wishing some retirees good luck in their futures. We are losing 54 years of service at the Sheriff's Office, Greg Hall with 32 years and Jeff Tiffany with 22 years. These are the last two people, as Legislator Mullen said, that worked in the old building. So, everyone else is new people, as we call it. Congratulations on the retirements. You will be missed. I cannot say anything bad about either employee. I will say that I was looking through Greg's file this morning and I did his background investigation. I wrote a memo to Lieutenant Burrell, at the time, and said I cannot find any reason not to hire this guy, he seems to be okay. He was hired as a guard to begin with and not a corrections officer.

"I have known Jeff for years and the experience he brought to our office with being a manager for the VFW, American Legion, and the Elks Club, as well as all the banquets. I have even asked him to help me with fundraisers in the past cooking chicken and preparing meals, so he is going to be missed.

“They will still be around, so if I need them I can always reach out. I want to thank both of these employees for their time, service, and commitment to the Sheriff’s Office. Thank you.”

Chair Sauerbrey spoke. “Congratulations gentlemen.”

Chair Sauerbrey reported we have three Proclamations recognizing *American Stroke Month in Tioga County*, *Mental Health Awareness Month* and *Children’s Mental Health Awareness Week*, and *Elder Abuse Prevention Month*.

Legislator Standinger spoke. “I know this kind of violates our protocol about reading a proclamation that is a repeat, but I have a special place in my heart for this proclamation. It was one of the few things that I came into this job to make sure that people were aware of and the reason being is that 12 years ago, on May 6, 2009, I got to learn firsthand about strokes after I was sideswiped by a truck in Albany, NY when I was working for the State Police. But, I can tell you up front it is not something you want to go through. Very seldom do people make out as well as I did, so I thank the big guy upstairs for that. “

Legislator Standinger read and presented the American Stroke Month in Tioga County proclamation to Public Health Director Lisa McCafferty.

COUNTY OF TIOGA EXECUTIVE PROCLAMATION

WHEREAS: Stroke is a leading cause of serious long-term disability and the fifth leading cause of death in the United States, killing over 150,000 people nationwide and more than 20 citizens of Tioga County each year; and

WHEREAS: Three out of every four strokes in the United States occur as new or first-time strokes; and

WHEREAS: Warning signs of stroke include sudden numbness or weakness of the face, arm or leg, especially on one side of the body; sudden confusion, trouble speaking or understanding; sudden trouble seeing in one or both eyes; sudden trouble walking, dizziness, loss of balance or coordination; and sudden severe headache with no known cause; and

WHEREAS: Ninety-three percent of Americans recognized that sudden numbness on one side is a symptom of stroke, but only 38% were aware of all major symptoms and knew to call 9-1-1 when someone was having a stroke; and

WHEREAS: Patients who arrive at the emergency room within 3 hours of their first symptoms often have less disability 3 months after a stroke than those who received delayed care; and

WHEREAS: New and effective treatments have been developed to treat and minimize the severity and damaging effect of strokes, but much more research is needed, therefore

THE TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the month of May 2021 as:

AMERICAN STROKE MONTH IN TIOGA COUNTY

and urges all the citizens of our County to familiarize themselves with the risk factors associated with stroke, recognize the warning signs and symptoms, and on the first signs of a stroke dial 9-1-1 immediately so that we might begin to reduce the devastating effects of stroke on our population.

Legislator Standinger spoke. "There is an acronym (BE FAST) that Public Health Director McCafferty will tell you about I am sure."

Public Health Director McCafferty spoke. "I just want to emphasize what Legislator Standinger said. Strokes are insidious, they are out there, they impact a lot of people and their loved ones, and it is unfortunate because it is called a silent killer and there is a reason for that. Strokes are not readily apparent when a person is having a stroke and the acronym Legislator Standinger spoke about is BE FAST.

B = Balance: are you looking at someone who is having a hard time standing up?

E = Eyes: are they having trouble focusing, double vision, or having eyesight issues?

F = Face: the classic symptom. Can the person smile?

A = Arm: do they look like they are having issues raising their arms?

S = Speech: is the person's speech slurred?

T = Time: the sooner you can call 911 and get the person help, the faster they can get to a hospital and recover more or less well from the event.

Thank you very much and we appreciate your support."

Chair Sauerbrey reported the following proclamations on *Mental Health Awareness Month & Children's Mental Health Awareness Week* and *Elder Abuse Prevention Month* will be noted in the minutes.

**County of Tioga
EXECUTIVE PROCLAMATION**

Mental Health Awareness Month & Children's Mental Health Awareness Week

WHEREAS: The citizens of Tioga County value the overall health and well-being of all the residents of Tioga County they are proud to support the observance of Mental Health Awareness Month and Children's Mental Health Week; and

WHEREAS: Mental Health is essential to everyone's overall health and well-being; and

WHEREAS: Mental illness is the leading illness-related cause of disability, a major cause of death through suicide, a factor in school failure, a contributor of poor overall health, incarceration, and homelessness; and

WHEREAS: Mental illness in adults and serious emotional and mental health disorders in children and youth are real and treatable; and

WHEREAS: There is evidence that early intervention, family-centered care for children, and person centered treatment for adults can result in reduction and management of symptoms such that individuals with mental illness can live full, productive and meaningful lives in their communities; and

WHEREAS: Children and youth with mental health challenges, along with their families, deserve access to services and supports that are family driven, youth guided and culturally appropriate; and

WHEREAS: There is an expectation of hope, healing and recovery for the citizens of Tioga County who experience symptoms of mental illness; and

WHEREAS: Tioga County has made a commitment to a community-based system of care that promotes values of acceptance, dignity and social inclusion for individuals of all ages; therefore

THE TIOGA COUNTY LEGISLATURE does hereby ask all residents of our county to join in declaring May 2021 as *Mental Health Awareness Month* and May 2nd – 8th, 2021 as *Children's Mental Health Awareness Week* in Tioga County.

**County of Tioga
EXECUTIVE PROCLAMATION**

WHEREAS: People who are elderly or have disabilities have contributed to the general welfare of Tioga County by helping to preserve customs, convictions, and traditions of many people from diverse backgrounds; and

WHEREAS: These residents are vital and integral members of our society and their wisdom and experience have enriched our lives; and

WHEREAS: The health and well-being of disabled and elderly people in our county should be one of our highest priorities and of concern to all Americans; and

WHEREAS: People who are elderly or have disabilities are among the most important resources of our county, and it is fitting that we recognize the need to protect their health, safety, and rights; and

WHEREAS: Abuse of the elderly and people with disabilities in domestic and institutional settings is a wide-spread problem, affecting hundreds of thousands of people across the country; and

WHEREAS: Elder abuse is underreported because the elderly who are being abused find it very difficult to tell anyone and are usually ashamed and sometimes afraid; and

WHEREAS: Elder abuse happens to men and women of all income levels, all cultural and ethnic groups, whether they are in good health or incapacitated in some way, in poor neighborhoods and in suburbia; and

WHEREAS: Many of the cases investigated by Adult Protective Services in New York involve self-neglect or financial exploitation and it is our duty as citizens to reach out to people in need; now therefore

THE TIOGA COUNTY LEGISLATURE does hereby proclaim the month of May 2021 to be

Elder Abuse Prevention Month

in Tioga County, and urge all citizens to work together to help reduce abuse and neglect of people who are elderly or have disabilities.

There was no privilege of the floor.

Legislator Roberts made a motion to approve the minutes of April 13, 2021, seconded by Legislator Sullivan and carried.

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

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 116-21 *APPOINT MEMBER TO THE TIOGA COUNTY LOCAL DEVELOPMENT CORPORATION*

WHEREAS: Chris Curry resigned from the Local Development Corporation Board effective 10/18/2019; and

WHEREAS: Joan Case has expressed her desire to serve on the Local Development Corporation Board to fill Chris Curry's term that expired 3/31/20; and

WHEREAS: The Tioga County Local Development Corporation Board of Directors has found Joan Case willing and able to fill said vacancy; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoint Joan Case to fill Chris Curry's expired term 5/12/21 – 3/31/23.

Legislator Mullen spoke. "I would like to thank Joan. She is actually my neighbor and widow of former Legislator Ray Case. Joan is extremely involved in the Waverly community. She is going to do a great job and I just want to publicly thank her for her service on this Board."

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO: 117-21 *MORTGAGE TAX DISTRIBUTION*

RESOLVED: That the mortgage tax report for the period October 1, 2020 to March 31, 2021 be and it hereby is accepted; and be it further

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

Barton (Town)	\$ 37,523.97
Berkshire (Town)	9,293.99
Candor (Town)	28,346.28
Candor (Village)	3,802.91
Newark Valley (Town)	12,017.77
Newark Valley (Village)	4,759.08
Nichols (Town)	27,047.42
Nichols (Village)	4,186.89
Owego (Town)	179,828.47
Owego (Village)	17,252.27
Richford (Town)	5,828.44
Spencer (Town)	17,718.81
Spencer (Village)	3,199.65
Tioga (Town)	28,249.51
Waverly (Village)	<u>18,052.64</u>
	\$397,108.10

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts introduced Local Law Introductory No. C of 2021.

County of Tioga

Local Law No. XX of the Year 2021.

A Local Law authorizing twelve (12) and thirteen (13) year-old licensed hunters to hunt deer with a firearm or crossbow during hunting season with the supervision of an adult licensed hunter.

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

SECTION 1: LEGISLATIVE INTENT

The intent of this Local Law is to authorize Tioga County to permit twelve (12) and thirteen (13) year-old individuals to participate in the new and safe hunting opportunities in accordance with Environment Conservation Law §11-0935. The enacted 2021-2022 New York State Budget includes a pilot program allowing the opportunity for young hunters, ages twelve (12) and thirteen (13), to hunt deer with firearms and crossbow through 2023 if a county authorizes such action within their municipality. Tioga County is passing this Local Law, as hunting is a valued tradition for many families and this new opportunity allows experienced, adult hunters to introduce the value of hunting to the next generation. Furthermore, teaching young people safe, responsible, and ethical hunting practices will ensure a rewarding experience for the youth, while providing quality food to families and contributing to important deer management population control practices.

SECTION 2: PILOT PROGRAM AUTHORIZATION

Pursuant to Environmental Conservation Law, ECL §11-0935, Tioga County elects to participate in the temporary program to allow for young hunters, ages twelve (12) and thirteen (13), to hunt deer with a firearm, to include rifles, shotguns, and muzzle loaded firearms or crossbow through 2023.

SECTION 3: STATE REQUIREMENTS TO ADHERE ONCE AUTHORIZED

Twelve (12) and thirteen (13) year-old licensed hunters shall be allowed to hunt deer with the following requirements to be followed:

- A. Twelve (12) and thirteen (13) year-old licensed hunters shall be under the supervision of a licensed adult hunter, age twenty-one (21) years or older, with a rifle, shotgun, or muzzle loading firearm in areas where and during the hunting season in which such firearms may be used; and
- B. Twelve (12) and thirteen (13) year-old licensed hunters shall be allowed to hunt under the supervision of a licensed adult hunter, age twenty-one (21) years or older, with a crossbow during the times when other hunters may use crossbows; and
- C. Supervision of a licensed adult hunter, age twenty-one (21) years or older, with at least three (3) years of experience who exercises dominion and control over the youth hunter at all times is required; and
- D. All licensed twelve (12) and thirteen (13) year-old hunters, as well as their adult supervisors, shall be required to wear fluorescent orange or pink clothing while engaged in hunting to an extent and covering so designated pursuant to the law, rules, and regulations promulgated by the State of New York; and

- E. All licensed twelve (12) and thirteen (13) year-old hunters shall remain at ground level while hunting deer with a crossbow, rifle, shotgun, or muzzleloader; and
- F. Notwithstanding any State or Federal Law to the contrary, this local law shall not authorize the hunting of bear by twelve (12) and thirteen (13) year-olds with a firearm or crossbow.

SECTION 4: LOCAL LAW FILING REQUIREMENTS

A copy of this Local Law shall be sent to the New York State Department of Conservation as well as the New York State Department of State.

SECTION 5: SEVERABILITY

If any clause, sentence, paragraph, subdivision, section or part of this law, or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgement shall not affect, impair, effect, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

SECTION 6: EFFECTIVE DATE

This Local Law shall take effect immediately upon filing and publication in accordance with Section 27 of the Municipal Home Rule.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 118-21 *SCHEDULE PUBLIC HEARING*
LOCAL LAW INTRODUCTORY NO. C OF 2021

RESOLVED: That a public hearing shall be held on Thursday, May 20, 2021 at 10:00 A.M. in the Edward D. Hubbard Auditorium of the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, New York 13827 on Local Law Introductory No. C of 2021 A Local Law authorizing twelve (12) and thirteen (13) year-old licensed hunters to hunt deer with a firearm or crossbow during hunting season with the supervision of an adult licensed hunter. All persons desiring to present written or oral comment may do so at said time.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 119-21 *MEDICARE ADVANTAGE REQUEST FOR PROPOSAL THROUGH BROOME COUNTY PURCHASING ALLIANCE*

WHEREAS: Broome County will be issuing a Request for Proposals seeking a contract for Medicare Advantage and Prescription Drug Benefit Services for its retirees; and

WHEREAS: Broome County has proposed issuing a joint Request for Proposal with other interested municipalities pursuant to General Municipal Law § 119-o; and

WHEREAS: Upon selection of the vendor each participating municipality will enter into its own contract with the vendor; and

WHEREAS: Tioga County wishes to participate in this joint request for proposals; therefore be it

RESOLVED: That Tioga County agrees to participate with Broome County and other participating municipalities in a joint request for proposal for Medicare Advantage and Prescription Drug Benefit Services for its eligible retirees; and be it further

RESOLVED: That Tioga County understands that upon selection of a vendor the county may enter into its own contract with the vendor; and be it further

RESOLVED: That participation in this joint request for proposal does not obligate Tioga County to enter into a contract with the selected vendor; and be it further

RESOLVED: That Tioga County agrees to provide Broome County with any information required to develop the Request for Proposal including, but not limited to, census information of Medicare primary retirees (including date of birth, gender

and zip code) and a copy of current Summary Plan Description and Benefit Summary along with this resolution; and be it further

RESOLVED: That once the RFP process is complete, Tioga County agrees to provide post RFP resolution and elect to opt in or out of participation in the selected vendors' MA or MAPD program; and be it further

RESOLVED: That Tioga County is authorized to execute any agreements, documents or papers as may be necessary to implement the intent of this resolution.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 120-21 *RESOLUTION AUTHORIZING AND APPROVING THE ACCEPTANCE OF ADDITIONAL ADMINISTRATIVE SERVICE FUNDS AND MODIFY THE ADMINISTRATIVE SERVICES AGREEMENT BETWEEN TIOGA COUNTY ECONOMIC DEVELOPMENT AND PLANNING AND THE TIOGA COUNTY PROPERTY DEVELOPMENT CORPORATION FOR THE PERIOD JULY 1, 2021 THROUGH DECEMBER 31, 2021*

WHEREAS: Tioga County Economic Development and Planning (TCEDP) was approved by Resolution #273-18 to accept a Land Bank Community Revitalization Initiative (CRI) Program Grant in the amount of \$500,000.00 and to enter into an Administrative Services Agreement for the period January 1, 2019 through December 31, 2020; and

WHEREAS: TCEDP was approved by Resolution #140-20 to accept additional CRI Program Grant funds in the amount of \$560,000.00 granted through the CRI 4.2 Modified Program Grant for the period of January 1, 2021 through June 30, 2021; and

WHEREAS: Said program grants provide funding toward the cost of administration, office space and equipment for use by TCEDP staff to perform duties on behalf of the Land Bank Director of the Tioga County Property Development Corporation (TCPDC); and

WHEREAS: By way of resolution #273-18 the Tioga County Legislature authorized and approved acceptance of \$65,065.00 covering the period of January 1, 2019 through December 31, 2020 and by way of resolution #140-20 additionally authorized and approved acceptance of \$16,266.24 covering the period of January 1, 2021 through June 30, 2021 for said purposes; and

WHEREAS: Due to delays and COVID 19, the CRI Program Grant contract was extended from July 1, 2021 to December 31, 2021; and

WHEREAS: Due to the grant extension from July 2021 through December 2021 additional costs associated with administration, office space and equipment use will be incurred; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes and approves the acceptance of \$16,266.24 from the TCPDC, 56 Main Street, Owego, New York 13827 and modifying the Administrative Agreement to provide funding towards the cost of administration, office space and equipment for use by Tioga County Economic Development and Planning to perform duties on behalf of the Land Bank Director of the TCPDC for the additional period of July 1, 2021 through December 31, 2021; and be it further

RESOLVED: That the Chair of the Legislature or her duly authorized representative (including County Treasurer and/or Budget Director), is hereby authorized to make any transfers of funds required within this grant budget.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 121-21 *AUTHORIZATION TO CONTRACT
WITH NYSTEC - RADIO CONSULTING
STATE INTEROPERABLE 18 GRANT*

WHEREAS: The Tioga County Office of Emergency Services has a need to upgrade and replace its current radio communications system due to poor performance issues; and

WHEREAS: The Director of Emergency Services would like to contract with NYSTEC at a cost of \$117,855.28 for the period June 1, 2021 through October 31, 2021; and

WHEREAS: NYSTEC is listed on the Office of General Services Administration contract; and

WHEREAS: There are sufficient funds in account A3415.540140 IO18F (contracted services) State Interoperable Grant18 Radio & Equipment; therefore be it

RESOLVED: That the Chair of the County Legislature is authorized to execute a contract between Tioga County and NYSTEC upon review by the County Attorney.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 122 -21 *TRANSFER FUNDS/
FUND SELF-INSURANCE PLAN RESERVE*

WHEREAS: Tioga County Local Law No. 2 of 2015 established a Contributed Reserve cap of \$6,000,000 for the Tioga County Self Insurance Plan; and

WHEREAS: Tioga County Local Law No. 2 of 2015 allows for the transfer of surplus funds from the fund balance to the reserve; and

WHEREAS: The 2020 Tioga County Self Insurance operating budget had surplus funds of \$458,272.59 in the fund balance; and

WHEREAS: The December 31, 2020 Tioga County Self Insurance Plan Fund Balance is \$1,484,690.20; and

WHEREAS: The December 31, 2020 Tioga County Self Insurance Contributed Reserve Fund is \$3,758,105.67; therefore be it

RESOLVED: That the Tioga County Treasurer is authorized to transfer funds as follows:

From: Self-Insurance Fund Balance S 390900	\$458,272.59
To: Self-Insurance Contributed Reserve Fund S 375300	\$458,272.59

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 123-21 *AMEND CAPITAL BUDGET AND TRANSFER FUNDS
AND AWARD COOLER/FREEZER REPLACEMENT –
PUBLIC WORKS*

WHEREAS: The Tioga County Sheriff and the Commissioner of Public Works have budgeted for the replacement of the Cooler/Freezer at the Public Safety Building; and

WHEREAS: The Commissioner of Public Works received a sealed bid for this project from Tri County Refrigeration, Inc., Owego, NY; and

WHEREAS: The proposal for this project came in higher than anticipated at \$67,232.00; and

WHEREAS: Legislative approval is needed to amend 2021 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: H1620.520911	Renovations 56 Main Street	\$20,000.00
To: H1620.520130	Equipment (Not Car)	\$20,000.00

And be it further

RESOLVED: That the Tioga County Legislature authorize awarding the contract to Tri County Refrigeration, Inc., Owego, NY not to exceed \$67,232.00 to be paid out of the following accounts:

H3150.520130

H1620.520130

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 124-21 TRANSFER OF FUNDS
SOCIAL SERVICES

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

RESOLVED: That funding be appropriated as follows:

From: A6010.446890 Federal Aid: Other Social Services	\$ 120,000
To: A6010.540487 Program Expense	\$ 120,000

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 126-21 AMEND BUDGET & APPROPRIATE FUNDS
SOCIAL SERVICES

WHEREAS: An additional Emergency Services Grant (ESG-CV2) has been awarded to Tioga County Department of Social Services from the Office of Temporary and Disability Assistance specifically targeted to address the needs of individuals and families experiencing and/or at risk of homelessness as a result of COVID -19; and

WHEREAS: The plan submitted for expenditure of these funds has been approved; and

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

RESOLVED: That funding be appropriated as follows:

From: A6010.446890 Federal Aid: Other Social Services	\$ 206,200
To: A6010.540487 Program Expense	\$ 206,200

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 127-21 *RESOLUTION APPORTIONING
FORFEITURE OF CRIME PROCEEDS
FOR DRUG ENFORCEMENT ACTIVITIES*

WHEREAS: Tioga County has received \$2,498.00 from the Bridget Pinney drug forfeiture case; and

WHEREAS: It is agreed the funds shall be divided between the agencies involved in the investigation in accordance with Section 1349 of the Civil Practice Laws and Rules; and

WHEREAS: Distribution details are as follows:

Tioga County District Attorney's Office (15%)	\$374.70
Owego Police Department (5%)	\$124.90
NYS Office of Alcoholism and Substance Abuse Services (OASAS)	\$799.36
Owego Police Department (75%)	\$899.28
Tioga County District Attorney's Office (25%)	<u>\$299.76</u>
	\$2,498.00

And;

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

RESOLVED: That funding be appropriated as follows:

FROM: A1165-426250	Forfeiture of Crime Proceeds	\$ 374.70
A1165-426260	Forfeiture of Crime Proceeds Restricted	\$2,123.30

TO:	A1165-540335	Asset Forfeiture Expense	\$ 374.70
	A1165-540336	Asset Forfeiture Expense-Restricted	\$2,123.30

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION
PERSONNEL COMMITTEE

RESOLUTION NO. 128-21 *AMEND EMPLOYEE HANDBOOK:
AMEND DRUG-FREE AND ALCOHOL-FREE
WORKPLACE POLICY (SECTION IV. PERSONNEL
RULES; SUBSECTION Q) AND SMOKING POLICY
(SECTION IX. SAFETY RULES; SUBSECTION B)*

WHEREAS: Governor Cuomo signed legislation (S.854-A/A1248-A) on March 31, 2021 legalizing adult-use Cannabis as of April 1, 2021; and

WHEREAS: The Tioga County Employee Handbook established policies; Drug-Free and Alcohol-Free Workplace Policy and Smoking Policy need to be amended prohibiting the use or consumption of Cannabis products on County worksites and while on duty; and

WHEREAS: The Legislature is desirous of amending the Employee Handbook; therefore be it

RESOLVED: That the Employee Handbook shall be amended as follows:

Section IV – Personnel Rules – Subsection q. – Drug-Free and Alcohol-Free Workplace:

I. POLICY – The following statement should be ADDED after the first sentence:

This shall also include the use or consumption of any Cannabis product.

Section IX – Safety Rules – Subsection b. – Smoking:

I. SMOKING PROHIBITED – The following statement should be ADDED:

B. No smokable Cannabis products are allowed in any area.

And be it further

RESOLVED: That the remainder of the Employee Handbook is in full force and effect.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 129-21 *CREATE AND FILL TEMPORARY, FULL-TIME
CLERK (SEASONAL) POSITION
TREASURER'S OFFICE*

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

WHEREAS: The Treasurer's Office has a need to hire a temporary, full-time Clerk to work during the summer season to provide clerical support within the office; and

WHEREAS: The Treasurer appropriately budgeted for said position in the approved 2021 budget; therefore be it

RESOLVED: That one (1) temporary, full-time Clerk (Seasonal) position is created at the hourly rate of \$13.50 in accordance with Resolution 196-09, effective May 12, 2021; and be it further

RESOLVED: That the Treasurer shall be allowed to fill said position for a duration not to exceed beyond August 31, 2021.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH AND HUMAN SERVICES
PERSONNEL COMMITTEE

RESOLUTION NO. 130-21 *ABOLISH ONE FULL-TIME PUBLIC HEALTH NURSE AND
CREATE PUBLIC HEALTH EDUCATOR POSITION
PUBLIC HEALTH DEPARTMENT*

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

WHEREAS: A full-time Public Health Nurse (CSEA SG XV - \$51,579) position has been vacant since July 18, 2020, due to promotion; and

WHEREAS: The Public Health Director identified the need to create an additional full-time Public Health Educator (CSEA SG XI \$44,572) position to better serve the public and has submitted a New Position Duties Statement to the Personnel Department; and

WHEREAS: The Personnel Officer has determined the description of duties is consistent with the classification for Public Health Educator; therefore be it

RESOLVED: That the vacant full-time Public Health Nurse position shall be abolished and a full-time Public Health Educator position shall be created effective May 12, 2021; and be it further

RESOLVED: The Public Health Director is allowed to fill said position on a provisional basis pending the outcome of an appropriate civil service examination.

Legislator Standing spoke. "I am confident that the Health Department has evaluated this position and certainly has laid out the case for the change, so I think it is a positive thing."

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:22 P.M.