

Agenda



TIOGA COUNTY LEGISLATURE

3/15/2022

12:00 PM

EDWARD D. HUBBARD AUDITORIUM
Ronald E. Dougherty County Office Building
56 Main Street
Owego NY 13827

Meeting called by: Deputy Chair Ed Hollenbeck

Type of meeting: 3rd Regular

Attendees:
Legislator Brown
Legislator Ciotoli
Legislator Hollenbeck
Legislator Monell
Legislator Mullen
Legislator Roberts
Legislator Sauerbrey
Legislator Standinger
Legislator Weston

Agenda topics

Invocation
Pledge of Allegiance

Legislator Ciotoli
Legislator Ciotoli

Recognition Resolutions (5)

- Sheri McCall, Tioga Career Center
- Bernadette Toombs, Board of Elections
- Bethany O'Rourke, Personnel
- Sherri Harris, Probation
- Bill White, Sheriff's Office

<p>Proclamations (2)</p> <p>Privilege of the Floor</p> <p>Approval of Minutes</p> <p>Petitions, Communications & Notices</p> <p>Appointments/Reappointments</p> <p>Reports Standing Committees</p>	<ul style="list-style-type: none"> • National Nutrition Month • Public Health Week - April 4-10, 2022 <p>February 15 and 24, 2022</p>	
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<p>RESOLUTIONS:</p>	<ol style="list-style-type: none"> 1. Appoint Member to Board of Ethics 2. Appoint Member to the Tioga County Board of Health 3. Resolution Reappointing Member to Community Services Board 4. Re-Appoint Members to Traffic Safety Board – Sheriff’s Office 5. Re-Appoint Member to the Tioga County Local Development Corporation (TCLDC) 6. Re-Appoint Member to the Tioga County Local Development Corporation (TCLDC) 7. Erroneous Assessment Town of Spencer 8. Adopt Local Law No. 3 of 2022 9. Authorize Execution of Cooperative Agreements between the Law Department, ITCS, Sheriff, Public Health, DSS, and Mental Hygiene 10. Authorize Contract with Public Safety Psychology 11. Award Talcott Street Bridge Construction Contract 12. Authorize Increase in Administering Mortgage Tax by the Tioga County Clerk, as Approved by New York State Department of Taxation and Finance 13. Authorize Submission of Hazardous Mitigation Planning Grant Application – Emergency Management, Soil & Water, Economic Development & Planning 14. Authorization for Economic Development & Planning to Submit Grant Application to NYS CDBG-CV CARES Act Program and Authorize Legislative Chair Signature on Grant Related Documents for Racker Non-Profit Hub Project 15. Schedule Public Hearing for NYS Community Development Block Grant for Racker Non-Profit Hub Project
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16. Authorization for Economic Development & Planning to Submit Grant Application to NYS CDBG-CV CARES Act Program and Authorize Legislative Chair Signature on Grant Related Documents for Tioga Opportunities, Inc. Building Upgrade and Generator Purchase Project
17. Schedule Public Hearing for New York State Community Development Block Grant for Tioga Opportunities, Inc. Building Upgrade and Generator Purchase Project
18. Filing of an Application for State Grant from DEC Municipal Waste Reduction and Recycling (MWRR) Program
19. Requesting Tioga County Veterans Service Agency be Allowed to Pursue a Grant Known as NY CARES UP Grant
20. Authorization to Apply for Grant – Department of Social Services
21. Authorize Appropriation of Year Four Funding from the NYS Office of Indigent Legal Services for Hurrell-Harring Grant and Amend 2022 Budget
22. Amend Budget and Transfer Funds – Public Works
23. Resolution Apportioning Forfeiture of Crime Proceeds for Drug Enforcement Activities
24. Appropriation of Funds and Amend 2022 Budget – Social Services
25. Authorize Salary Above CSEA Base for Probation Officer I (Michelle Dunham) – Probation Department
26. Authorize Salary Above CSEA Base for Probation Officer I (Michael Franz) – Probation Department
27. Appointment of Republican Election Commissioner – Board of Elections
28. Create and Fill Two (2) Highway Worker (Seasonal) Positions – Public Works
29. Contract for Consultant Services
30. Amend Employee Handbook: Section X. Building and Vehicle Procedures – Subsection C. Assignment & Use of County Vehicles

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. - 22 RECOGNIZE SHERI M. MCCALL
24 YEARS OF DEDICATED SERVICE
DEPARTMENT OF SOCIAL SERVICES

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

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

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

WHEREAS: Sheri McCall will retire on March 26, 2022; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Sheri McCall for her twenty-four years of dedicated and loyal service to the Tioga County Employment Center and its most vulnerable citizens; and be it further

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. -22 RESOLUTION RECOGNIZING
BERNADETTE TOOMBS' 23 YEARS OF
DEDICATED SERVICE TO TIOGA
COUNTY

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

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

WHEREAS: Bernadette Toombs has retired as of February 26, 2022; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Bernadette Toombs for her twenty-three years of dedicated and loyal service to Tioga County and its voters; and be it further

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

REFERRED TO: PERSONNEL COMMITTEE

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

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

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

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

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

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

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

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

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

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

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

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

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

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

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

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

WHEREAS: Sherri Harris will retire on March 31, 2022; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Sherri Harris for her 25 years of dedicated and loyal service to the Tioga County Probation Department and it's most vulnerable citizens; and be it further

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

REFERRED TO:

PUBLIC SAFETY COMMITTEE

RESOLUTION NO. -22

RESOLUTION RECOGNIZING
WILLIAM WHITE'S 21 YEARS OF
DEDICATED SERVICE TO
TIOGA COUNTY SHERIFF'S OFFICE

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

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

WHEREAS: William White will retire from the Tioga County Sheriff's Office on February 28, 2022; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to William White for his 21 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, William White.

**COUNTY OF TIOGA
EXECUTIVE PROCLAMATION**

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

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

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

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

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

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

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

NATIONAL NUTRITION MONTH

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

**COUNTY OF TIOGA
EXECUTIVE PROCLAMATION**

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

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

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

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

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

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

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

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

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

PUBLIC HEALTH WEEK

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. -22 APPOINT MEMBER TO BOARD OF ETHICS

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

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

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

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. -22 APPOINT MEMBER TO THE
TIOGA COUNTY BOARD OF HEALTH

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

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

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

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

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

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

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

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

WHEREAS: The Community Services Board has recommended Larissa Pierce's reappointment; and

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

RESOLVED: That Larissa Pierce be reappointed to the Community Services Board, for term starting April 1st, 2022 and ending March 31st, 2026.

REFERRED TO: PUBLIC SAFETY COMMITTEE

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

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

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

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

REFERRED TO: ED&P COMMITTEE

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

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

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

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

REFERRED TO: ED&P COMMITTEE

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

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

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

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. -22 ERRONEOUS ASSESSMENT
TOWN OF SPENCER

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

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

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

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

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

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

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

REFERRED TO: LEGISLATIVE WORKSESSION

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

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

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

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

County of Tioga

Local Law No. 3 of the Year 2022.

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

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

SECTION 1: PURPOSE

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

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

SECTION 2:

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

SECTION 3: WIRELESS SURCHARGES

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

SECTION 2-A: Imposition of additional wireless surcharges

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

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

SECTION 4: LOCAL SURCHARGE FOR ENHANCED EMERGENCY TELEPHONE SYSTEM

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

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

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

(b) This additional surcharge shall be identical to the surcharge imposed by such Section 2 and shall be administered and collected in the same manner as such surcharges. All of the provisions of this local

law relating or applicable to the administration and collection of the surcharges imposed by such Section 2 shall apply to the additional surcharges imposed by this section with the same force and effect as if those provisions had been incorporated in full into this section and had expressly referred to the additional surcharges imposed by this section.

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

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

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

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

SECTION 5: EFFECTIVE DATE

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

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

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

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

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

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

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

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

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

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

RESOLVED: That the Cooperative Agreements between DSS and the Law Department, ITCS and Sheriff shall be submitted to the New York State Office

of Temporary and Disability Assistance and the Office of Children and Family Services for approval; and be it further

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

REFERRED TO: PERSONNEL COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. -22 AUTHORIZE CONTRACT WITH
PUBLIC SAFETY PSYCHOLOGY

WHEREAS: Part 6000 of the NYS Register, which governs medical and physical standards for law enforcement recruits, was revised in late 2021; and

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

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

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

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

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

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. -22 AWARD TALCOTT STREET BRIDGE
CONSTRUCTION CONTRACT

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

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

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

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

RESOLVED: That the Tioga County Legislature authorize awarding the bid to
R. DeVincentis Construction Co. Inc., Binghamton, NY not to exceed
\$378,000.00 to be paid out of the following account: H51 10.540004.H2101 –
Talcott Street Bridge.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

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

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

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

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

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

RESOLVED: That the County Clerk be authorized to collect or withhold from its disbursements in twelve (12) equal monthly installments of \$12,564.50 at a total annum amount of \$150,774.00.

REFERRED TO: ED&P COMMITTEE
PUBLIC SAFETY COMMITTEE

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

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

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

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

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

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

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

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

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

REFERRED TO: ED&P COMMITTEE

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

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

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

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

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

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

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

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

REFERRED TO:

ED&P COMMITTEE

RESOLUTION NO. -22

SCHEDULE PUBLIC HEARING FOR
NEW YORK STATE COMMUNITY DEVELOPMENT
BLOCK GRANT FOR RACKER NON-PROFIT HUB
PROJECT

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

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

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

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

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

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

REFERRED TO: ED&P COMMITTEE

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

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

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

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

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

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

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

REFERRED TO: ED&P COMMITTEE

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

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

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

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

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

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

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

REFERRED TO:

ED&P COMMITTEE

RESOLUTION NO. -22

FILING OF AN APPLICATION FOR STATE
GRANT FROM DEC MUNICIPAL WASTE
REDUCTION AND RECYCLING (MWRR)
PROGRAM

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

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

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

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

REFERRED TO:

ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. -22

REQUESTING TIOGA COUNTY VETERANS'
SERVICE AGENCY BE ALLOWED TO PURSUE A
GRANT KNOWN AS NY CARES UP GRANT

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

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

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

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

REFERRED TO

HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. - 22

AUTHORIZATION TO APPLY FOR GRANT
DEPARTMENT OF SOCIAL SERVICES

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

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

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

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

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

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

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

REFERRED TO: FINANCE/LEGAL COMMITTEE
LEGISLATIVE WORKSESSION

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

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

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

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

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

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

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

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

Revenue Account:	A1174 430260 State Aid Indigent	\$ 259,169.81
Expense Account:	A 1174 510010 Full Time Salary	\$ - 29,817.36
	A 1174 510020 Part Time Salary	\$ 30,757.69
	A 1174 520090 Info Tech	\$ - 5,108.09
	A 1174 520200 Office Equipment	\$ 10,684.15
	A 1174 540140 Contracted Services	\$ 27,345.73
	A 1174 540040 Books	\$ 1,493.38

A 1174 540180 Dues	\$ 2,500.00
A 1174 540280 Investigations	\$ 71,312.23
A 1174 540320 Leased Services	\$ -
A 1174 540390 Mileage	\$ 3,483.68
A1174 540420 Supplies	\$ 9,857.91
A 1174 540480 Postage	\$ -
A 1174 540550 Rent	\$ 11,500.00
A 1174 540620 Software Expenses	\$ 10,633.94
A 1174 540733 Training/CLE	\$ 6,264.00
A 1174 581088 Retirement	\$ 14,634.78
A1174 583088 Social Security	\$ 16,262.04
A1174 585588 Disability	\$ 49.85
A1174 584088 Workers Comp	\$ 3,116.10
A1174 586088 Health Ins/HRA	\$ 24,795.40
A1174 588988 EAP	\$ 33.34

And be it further

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

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE/LEGAL COMMITTEE

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

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

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

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

RESOLVED: That the following Interfund Transfer be approved:

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

And be it further

RESOLVED: That the following Budget Amendments be approved:

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

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

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

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

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

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

RESOLVED: That funding be appropriated as follows:

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

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

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

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

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

RESOLVED: That funding be appropriated as follows:

From: A6109.446090 Federal Aid: Family Assistance	\$ 145,580
To: A6109.540487 Family Assistance Program Expense	\$ 145,580

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

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

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

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

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

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

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

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

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

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

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
PERSONNEL COMMITTEE

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

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

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

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

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

REFERRED TO: PUBLIC WORKS COMMITTEE
PERSONNEL COMMITTEE

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

WHEREAS: There will be a need for the Highway Department to employ two (2) Highway Workers (Seasonal) for 2022; and

WHEREAS: The Commissioner of Public Works has budgeted money to cover expenditures of such employment; therefore be it

RESOLVED: That the Commissioner of Public Works is hereby authorized to create and fill two (2) temporary full-time Highway Worker (Seasonal) positions effective April 1, 2022 through October 7, 2022 at an hourly rate of \$13.20 (minimum wage), however no more than 800 hours may be worked by each worker April 1, 2022 – October 7, 2022.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. – 22 CONTRACT FOR CONSULTANT SERVICES

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

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

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

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

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

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

REFERRED TO: LEGISLATIVE WORKSESSION
FINANCE/LEGAL COMMITTEE

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

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

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

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

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

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

D. All employees and Legislators who receive reimbursement for using their personal vehicle for County business shall be required to complete the Tioga County Driver Safety Training within 60 days of assuming their duties

and must retake the course on the same schedule as referenced in Section (B) above.

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

And be it further

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

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

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

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

And be it further

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

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

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

And be it further

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

And be it further

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

- A. Law enforcement must be notified for all accidents involving County vehicles, regardless of severity or fault, except minor accidents only involving Public Works vehicles with damages of less than \$1,000, which occurred entirely on County property. When reporting an accident, obtain the name of the investigating officer, agency, and the report number.

- B. Employees are also to report the nature and extent of all vehicle accidents, acts of vandalism, burglary, and or theft to their direct supervisor and Department Head immediately. Such information shall also be reported to the County Law Department and County mechanic as shall all vehicle accidents involving Department Heads and elected officials. An Incident Report, which can be obtained on the Tioga County Intranet under County Attorney forms, must be filed with the Tioga County Attorney's Office as soon as possible, but no later than the close of the next business day. All invoices must be sent to the County Law Department as soon as they are received for review.

And be it further

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

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

And be it further

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