

Third Regular Meeting
March 9, 2021

The Third Regular Meeting of 2021 was held on March 9, 2021 and was called to order by the Chair at 12:01 P.M. Eight Legislative members were present with Legislator Weston being absent.

Chair Sauerbrey asked Legislator Standinger to have a moment of prayer. "Lord, we pray for guidance and wisdom as we conduct the business of the County. We pray for strength for the people that have lost relatives and friends due to COVID-19."

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

There were 40 people in attendance.

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

Legislator Roberts read and presented the following resolution to the family of Frank S. Lopke.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 65-21 *RECOGNITION RESOLUTION RECOGNIZING
FRANK S. LOPKE POSTHUMOUSLY*

WHEREAS: Frank S. Lopke passed away on January 29, 2021; and

WHEREAS: The Tioga County Legislature would like to posthumously recognize Mr. Lopke for his long-standing accomplishments as a Tioga County businessman, life-long community member, and generous benefactor to countless people and organizations; and

WHEREAS: Mr. Lopke purchased his first dump truck, discovered his entrepreneurial spirit, and started on the path of many successful business ventures with his wife, Barbara. Over the years, Mr. Lopke added more trucks to his fleet and started his first company known as F.S. Lopke Contracting, Inc. Today, with a fleet of over 50 trucks, Mr. Lopke's company proudly serves customers across the area; and

WHEREAS: In the early 1980's, Mr. Lopke began rock and aggregate crushing with his first plant located in Lounsberry, NY and with the acquisition of several locations in Broome and Tioga Counties there are currently fourteen plants locally; and

WHEREAS: Lopke Quarries, Inc. was later formed and specializes in contract crushing up and down the east coast doing business in 10 states; and

WHEREAS: In the late 1990's, Mr. Lopke acquired a plant in Las Vegas, Nevada, which became Lopke Granite Products. This acquisition was instrumental in the business growth he sought; and

WHEREAS: Through Mr. Lopke's keen business sense and leadership, F. S. Lopke Contracting, Inc. has over 200 valued employees and is one of the top sand and gravel producing companies in the United States; and

WHEREAS: Throughout the years, Mr. Lopke belonged to numerous organizations pertaining to the construction industry and remained involved in the daily business activities until 10 days before his passing leaving behind a company that only he could have built and one where his influence will be long-lasting and spirit will forever be the foundation of the Lopke Companies; and

WHEREAS: Mr. Lopke is survived by his wife of 62 years, Barbara, four children, and nine grandchildren; therefore be it

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to the family of Frank S. Lopke.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED UNANIMOUSLY.

Mr. Lopke's daughter, Ann Trivisonno spoke. "Thank you so much. This would have meant so much to my dad."

Chair Sauerbrey reported we have one Proclamation on Rabies Prevention & Awareness Month that will be noted in the minutes.

County of Tioga
EXECUTIVE PROCLAMATION

WHEREAS: Rabies is a contagious and fatal virus that is spread among dogs, cats, bats, raccoons, foxes and other mammals, including humans; and if left untreated has a 100% fatality rate for humans; and

WHEREAS: It is vital to notify Tioga County Public Health of all animal bites and wild animal exposures, including bats, due to the potential risk of rabies; and

WHEREAS: In 2020, Tioga County Public Health tested a total of 43 animals for rabies and 2 tested positive including: 1 raccoon and 1 fox. Additionally, over 20 residents received preventative rabies treatment.

WHEREAS: With animal vaccination, rabies is preventable; and

WHEREAS: New York State law requires all dogs, cats, and ferrets get their first rabies vaccination no later than four months of age and their second rabies shot within one year. Thereafter, a booster shot is required every three years; and

WHEREAS: In 2020, Tioga County Public Health vaccinated over 500 animals at rabies vaccination clinics throughout the county; and

WHEREAS: Tioga County Public Health will be hosting their next rabies vaccination clinic on March 14, 2021 at the Stray Haven Humane Society; therefore

THE TIOGA COUNTY LEGISLATURE does hereby proclaim the month of March 2021 as

RABIES PREVENTION & AWARENESS MONTH

and urges all the citizens of Tioga County to vaccinate their pets against rabies.

Chair Sauerbrey spoke. "We have lots of things on the agenda today and one of them is the recognition of our graduates for the Institute for Advancement. This program was started in the County in 2018. This program is to help our employees develop better skills so they can be promoted within their Departments. I like to think of it as a leadership program to build and encourage our employees, to motivate them, to help them connect with other kinds of people across the County, to understand better how the County government works, and how they can contribute to a better County government."

Steven Palinosky spoke. "Good Afternoon Ladies and Gentlemen. On behalf of the committee for the Tioga County Institute for Advancement, welcome to today's event where we are recognizing the graduates of the Institute for Advancement Class #2. My name is Steven Palinosky and I will be your MC for today's program.

"Before we move on to today's program, we would first like to express our appreciation to the County Legislature and to Department Heads for their continuing support of this program. We would also like to thank the members of the Institute for Advancement Committee: Martha Sauerbrey, Bethany O'Rourke, Joy Bennett, Ellen Pratt, Sarah Begeal, and Steven Palinosky. We would like to give a special thanks to the person who is the glue that holds the Committee together and keeps us on track, our secretary Linda Sampson. Thanks, Linda.

"To get to this point, obviously we had to start with Class #1. Class #1 began with 19 students in 2018. During that year, the Class attended several training sessions including: Tioga County Government 101, Management, Hiring, Performance Evaluations, & Supervision, Civil Service, Conflict Management, Budget Preparation & Fiscal Skills, and Real Colors where we learned about recognizing and working with different personality types. We liked Real Colors so much that we now have our own Real Colors trainer for the County, our Personnel Officer Bethany O'Rourke. During 2019, graduates from Class #1 were offered the opportunity to attend follow-on training, including additional budget and Munis training and Ethics in the Workplace.

"Class #2 began in 2020 with high hopes to continue to develop the program. We trained Real Colors in February, but then COVID-19 arrived. We were able to pivot and embrace the technology of Zoom and were able to train Strength-based Communications, Tioga County Government 101, and Ethics in the Workplace.

"It is our high hope that this program will continue to improve and evolve, as we work to develop the future leaders of Tioga County.

"Now, it is time to recognize the graduates from Class #2.

"First, we will recognize those individuals who are not able to be with us today, but please congratulate them wherever and whenever you may see them.

"Abby Hendrickson – Economic Development and Planning

"Kevin Humes – Law Department

"Kelly Johnson and Janis Nelson – County Clerk's Office

"Heather Vroman – Public Health

"Next, we will recognize those individuals who are here with us. Please stand when your name is read and remain standing. Please hold your applause until all names are read.

"Katie Chandler – Treasurer's Office

"Joyce Constantini – Department of Motor Vehicles

"Cole Ford – Public Works

"Bryan Goodrich – Information Technology and Communication Services

"Megan Griffiths – Economic Development and Planning

"Catherine Healy – Mental Hygiene

"Amy Poff – Personnel Office

"Chad Post – Probation Department

"Anita Teed – Department of Social Services

"James Wahls – Board of Elections

"Julie Whipple – Department of Social Services

"Ladies and Gentlemen, the Class #2 graduates of the Tioga County Institute for Advancement.

"We would like to thank Katie Chandler and Bryan Goodrich who have joined the Committee. We are looking forward to working with them in the future.

"That concludes our program; we thank you all for coming. At this time, we will turn the floor back over to Legislative Chairwoman Martha Sauerbrey for the State of the County Address. Following that, we ask the graduates to meet by the mural in the hallway for pictures."

Chair Sauerbrey presented the State of the County Address for 2020 as follows:

“The way a team plays as a whole determines its success. You may have the greatest bunch of individual stars in the world, but if they do not play together, the club will not be worth a dime. Babe Ruth, baseball legend.

“Our team brought us through 2020. The Year 2020 began on a high note. Expectations were high and we finally secured a contract to upgrade our badly needed Emergency Communications System, an important project that took years in the making. A working Emergency Communications System is critical to the safety and well-being of all residents in Tioga County and we were very optimistic that we could hit the ground running, secure grant funding, and start moving forward.

“Our world stood still when the COVID-19 Virus struck New York City. The Governor declared a State of Emergency to contain the spread of the Coronavirus and we followed suit on March 14th closing all Tioga County schools. We spent the next days, weeks, and months following the Governor’s Executive Orders. There were daily meetings with Albany giving us directions on how safely to go about our daily life at work and at home. There were orders, guidance, and rules calling out a new way to behave and it stopped us right in our tracks. Fifty percent (50%) of our workforce was sent home and some of our employees were able to work remotely thanks to the quick thinking and response of our IT Department. Quick thinking Department Heads split shifts in order to reduce the number of workers on site at one time, still getting the work done. Our Department of Motor Vehicles (DMV) closed and the phone began to ring. There were so many questions and the answers were not ours to choose.

“We needed masks, PPE, and hand sanitizer and so did the rest of the community. Emergency Management stepped up, came through, scrounging for needed items making deliveries any time of the day or night providing items to insure our safety.

“It was clear that this community wanted to know what was going on and we did our best to communicate with daily press releases, press conferences, and radio spots. Then, there was the fear and concern in the community even though our numbers were small we had to prepare the community for significant behavioral changes.

“The changes came and businesses were closing, restaurants switched to take out only, no sports, no community activities, and no gatherings. Our Legislative meetings quickly turned to Zoom meetings and we managed to do the work of the county government virtually.

“Without the support of the County Attorney, Legislative Clerk, and our Personnel Director, I am not sure how I would have survived. There was daily communication coming out of the State and Federal Government and most of it contradicted each other.

“We developed plans for closing and then we developed plans for re-opening. As our numbers increased, it became more important to send a message to the community that they needed to be careful.

“Then the deaths came. How do you report the loss of a loved one in a press release to the community? How do you say you are sorry and that you wish you could fix this, defeat the virus, and win the battle? To date, we have lost 70 individuals to the COVID-19 Virus. We lost friends, family, and community members. Anger and fear rose up. Who would be next?

“The increase in fear, anxiety and then abuse meant that more Mental Health services were needed and our Mental Health Department stepped up offering Telehealth sessions with individuals, helping people deal with the fear and depression that COVID-19 brought.

“The disturbing upward trend of opiate use in Tioga County continued through 2020. This was manifested in addiction to prescription opiate medications, as well as illicit opiates. In 2020, Tioga County Probation saw a marked increase in the use of methamphetamines by people on probation. Despite the reduction in services due to the pandemic, Probation continued to work closely with agencies such as Addiction Center of Broome County (ACBC) to attempt to provide those struggling with addiction with necessary services and support.

“Spring and summer brought added anger and unrest across the country due to the death of George Floyd. In May, the Governor created a mandate that all municipalities with a police force must participate in the Police Reform and Reinvention Collaborative in order to restore the relationship between the police and community. It was a lengthy process; one that involved all the community and I am pleased to say that we have completed and submitted our Plan.

“The Governor also mandated that counties create their own Pandemic Operations Plan in case there was another pandemic. Thankfully, the Planning Department stepped up and did an amazing job managing the project, which we will pass today in our Legislative meeting.

“Good News. Amidst the pandemic, the Board of Elections pulled off a flawless series of elections, which included the Presidential Election and now they are right back at it again.

“Despite the pandemic, bridges and roads had to be repaired, snow had to be plowed and our buildings had to be maintained. Our Public Works Department took care of many needs as we re-arranged spaces to accommodate space restrictions and the traffic flow within buildings.

“Social Services stood like a fortress ready to provide support and services for citizens during the pandemic. The Tioga County Career helped with unemployment benefits and helped provide jobs and clarification to those in need.

“Economic Development stepped up to help businesses through the closing and re-opening phases, helping to communicate the many rules and regulations that came down from the State on how to do things properly and safely. They also created an Economic Development Recovery Advisory Board to help businesses recover from the economic downturn. In response to the COVID-19 pandemic, TEAM Tioga worked with the Tioga County Foundations Coalition to establish the Tioga County Foundations Coalition Emergency Fund, a fund collaborative that provided support for organizations working with individuals and families most negatively affected by COVID-19. Quickly and efficiently, \$73,000 was distributed to 11 essential non-profit organizations in Tioga County.

“Tioga County Tourism pivoted from their original 2020 marketing plan in response to the COVID-19 pandemic with the shift from promoting visitors to promoting Shopping Local. Tourism stepped up with a Tioga to Go Campaign to promote take out to keep our restaurants up and running.

“As the pandemic wore on, more items were thrown in the mix for counties to juggle. The biggest challenge was creating a county budget for 2021 without knowing how long the pandemic would last, how big State Aid cuts would be, and if there would ever be any Federal bailout. The only thing that gave us hope was the years of prudent budgeting that allowed us to save for a rainy day. While County Public Health planned and prepared emergency health protocols, the Legislature planned and prepared for a fiscal storm. Early on in the pandemic, our sales tax income was at a shocking level of minus 41%. We made cuts during the year, starting with a 10% budget cut across the board for every department and again at budget time. We put a 90-day hiring freeze in place to slow down expenses. The biggest challenge? We never knew what was coming next. As a result, we were able to produce a budget for 2021 and stay under the property tax cap. At the end of the year, we ended with only a loss of 3%, which was considerably better than expected.

“I appreciate all the Departments that stepped up and did their best to save taxpayer dollars. Thank you.

“When the year started, we knew our recycling contract would expire at the end of the year and we had plans in place to work on a new contract. However, a major fire destroyed the Material Recycling Facility and we knew we had to act quickly. We understood the value of commodities had decreased and we fully expected an increase in costs, but not double the cost for half the service. The lowest bid was simply not affordable. We looked at options, researched recycling districts, but in the end after considerable thought, we decided that private business was the answer. To date, private businesses have stepped up and recycling continues.

“The Tioga County Property Development Corporation (Land Bank) started conversations with the Ithaca Neighborhood Housing Services and Tioga Opportunities, Inc. on a proposal to construct 40 new residential units and six townhomes in the Village of Owego. Property has been purchased and 13 properties were identified for the Temple/Liberty Street Redevelopment Project, which addresses affordable housing. Nine other projects in the Village of Waverly were completed, which improved neighborhoods and restored property value.

The Tioga County Industrial Development Agency (IDA) has been busy and work has begun on Owego Gardens 2, which is a sign of hope for the future. Manufacturing companies are looking at Tioga County for opportunity.

“We are moving forward on our Emergency Communication System for the County. We will accomplish this must needed communication system for the safety of all Tioga County residents. We will also look for ways to strengthen emergency medical services in the County, especially in rural areas.

“Things are getting better. Kids are going back to school and playing sports, restrictions are being lifted, and the vaccine has arrived.

“What we have learned from this community is that we are resilient. We knew that because of the floods and the fires in the past, but this was something entirely different. We learned that we can work and attend school from home, but we need to expand broadband coverage, so you do not have to do your homework in the school parking lot to get a signal. We learned that we could carry on the basics of county government working at 50%, but only for a very limited amount of time. We learned that we can do with less, but we also learned that community and relationships are critically important. We need to operate as a unit focused and communicating to make good solid decisions and make sure everyone is heard. Finally, we learned we could meet a challenge, hunker down, and do the hard things. It is not pretty; it is difficult. But, we also learned that we could not do it alone. We need each other; supporting, helping, and encouraging one another.

“I would like to stop here and take a moment to thank all of the Tioga County employees for being great team members. Thank you for the long hours, for your patience on the confusion of the changing rules, and mostly for your commitment to the County.

“I need to say a special thanks to our Public Health Department. A hero is every public health professional in our communities across America working to protect us from COVID-19 and other health threats. There are many heroes in Tioga County and ours is the Public Health Department. The Public Health Director, nurses, contact tracers, educators, administrators, volunteers, and jack-of-all-trades have been giving us what we need to protect our families and communities. Working seven days a week in the beginning of the pandemic, advising our schools, businesses, and communities and protecting those at greatest risk. We see you. We appreciate you. And, we thank you.

“We have been doing the hard things and now we are moving past. We stared fear in the face and we did the things we thought we could not do. Thank you.”

There was no privilege of the floor.

Legislator Roberts made a motion to approve the minutes of February 4, 9, and 18, 2021, seconded by Legislator Monell 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 Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 66-21 APPOINT MEMBERS ALTERNATIVES TO INCARCERATION ADVISORY BOARD

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

	TERM
Ex-Offender	4/1/21-3/31/22
Crime Victim	4/1/21-3/31/22
State Certified Provider of Alcohol and/or Substance Abuse Treatment	4/1/21-3/31/22

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 67-21 *APPOINT MEMBER TO THE BROOME-TIOGA
WORKFORCE DEVELOPMENT BOARD*

WHEREAS: The Broome-Tioga Workforce Development Board is desirous of including an additional Tioga County Representative on the Board; and

WHEREAS: The Broome-Tioga Workforce Development Board is requesting the new appointee represent the Private Sector, specifically the manufacturing field; and
WHEREAS: Robert Messler, Senior Vice President and General Manager for Voigt and Schweitzer Galvanizing LLC, has agreed to serve for a four-year term on the Broome-Tioga Workforce Development Board; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoint Robert Messler to the Broome-Tioga Workforce Development Board for a four-year term effective March 10, 2021 through December 31, 2024.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 68-21 RE-APPOINT MEMBER TO THE TIOGA COUNTY LOCAL DEVELOPMENT CORPORATION (TCLDC)

WHEREAS: The term of Tioga County Local Development Corporation member Beth Johnson expires as of March 31, 2021; and

WHEREAS: Beth Johnson has expressed a desire to serve another term; therefore be it

RESOLVED: That the Tioga County Legislature hereby re-appoint Beth Johnson for another three-year term effective 4/1/21 through 3/31/24.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 69-21 RE-APPOINT MEMBER TO THE TIOGA COUNTY LOCAL DEVELOPMENT CORPORATION (TCLDC)

WHEREAS: The term of Tioga County Local Development Corporation member Christine Di Stefano expires as of March 31, 2021; and

WHEREAS: Christine Di Stefano has expressed a desire to serve another term; therefore be it

RESOLVED: That the Tioga County Legislature hereby re-appoint Christine Di Stefano for another three-year term effective 4/1/21 through 3/31/24.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 70-21 RE-APPOINT MEMBER TO THE TIOGA COUNTY LOCAL DEVELOPMENT CORPORATION (TCLDC)

WHEREAS: The term of Tioga County Local Development Corporation member Dave Astorina expires as of March 31, 2021; and

WHEREAS: Dave Astorina has expressed a desire to serve another term; therefore be it

RESOLVED: That the Tioga County Legislature hereby re-appoint Dave Astorina for another three-year term effective 4/1/21 through 3/31/24.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Hollenbeck made a motion to have the resolution withdrawn, seconded by Legislator Mullen and carried.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. -21 SET PUBLIC HEARING FOR GRANT APPLICATION TO NYS HCR OCR CDBG FOR 2020 PROGRAM YEAR

WHEREAS: The Community Development Block Grant (CDBG) program is administered by the New York State Office of Community Renewal (OCR), and will make available to eligible local governments approximately \$10,000,000 for the 2020 program year for Housing Activities, with the principal purpose of benefitting low/moderate income persons; and

WHEREAS: Tioga County is considering submitting an application under the CDBG Housing Activities program for the 2020 program year for housing activities that include housing rehabilitation within the Village of Owego; and

WHEREAS: Tioga County, as a non-entitlement unit of local government, is an eligible entity to apply for and receive NYS HCR OCR CDBG funding on behalf of the Village of Owego as a non-entitlement unit of local government; and

WHEREAS: The Tioga County Legislature is required to hold a public hearing before a quorum of the full legislative body in compliance with NYS Citizen Participation requirements, prior to submitting an application for funding; therefore be it

RESOLVED: That the Tioga County Legislature will hold a public hearing allowing for citizen feedback on the community and economic development needs of Tioga County and NYS HCR OCR CDBG application for the 2020 program year on March 18, 2021 at 10:00 AM in the Hubbard Auditorium of the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, NY. All interested parties will be heard by the Tioga County Legislature at this hearing.

ROLL CALL VOTE TO WITHDRAW

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

No – None.

Absent – Legislator Weston.

RESOLUTION WITHDRAWN.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 71-21 *AUTHORIZE 2021 REQUESTS FOR INCLUSION OF LANDS IN AGRICULTURAL DISTRICTS*

WHEREAS: In accordance with §303-B of the NYS Agricultural and Markets Law 25-AA, the Tioga County Planning Department has solicited agricultural land owners to request inclusion of lands in agricultural districts; and

WHEREAS: Tioga County Planning has received requests for inclusion of land in agricultural districts located within the Spencer Agricultural District #1 and the North Tioga Agricultural District #3 totaling 146.11 acres, and prepared the required report listing these requests; and

WHEREAS: The County Legislature has indicated its desire to be designated lead agency for SEQR (State Environmental Quality Review) requirements; and

WHEREAS: Tioga County Planning has found this plan to have "little likelihood of significant adverse environmental impact..." via completion of the SEQR Short Environmental Assessment Form, which is consistent with the programmatic review of environmental effects of agricultural districting by the New York State Department of Agriculture & Markets; and

WHEREAS: The Tioga County Agricultural and Farmland Protection Board has reviewed said report and determined that the land to be included consists of viable agricultural land and its inclusion will serve the public interest by helping to maintain a viable agricultural industry within the District and therefore recommends County Legislature approval of inclusion of lands into their respective agricultural districts; and

WHEREAS: The Tioga County Legislature has held the required public hearing and no opposition was heard; therefore be it

RESOLVED: That the Tioga County Legislature makes a SEQR Negative Declaration and approves the 2021 requests for inclusion of land listed in said report into the Spencer Agricultural District #1 and the North Tioga Agricultural District #3; and be it further

RESOLVED: That the Tioga County Legislature directs the Tioga County Planning Department to submit said report to the Commissioner of NYS Department of Agriculture and Markets for final certification; and be it further

RESOLVED: That it is the intent of this body, upon approval by the Commissioner of NYS Department of Agriculture & Markets, to make these inclusions to the Spencer Agricultural District #1 and the North Tioga Agricultural District #3 effective immediately.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 72-21 *ADOPT TIOGA COUNTY
PANDEMIC OPERATIONS PLAN*

WHEREAS: In June 2020 the NYS Legislature amended the NYS Labor Law by adding §27-c which mandates that all municipalities develop and adopt a Pandemic Operations Plan to be complete by April 1, 2021; and

WHEREAS: The County Legislature has developed its County Operations Plan with input from every Department and incorporated comments received from its Unions; and

WHEREAS: Said Plan contains all required components and, upon adoption, will be posted to the Legislature page on the County's website, tiogacountyny.gov; therefore be it

RESOLVED: That the Tioga County Legislature hereby adopts Tioga County's Pandemic Operations Plan.

Chair Sauerbrey spoke. "This was a Plan that the Governor required we create. I was in the middle of the Police Reform Plan, we were in the middle of COVID-19, and we were finishing the 2021 budget process, therefore, I reached out to LeeAnn Tinney, Director of Economic Development and Planning. Elaine Jardine, Planning Director, stepped up and basically did the entire Plan. We appreciate Ms. Jardine's help in every way. Thank you, Elaine."

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE
INFORMATION TECHNOLOGY COMMITTEE

RESOLUTION NO. 73-21 *REQUESTING THE RESCINDING OF THE
NEW YORK STATE FIBER RIGHT-OF-WAY FEE*

WHEREAS: The 2019-2020 New York State budget contained language that enacted a right-of-way use and occupancy fee for any fiber optic cables located in or crossing a state-controlled right-of-way and authorized the New York State Department of Transportation (NYSDOT) to enter fee-bearing permits with fiber optic installers; and

WHEREAS: In 2020 organizations, businesses, legislators, and residents of Tioga County became aware of the fee because NYSDOT started charging the fee; and

WHEREAS: In Tioga County it is virtually impossible to install fiber optic cables for any distance without utilizing or crossing a State right-of-way; and

WHEREAS: The coronavirus pandemic has caused more people to be working from home and more students to be learning from home, and has increased the use of telemedicine, thus magnifying the need for additional broadband services in unserved and underserved areas so that rural residents may engage in everyday activities; and

WHEREAS: Governor Andrew M. Cuomo, in his 2021 State of the State address championed his Connectivity Agenda which includes, among other provisions, enactment of a requirement for affordable internet for low-income families and a series of actions to promote broadband build-out and market competition; and

WHEREAS: The Governor said, "Without affordable broadband, people are not just disconnected, they are disenfranchised. Broadband must be available to everyone, everywhere, and in New York, we will make sure it is."; and

WHEREAS: The NYSDOT fiber right-of-way fee is acting as a significant financial deterrent to broadband buildout in rural areas, with some projects already cancelled and others put on hold due to the fact that these fees will cost providers hundreds of thousands, and in some cases, millions of dollars annually; and

WHEREAS: Legislation has been introduced in the Legislature to repeal these counterproductive sections of law that prevent the expansion of affordable broadband services in unserved and underserved communities across New York; therefore be it

RESOLVED: That the Tioga County Legislature formally opposes the enactment of the NYSDOT right-of-way fees on fiber optic cable and urges the Governor and the New York State Legislature to rescind the right-of-way use and occupancy fees on fiber cable immediately, so that the Governor's pledge can be fulfilled and the expansion of the fiber network in Tioga County may continue in order to serve unserved and underserved areas; and be it further

RESOLVED: That the Tioga County Legislature shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature, and all others deemed necessary and proper.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 74-21 *AUTHORIZE THE SUBMISSION OF THE
2020-2021 PSAP OPERATIONS GRANT*

WHEREAS: The NYS Office of Interoperable and Emergency Communications has announced the 2020-2021 PSAP (Public Safety Answering Point) Operations grant funding; and

WHEREAS: County Policy Section 9 (e) (former policy #47) requires that a resolution be approved before any such grant application is submitted. However, due to the

short notification period, the Tioga County Sheriff's Office had to submit an application for this funding by February 24, 2021; therefore be it

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

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 75-21 *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 \$145,260.05 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 \$145,260.05 for the period of April 1, 2021 – March 31, 2022; therefore be it

RESOLVED: That the County Clerk be authorized to collect or withhold from its disbursements in twelve (12) equal monthly installments of \$12,105.00 at a total annum amount of \$145,260.00.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 76-21 *ERRONEOUS ASSESSMENT
TOWN OF TIOGA*

WHEREAS: An application for Corrected Tax Roll for the year 2021 indicates that parcel #148.00-1-11.11 Account #30 in the Town of Tioga assessed to Cindy Agnellino is erroneous in that the Tioga Central School District returned an unpaid school bill that was protected by bankruptcy; therefore be it

RESOLVED: That a new tax bill be issued to Cindy Agnellino as follows:

	Original Bill #	Corrected Bill #
County	\$2596.24	\$2596.24
Town Wide	\$950.69	\$950.69
School	\$3064.98	\$0.00
Fire	\$313.23	\$313.23
Total	\$6925.14	\$3860.16

RESOLVED: That the erroneous school tax of \$2864.47 be charged back to the Tioga Central School District; and be it further

RESOLVED: That the Tioga County Treasurer’s penalty of \$200.51 be charged to the proper account in the records of the County Treasurer’s Office.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO:

FINANCE COMMITTEE

RESOLUTION NO. 77-21

*ERRONEOUS ASSESSMENT
TOWN OF SPENCER*

WHEREAS: An application for Corrected Tax Roll for the year 2021 indicates that parcel #58.00-1-53.22 Account #1720 in the Town of Spencer assessed to State of New York Mortgage on the 2020 assessment roll is erroneous in that the exemption 12100 was not applied; and

WHEREAS: State of New York Mortgage is wholly exempt; and

WHEREAS: A 2021 Town and County bill was erroneously generated for this parcel; therefore be it

RESOLVED: That Bill #1601 in the amount of \$5,597.54, produced for State of New York Mortgage, in the Town of Spencer be rendered null and void; and be it further

RESOLVED: That the erroneous county tax of \$1,398.86 be charged to the proper account in the records of the County Treasurer; and be it further

RESOLVED: That the erroneous town tax of \$1,040.62 be charged back to the Town of Spencer; and be it further

RESOLVED: That the erroneous Fire tax of \$85.02 be charged back to the Spencer Fire Department; and be it further

RESOLVED: That the erroneous returned school tax of \$2,872.00 be charged back to the Spencer-Van Effen School District; and it be further

RESOLVED: That the erroneous County Penalty of \$201.04 be charged back to the proper account in the records of the County Treasurer.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 78-21 *ERRONEOUS ASSESSMENT
TOWN OF BARTON*

WHEREAS: An application for Corrected Tax Roll for the years 2019 & 2020 indicates that parcel #155.00-1-2.111 Account #11346 in the Town of Barton, assessed to John & James Vanderhoof, was created erroneously due to a mapping error; and

WHEREAS: Town and County tax bills for 2019 and 2020 were generated and remain unpaid; and

WHEREAS: It was discovered that this parcel should not have been created and was deleted from the 2020 assessment roll to stop future erroneous tax bills from being generated; therefore be it

RESOLVED: That the 2019 Bill #3902 in the amount of \$966.51 and the 2020 Bill #3630 in the amount of \$196.60, produced for John & James Vanderhoof, in the Town of Barton, be rendered null and void; and be it further

RESOLVED: That the erroneous county tax of \$126.99 be charged to the proper account in the records of the County Treasurer; and be it further

RESOLVED: That the erroneous town tax of \$26.29 be charged back to the Town of Barton; and be it further

RESOLVED: That the erroneous Fire tax of \$11.42 be charged back to the Barton Fire Department; and be it further

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 80-21 *APPROPRIATION OF FUNDS AND
AMEND 2021 BUDGET
SOCIAL SERVICES*

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

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

RESOLVED: That funding be appropriated as follows:

From: A6010.436100 State Aid: Administration	\$ 25,000
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To: A6010.540487 Program Expense	\$ 10,000
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To: A6010.540140 Contracting Expenses	\$ 15,000
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ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 81-21 *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 purpose by the District Attorney in the year received. If not used, the unexpended balance shall be transferred to Criminal Proceed Forfeiture Reserve Fund (Account A-388901). The amounts in this account must be used in the next succeeding fiscal year for Law enforcement purposes by the District Attorney; and

WHEREAS: Tioga County has a remaining budget of crime forfeiture proceeds in 2020 that will need to be carry forward into 2021. The Sheriff's remaining budget is \$2,436.22 and the District Attorney's remaining budget is \$4,112.90; and

WHEREAS: There are two Crime Proceeds reserves accounts that have balances that need to be allocated into the District Attorney's budget. Crime Proceeds Restricted (388901) \$7,096.90 and Crime Proceeds Unrestricted (388905) \$16,299.11; 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	\$ 18,584.06
	A1165-426260	Forfeiture of Crime Proceeds Restricted	\$ 8,924.86
TO:	A1165-540335	Asset Forfeiture Expense	\$ 27,508.92
FROM:	A3110-426250	Forfeiture of Crime Proceeds	\$ 297.10
	A3110-426260	Forfeiture of Crime Proceeds Restricted	\$ 2,139.12
TO:	A3110-540335	Asset Forfeiture Expense	\$ 2,436.22

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 82-21 *RE-ESTABLISH PRIOR YEAR 2020 CAPITAL
FOR 2021 BUDGET FOR FIRE/EMO*

WHEREAS: Personal Protective Equipment order was placed in 2020 for the Fire/EMO department but will not be received prior to the closing of 2020; and

WHEREAS: Prior year Capital Equipment requests need to be re-established for the remaining unspent balance as of year-end 2020 for purchase or completion in 2021; therefore it be

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

Capital Equipment

A3410 520215	Personal Protective Equipment	\$	6,000.00
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ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 83-21 RE-ESTABLISH PRIOR YEAR 2020
CAPITAL EQUIPMENT FUNDS
AMEND 2021 BUDGET
SHERIFF'S OFFICE

WHEREAS: Police vehicles were ordered in 2020 for the Sheriff's Office utilizing 2020 budgeted monies. Due to COVID production delays, the vehicles will not be received prior to the closing of the budget year 2020; and

WHEREAS: 2020 Capital Equipment funds need to be re-established in the amount of \$64,040.62 and the 2021 budget increased accordingly; therefore be it

RESOLVED: That Capital Equipment Cars account H3110 521060 be re-established with 2020 money in the amount of \$64,040.62 and the 2021 budget be increased accordingly.

H3110 521060 Capital Equipment Cars \$64,040.62

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 84-21 RE-ESTABLISH PRIOR YEAR 2020
CAPITAL EQUIPMENT FUNDS
AMEND 2021 BUDGET
PUBLIC HEALTH

WHEREAS: Tioga County Public Health (TCPH) ordered a vehicle in 2020 for TCPH utilizing 2020 budgeted monies. Due to COVID production delays, the vehicle will not be received prior to the closing of the budget year 2020; and

WHEREAS: 2020 Capital Equipment funds need to be re-established in the amount of \$18,000.61 and the 2021 budget increased accordingly; therefore be it

RESOLVED: That Capital Equipment Cars account H4011 520060 be re-established with 2020 money in the amount of \$18,000.61 and the 2021 budget be increased accordingly.

H4011 520060 Capital Equipment Cars	\$18,000.61
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ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO:	PUBLIC WORKS COMMITTEE FINANCE COMMITTEE
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RESOLUTION NO. 85-21	<i>RE-ESTABLISH PRIOR YEAR 2020 BUCKET LOADER BUDGET</i>
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WHEREAS: Prior Year Projects Fund needs to be re-established for the remaining unspent balance as of year-end 2020 for purchase or completion in 2021; therefore be it

RESOLVED: That the following account and amounts are re-established and the 2021 budget is amended:

<u>Capital Equipment</u>	<u>Amount to Re-Establish</u>
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H5130 521920 Bucket Loader	\$ 7,046.05
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ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 86-21 *APPROVE SUPPLEMENTAL AGREEMENT FOR
WEST CREEK ROAD BRIDGE – CONSTRUCTION
SUPPORT AND INSPECTION SERVICES*

WHEREAS: Tioga County was awarded funding through NYSDOT 2018 Bridge NY program for a bridge project, West Creek Road over West Branch Owego Creek, BIN 3335200; and

WHEREAS: Delta Engineers was awarded the design services on Resolution 27-19; and

WHEREAS: There is a need for Construction Support and Inspection Services to provide Engineering Services for the project; and

WHEREAS: Delta Engineers, Endwell, NY has submitted a supplemental agreement proposal of \$162,172.00; therefore be it

RESOLVED: That the Tioga County Legislature approve the Supplemental Agreement for Delta Engineers, Endwell, NY to provide Construction Support and Inspection Services not to exceed an extra \$162,172.00, for a new total of \$396,191.00 to be paid out of the following account:

H5110.540004.H1904 – West Creek Road Bridge – BIN 3335200

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: INFORMATION TECHNOLOGY COMMITTEE

RESOLUTION NO. 87-21 *AUTHORIZE AND FUND MICROSOFT SQL SERVER DATABASE LICENSES WITH APPROPRIATION FROM CAPITAL SOFTWARE RESERVE ACCOUNT*

WHEREAS: The Tioga County Legislature recognizes the importance of County infrastructure; and

WHEREAS: The County utilizes Microsoft SQL software for critical daily operations; and

WHEREAS: The ITCS Director has evaluated the current Microsoft licensing needs; and

WHEREAS: A need to purchase new versions of Microsoft SQL database software for use on servers for the County’s core financial application, County Clerk records system, Board of Elections software and GIS server have been identified due to recent system upgrades; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the payment of software fees in the amount of \$12,379.04 to Dell, the holder of the Microsoft NYS OGS contract for software purchases from the Capital Software Reserve Fund for the purchase of Microsoft Windows SQL Server licenses; and be it further

RESOLVED: That the following funds be transferred:

FROM: H387804 Capital Software Reserve Fund	\$12,379.04
TO: H1680-520620 Information Technology Capital Software	\$12,379.04

2. Section III – Financial Rules – Subsection c – Fixed Assets:

Amend all references to the IT Department to read County Clerk's Office.

And be it further

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

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 89-21 REAPPOINTMENT OF COUNTY HISTORIAN

WHEREAS: Emma Sedore was first appointed Tioga County Historian on November 13, 2001; and

WHEREAS: She is a dedicated Historian; and

WHEREAS: Her term is set to expire March 31, 2021; therefore be it

RESOLVED: That Emma Sedore of Owego, New York, is hereby reappointed County Historian for a two-year term from April 1, 2021 until March 31, 2023.

Legislator Mullen spoke. "She has done an incredible job in this position. If you get an opportunity, read up on her story of finding the courthouse Bell of Sessions that has been missing the better part of 100 years. She found it. She does a great job for us and I wanted to express my gratitude publicly for the job she has done.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO:

ADMINISTRATIVE SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 90-21

*AUTHORIZE WAIVER OF 90-DAY HIRING DELAY-
BOARD OF ELECTIONS*

WHEREAS: Resolution 195-20 created a 90-day hiring delay effective October 1, 2020; and

WHEREAS: The Board of Elections has had a part-time Voting Machine Technician position vacant since December 31, 2020, due to a resignation; and

WHEREAS: The Democratic Election Commissioner received verbal authorization at the December 22, 2020 Legislative Worksession to fill said position prior to the 90-day delay implemented by Resolution 195-20; and

WHEREAS: The Democratic Election Commissioner has selected a candidate to fill said vacancy; therefore be it

RESOLVED: That the Democratic Election Commissioner is hereby granted a waiver from the 90-day hiring delay and is authorized to fill the part-time Voting Machine Technician vacancy with the appointment of Alichia Hatch effective March 10, 2021, at the established rate of \$20.00 per hour.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 91-21 *AUTHORIZE WAIVER OF 90-DAY HIRING
DELAY-DEPARTMENT OF SOCIAL SERVICES*

WHEREAS: Resolution 195-20 created a 90-day hiring delay effective October 1, 2020; and

WHEREAS: Effective January 19, 2021 and January 22, 2021, two Caseworker positions became vacant due to incumbent's resignations; and

WHEREAS: Said vacancies impact the CPS/Preventive unit in the Children's Services Division, therefore be it

RESOLVED: That the Commissioner of Social Services is hereby granted a waiver from the 90-day hiring delay and is authorized to fill two Caseworker vacancies effective on or after March 10, 2021 from the appropriate civil service eligible list.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 92-21 *AUTHORIZE WAIVER 90-DAY HIRING DELAY
AND APPROVE SALARY ABOVE
HIRING BASE DEPUTY SHERIFF POSITION
SHERIFF'S OFFICE*

WHEREAS: Resolution 195-20 implemented the 90-day hiring delay for vacancies; and

WHEREAS: Effective February 13, 2021, a full-time Deputy Sheriff position became vacant due to a promotion; and

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

WHEREAS: Michaela Marsh, a transfer candidate with over 10 years of law enforcement experience, has applied and has been found both eligible and willing to accept a transfer from the Ithaca Police Department to the Deputy Sheriff vacancy in Tioga County; and

WHEREAS: Resolution 211-99 requires legislative approval for any appointments made above an established base salary amount. The Sheriff has received approval from the Tioga County Law Enforcement Union to hire a new Deputy Sheriff, who has over 10 years of law enforcement experience, at an annual salary rate reflecting three years of experience per the current union contract, or \$61,290; therefore be it

RESOLVED: That the Sheriff is hereby granted a waiver from the 90-day hiring delay and is authorized to backfill the vacant, full-time Deputy Sheriff position with Michaela Marsh at an annual salary of \$61,290 effective March 13, 2021.

Legislator Mullen spoke. "We are getting a very experienced officer from Ithaca Police Department and it is an example of what happens when a municipality overreacts or, for political reasons, makes decisions about public safety. There are going to be quite a few Ithaca police officers looking for employment elsewhere because of what is going on up there with the police department. It is to our benefit, but certainly not to the benefit of the citizens of Ithaca, NY."

Legislator Standinger spoke. "Their loss is our gain."

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Hollenbeck made a motion to have the following late-file resolution considered, seconded by Legislator Monell and carried.

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

REFERRED TO: PERSONNEL COMMITTEE
LEGAL/FINANCE COMMITTEE

RESOLUTION NO. 93-21 TRANSFER OF FUNDS
BUDGET MODIFICATION
PERSONNEL

WHEREAS: The Personnel Department is in need of replacing a desk chair; and

WHEREAS: The Chair line item in Personnel's 2021 Budget is unfunded; and

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

RESOLVED: That the Personnel Department budget be modified and the following sums be transferred from within the Personnel budget to cover the costs of said purchase:

From: A1430 540733	Training Other	\$110.00
To: A1430 520070	Chair	\$110.00

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:40 P.M.