

Second Regular Meeting
February 15, 2022

The Second Regular Meeting of 2022 was held on February 15, 2022 and was called to order by the Deputy Chair at 12:00 P.M. Eight Legislative members were present with Legislator/Chair Sauerbrey being absent.

Deputy Chair Hollenbeck asked Legislator Brown to have a moment of prayer. "Lord, thank you for this day. Thank you for allowing us to gather to decide the business for Tioga County."

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

There were 5 people in attendance.

Deputy Chair Hollenbeck reported we have one Proclamation; **Sleep Awareness Month** that will be read by Legislator Standing and presented to Katie Wait, Public Health Educator.

COUNTY OF TIOGA
EXECUTIVE PROCLAMATION

WHEREAS: Sleep is an essential part of a healthy lifestyle; and

WHEREAS: Insufficient sleep is detrimental to one's own health. Chronic health conditions such as heart disease, kidney disease, high blood pressure, and stroke result from ongoing sleep deprivation; and

WHEREAS: Drowsiness can lead to potential motor vehicle accidents, putting others in harm's way; and

WHEREAS: The CDC recommendation for hours of sleep per day for adults 18 and older is 7-9 hours; and

WHEREAS: In 2018, 40% of adults in Tioga County reported having fewer than 7 hours of sleep on average; and

WHEREAS: Creating a sleep schedule and following a consistent nightly routine, including limiting alcohol/caffeine, avoiding large meals before bedtime, and shutting off electronics at least 1 hour prior to bed are beneficial to a good night's sleep; therefore

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

SLEEP AWARENESS MONTH

and urges all residents to get the recommended amount of sleep per night to help reduce chronic health conditions and drowsiness.

Public Health Educator, Katie Wait spoke. "Thank you, Legislator Standinger and thank you to the Tioga County Legislature for recognizing the month of February as Sleep Awareness Month.

"When we think of health, we tend to think of our eating habits and exercise or, in my case, lack thereof, but neglect to think of our sleep habits. We often sacrifice our sleep quantity and quality to achieve success in other areas of our life, however, I hope this proclamation will help highlight the importance of sleep and encourages us and our community to prioritize our sleep as a way to achieve our health and life goals. Thank you."

There was no privilege of the floor.

Legislator Monell made a motion to approve the minutes of January 3, 6, 11, and 20, 2022, seconded by Legislator Mullen and carried.

Deputy Chair Hollenbeck made the following appointment to the Binghamton Metropolitan Transportation Study (BMTS) Committee:

Legislator Ron Ciotoli – 2/15/22 – TERM OF OFFICE

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

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 38-22 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	4/1/22-3/31/23
Crime Victim	4/1/22-3/31/23
State Certified Provider of Alcohol and/or Substance Abuse Treatment	4/1/22-3/31/23

ROLL CALL VOTE

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

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION
 LEGAL/FINANCE COMMITTEE

RESOLUTION NO. 39-22 *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 Barbara Crannell resigning from the Board effective December 31, 2021; and

WHEREAS: John Hitchings, a resident of Tioga County, NY has agreed to serve on the Board of Ethics for the current vacant term with an additional term being available thereafter subject to Legislative reappointment; therefore be it

RESOLVED: That John Hitchings be and hereby is appointed to the Board of Ethics for a retroactive term beginning January 1, 2022 through March 31, 2023.

ROLL CALL VOTE

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

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
RESOLUTION NO. 40-22 RE-APPOINT AND EXTEND
YOUTH BOARD MEMBERS TERMS
YOUTH BUREAU

WHEREAS: The Tioga County Youth Board is organized as an advisory body to the Tioga County Youth Bureau; and

WHEREAS: The purpose of the Youth Board is to carry out the provision of Section 95 of the General Municipal Law of the State of New York and Resolution No. 140 of 1981 of the Tioga County Legislature; and

WHEREAS: The Tioga County Youth Board Bylaws provides for representatives to the Youth Board be appointed by the County Legislature; and

WHEREAS: The County Legislature previously appointed members to the Youth Board under Resolution No. 60-19 and Lauran Murphy's term has expired as of 12/31/2021; therefore be it

RESOLVED: That Lauran Murphy be re-appointed as a member of the Tioga County Youth Board with the corresponding term of office consistent with the requirement of staggered rotation of 1/1/2022 – 12/31/2023.

Lauran Murphy (Extending Term) 1/1/2022 – 12/31/2023

ROLL CALL VOTE

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

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
RESOLUTION NO. 41-22 RE-APPOINT AND EXTEND
YOUTH BOARD MEMBERS TERMS
YOUTH BUREAU

WHEREAS: The Tioga County Youth Board is organized as an advisory body to the Tioga County Youth Bureau; and

WHEREAS: The purpose of the Youth Board is to carry out the provision of Section 95 of the General Municipal Law of the State of New York and Resolution No. 140 of 1981 of the Tioga County Legislature; and

WHEREAS: The Tioga County Youth Board Bylaws provides for representatives to the Youth Board be appointed by the County Legislature; and

WHEREAS: The County Legislature previously appointed members to the Youth Board under Resolution No. 60-19 and Becky Shuey's term has expired as of 12/31/2021; therefore be it

RESOLVED: That Becky Shuey be re-appointed as a member of the Tioga County Youth Board with the corresponding term of office consistent with the requirement of staggered rotation of 1/1/2022 – 12/31/2023.

Becky Shuey (Extending Term) 1/1/2022 – 12/31/2023

ROLL CALL VOTE

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

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 42-22 RE-APPOINT AND EXTEND
YOUTH BOARD MEMBERS TERMS
YOUTH BUREAU

WHEREAS: The Tioga County Youth Board is organized as an advisory body to the Tioga County Youth Bureau; and

WHEREAS: The purpose of the Youth Board is to carry out the provision of Section 95 of the General Municipal Law of the State of New York and Resolution No. 140 of 1981 of the Tioga County Legislature; and

WHEREAS: The Tioga County Youth Board Bylaws provides for representatives to the Youth Board be appointed by the County Legislature; and

WHEREAS: The County Legislature previously appointed members to the Youth Board under Resolution No. 60-19 and Cheri Roys term has expired; therefore be it

RESOLVED: That Cheri Roys be re-appointed as a member of the Tioga County Youth Board with the corresponding term of office consistent with the requirement of staggered rotation of 1/1/2022 – 12/31/2023.

Cheri Roys (Extending Term) 1/1/2022 – 12/31/2023

ROLL CALL VOTE

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

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 43-22 RESOLUTION REAPPOINTING
MEMBER TO COMMUNITY SERVICES BOARD

WHEREAS: Carolyn Galatzan's appointment to the Community Services Board expired on December 31, 2021; and

WHEREAS: The Community Services Board has recommended Carolyn Galatzan'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 Carolyn Galatzan be reappointed to the Community Services Board, for term starting January 1, 2022 and ending December 31, 2025.

ROLL CALL VOTE

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

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED.

Legislator Monell introduced Local Law Introductory No. C of 2022.

County of Tioga

Local Law No. X of the Year 2022.

A Local Law of the Tioga County Legislature of the County of Tioga, repealing and replacing Local Law No. 1 of the Year 2022 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: WIRELESS SURCHARGES

Local Law No. 1 of 2022, which amended Local Law No. 3 of 2017, is repealed and replaced by adding a new Section 7 to read as follows:

SECTION 7: 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. The sum of both surcharges shall be One Dollar and Thirty Cents (\$1.30) with the addition of the surcharge referenced herein; and (ii) retail sales of prepaid wireless communication service sold within the County of Tioga, at the rate of one dollar (\$1.00) per retail sale, whether or not any tangible personal property is sold therewith. The sum of both surcharges shall be One Dollar and Thirty Cents (\$1.30) with the addition of the surcharged referenced herein.

(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.

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

(d) The wireless communication surcharge imposed must be reflected and made payable on bills rendered to the wireless communications customer for wireless communications service.

(e) Wireless communications service suppliers shall begin to add such surcharge to the billing of its customers and prepaid communications sellers shall begin to collect such surcharge from its customers commencing June 1, 2022 and shall cease collection August 31, 2031.

(f) Each wireless communications service supplier and prepaid wireless communications seller is entitled to retain, as an administrative fee, an amount equal to three percent (3%) of its collections of the surcharges imposed by this local law, provided that the supplier or seller files any required return and remits the surcharges due to the New York State Commissioner of Taxation and Finance on or before the due date for that return and that payment.

SECTION 3: LOCAL SURCHARGE FOR ENHANCED EMERGENCY TELEPHONE SYSTEM
Local Law No. 1 of 2022, as amended by Local Law No. 1 of 1991, is repealed and replaced 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. The sum of both surcharges shall be One Dollar and Thirty Five Cents (\$1.35) with the addition of the surcharges referenced herein.

(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 and shall cease collection August 31, 2031.

(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 4: EFFECTIVE DATE

This Local Law shall take effect June 1, 2022 and shall expire and be deemed repealed November 3, 2031 with all collection ceasing August 31, 2031.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 44-22 SCHEDULE PUBLIC HEARING
LOCAL LAW INTRODUCTORY NO. C OF 2022

RESOLVED: That a Public Hearing shall be held on February 24, 2022 at 10:00 a.m. in the Edward D. Hubbard Auditorium of the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, NY 13827 on Local Law Introductory No. C of 2022; a Local Law of the Tioga County Legislature of the County of Tioga, repealing and replacing Local Law No. 1 of the Year 2022 imposing additional surcharges for telephonic communication pursuant to the authority of Tax Law §186-g and County Law §337. All persons desiring to present written or oral comment may do so at said time.

ROLL CALL VOTE

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

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE
 RESOLUTION NO. 45-22 ERRONEOUS ASSESSMENT
 TOWN OF NEWARK VALLEY

WHEREAS: An application for Corrected Tax Roll for the year 2022 indicates that parcel #86.00-1-48.123 acct#3066 in the Town of Newark Valley assessed to George Hoffmier, Sr. on the 2022 tax roll of the Town of Newark Valley is erroneous in that the improvement placed on the assessment roll does not exist; therefore be it

RESOLVED: That a new 2022 tax bill be issued by the Town of Newark Valley Tax Collector to George Hoffmier, Sr. for parcel 86.00-1-48.123 as follows:

	Original Bill #1063	Corrected Bill #1063
County	1511.58	67.48
Townwide	730.21	32.60
Return School	3656.47	163.24
Fire	298.95	13.35
Total	6197.21	276.67

And be it further

RESOLVED: That the erroneous county tax of \$1,444.10 be charged to the proper account in the records of the County Treasurer; and be it further

RESOLVED: That the erroneous town tax of \$697.61 be charged back to the Town of Newark Valley; and be it further

RESOLVED: That the erroneous School tax of \$3,264.70 be charged back to the Newark Valley Central School District; and be it further

RESOLVED: That the erroneous penalty on the return school tax of \$228.53 be charged back to the correct accounts in the Office of the Treasurer.

RESOLVED: That the erroneous Fire Tax of \$285.61 be charged back to the Newark Valley Fire District.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Hollenbeck, Monell, Mullen, Roberts, Standingger, and Weston.

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO:	FINANCE COMMITTEE
RESOLUTION NO. 46-22	<i>ERRONEOUS ASSESSMENT TOWN OF RICHFORD</i>

WHEREAS: An application for Corrected Tax Roll for the years 2020 and 2021 indicates that parcel #8.00-1-37.2 account #997 in the Town of Richford assessed to State of New York on the 2020 and 2021 tax roll of the Town of Richford is erroneous in that the State of New York should have been wholly exempt until approved for roll section 3 by N.Y.S. and that the exempt code was not applied; therefore be it

RESOLVED: The tax bills for 2020 and 2021 in the Town of Richford be null and void; and be it further

RESOLVED: That the erroneous County Tax of \$402.78 be charged to the proper account in the records of the County Treasurer; and be it further

RESOLVED: That the erroneous Town Tax of \$577.39 be charged back to the Town of Richford; and be it further

RESOLVED: That the Solid Waste Tax of \$14.00 be charged back to the proper account in the records of the County Treasurer; and be it further

RESOLVED: That the erroneous Fire Tax of \$84.75 be charged back to the Richford Fire District.

ROLL CALL VOTE

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

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE
 RESOLUTION NO. 47-22 ERRONEOUS ASSESSMENT
 TOWN OF OWEGO

WHEREAS: An application for corrected tax roll for parcel 143.13-1-41, assessed to Miloslave & Miroslav Herzog on the 2022 tax roll of the Town of Owego indicates that a SCAR decision reducing the assessment from \$105,300 to \$100,200 was not received in time to change the assessment before tax rolls and bills were printed; therefore be it

RESOLVED: That a new 2022 tax bill be issued by the Town of Owego Tax Collector to Miloslave & Miroslav Herzog for parcel 143.13-1-41 as follows:

	<u>Original Bill #4379</u>	<u>Corrected Bill #4379</u>
County	\$1375.04	\$1308.45
Townwide	\$132.25	\$125.84
Part-Town	\$319.67	\$304.19
LT003 Lighting 3	\$46.88	\$44.61
FD001 Owego Fire	\$365.60	\$347.89

And be it further

RESOLVED: That the erroneous County Tax of \$66.59 be charged to the proper account in the records of the County Treasurer; and be it further

RESOLVED: That the erroneous Town and Lighting Tax of \$24.16 be charged back to the Town of Owego; and be it further

RESOLVED: That the erroneous Fire Tax of \$17.71 be charged back to the Owego Fire District.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Hollenbeck, Monell, Mullen, Roberts, Standing, and Weston.

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. 48-22

*AWARD DESIGN SERVICES TO
BARTON AND LOGUIDICE FOR
MICHIGAN HOLLOW ROAD CULVERT*

WHEREAS: The Michigan Hollow Road Culvert is a culvert that needs repair due to a Tioga County DPW inspection; and

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

WHEREAS: The proposal for the culvert design bridge came in at \$65,400; therefore be it

RESOLVED: That the Tioga County Legislature approve the proposal for the Michigan Hollow Road culvert for Barton and Loguidice Engineers not to exceed \$65,400 to be paid out of the following account:

D5110.540050 Bridge Projects

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Hollenbeck, Monell, Mullen, Roberts, Standing, and Weston.

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 49-22 *AUTHORIZE ACCEPTANCE OF YEAR FOUR FUNDING FROM THE NYS OFFICE OF INDIGENT LEGAL SERVICES AND ACCEPT YEAR FOUR FUNDING 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: The allocated amount to Tioga County from NYS Office of Indigent Legal Services for the fiscal year April 2021 – March 2022 is \$616,811.54; and

WHEREAS: It is necessary for Tioga County to adopt the fourth year funding budget for said distribution in said amount of \$616,811.54; and

WHEREAS: Said funding in the amount of \$616,811.54 needs to be appropriated and the 2022 budget be amended; therefore be it

RESOLVED: That the Tioga County Legislature hereby approves the fourth year budget of said distribution in the amount of \$616,811.54 and the Chair of the Legislature is hereby authorized to execute the fourth year ILS Hurrell–Harring contract amendment.

ROLL CALL VOTE

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

No – None.

Absent – Legislator/Chair Sauerbrey.

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. 50-22 *AUTHORIZE ACCEPTANCE OF
2022 NYS PTS GRANT
(PTS-2022-TIOGA CO SO-00195-054)
APPROPRIATION OF FUNDS &
MODIFY 2022 BUDGET
SHERIFF'S OFFICE*

WHEREAS: The Sheriff's Office applied for and was awarded a NYS PTS (Police Traffic Services) grant (PTS-2022-Tioga Co-SO-00195-054) in the amount of \$12,150; and

WHEREAS: This funding must be accepted and appropriated; therefore be it

RESOLVED: That the Tioga County Legislature authorize the acceptance of this award; and be it further

RESOLVED: That the 2022 budget be modified and funds be appropriated to the following accounts:

FROM:	A3110.433900 Sheriff-State Aid	\$12,150
TO:	A3110.510030 Sheriff Overtime	\$12,150

ROLL CALL VOTE

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

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: INFORMATION TECHNOLOGY COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 51-22 ACCEPT GRANT AWARD FOR
TIOGA COUNTY ITCS SHARED SERVICES;
APPROPRIATE FUNDS AND MODIFY 2022 BUDGET

WHEREAS: The Tioga County Legislature recognizes the need to improve services and save costs by supporting shared services with other municipalities; and

WHEREAS: The Information Technology and Communication Services department has applied for and received a Local Government Efficiency reimbursable grant from the New York State Department of State in the amount of \$103,522; and

WHEREAS: This grant covers many costs to implement shared services with the Village of Owego and Town of Candor; and

WHEREAS: Legislative approval is needed to amend or modify budget and appropriate funds; and

WHEREAS: The Information Technology and Communication Services department needs to place the funds into appropriate accounts to implement; therefore be it

RESOLVED: That the Tioga County Legislature accepts said grant for the Tioga County ITCS shared services and authorizes the ITCS department to spend the grant dollars per the submitted budget; and be it further

RESOLVED: That the following funds be transferred and the 2022 budget be modified as follows:

FROM:	H1680 430970 SSG21 Capital SSG – State Aid	\$61,400.00
	H1680 430891 SSG21 General SSG State Aid	\$42,122.00
TO:	H1680 521090 SSG21 Capital Computer	\$61,400.00
	A1680 540140 SSG21 Contracting Services	\$39,622.00
	A1680 540640 SSG21 Supplies (Not Office)	\$ 2,500.00

and be it further

RESOLVED: That any of the original \$103,522 funds that remain unspent as of 12/31/2022 will be carried forward into the New Year.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Hollenbeck, Monell, Mullen, Roberts, Standing, and Weston.

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 52-22 APPLY FOR INDIGENT LEGAL SERVICES GRANT

WHEREAS: The New York State Office of Indigent Legal Services has made available to Tioga County a three year, non-competitive grant totaling \$61,902.00 to improve the quality of Indigent Legal Services provided under Article 18-B of the County Law; and

WHEREAS: Tioga County realizes the importance of providing quality representation to indigent individuals; and

WHEREAS: The grant funds will be used:

1. To fully fund the position of Part-time Paralegal plus Fringe for the Public Defender's Office.
2. To partially fund the positions listed below:
 1. Chief Public Defender
 2. Family Court Public Defender
 3. Part-time First Assistant Public Defender
 4. Part-time Second Assistant Public Defender
 5. Part-time Secretary for the Public Defender
3. To fund the on-line research tool for the Public Defender's Office.
4. To fund the annual support for the PD CMS system.
5. To partially fund Investigative, Expert Witness, Transcripts, and Training for the Public Defender's Office.

therefore be it

RESOLVED: That the Assigned Counsel Administrator be authorized to submit the appropriate grant application for the purpose of securing this funding.

ROLL CALL VOTE

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

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 53-22 *AUTHORIZE THE SUBMISSION OF THE
2021-2022 PSAP OPERATIONS GRANT
SHERIFF'S OFFICE*

WHEREAS: The NYS Office of Interoperable and Emergency Communications has announced the 2021-2022 PSAP (Public Safety Answering Point) Operations grant funding; and

WHEREAS: County Policy Section 9 (e) (formerly policy #47) requires that a resolution be approved before any such grant application is submitted; therefore be it

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

ROLL CALL VOTE

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

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 54-22 *AUTHORIZE THE SUBMISSION OF PTS
(POLICE TRAFFIC SERVICES)
GRANT APPLICATION 2023
SHERIFF'S OFFICE*

WHEREAS: The NYS Governor's Traffic Safety Council has announced a Fiscal Year 2023 PTS (Police Traffic Services) grant; and

WHEREAS: Applications for this grant must be received no later than May 1, 2022; and

WHEREAS: County Policy Section 9 (e) (formerly policy #47) requires that a resolution be approved before any such grant applications are submitted; 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 and authorizes the Chair of the Legislature to sign such application.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Hollenbeck, Monell, Mullen, Roberts, Standing, and Weston.

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 55-22 *AUTHORIZE THE SUBMISSION OF STATEWIDE
INTEROPERABLE COMMUNICATIONS FORMULA
GRANT APPLICATION (SICG 21)
OFFICE OF EMERGENCY SERVICES*

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

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

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

ROLL CALL VOTE

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

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGAL/FINANCE COMMITTEE

RESOLUTION NO. 56-22 *AUTHORIZING AND APPROVING A SETTLEMENT AGREEMENT WITH ALLERGAN CONCERNING CLAIMS RELATED TO THE OPIOID CRISIS*

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

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

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

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

WHEREAS: The final amount to be received by Tioga County will vary depending on several factors including the number of Plaintiff's ultimately agreeing to the settlement but will have an approximate value to Tioga of \$108,486.48; and

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

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

ROLL CALL VOTE

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

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 57-22

AUTHORIZATION TO USE AMERICAN RESCUE PLAN ACT FUNDS AS MATCH FOR SOUTHERN TIER NETWORK USDA RECONNECT GRANT APPLICATION FOR EXTENSION OF BROADBAND IN THE TOWN OF NICHOLS

WHEREAS: The United States Department of Agriculture (USDA) Broadband ReConnect Program furnishes loans and grants to provide funds for the costs of construction, improvement, or acquisition of facilities and equipment needed to provide broadband service in eligible rural areas; and

WHEREAS: Rural areas include cities, villages, townships and towns with no more than 20,000 residents according to the latest US Census Data; and

WHEREAS: The Town of Nichols fits the USDA defined criteria under the Broadband ReConnect Program; and

WHEREAS: The Town of Nichols has identified a need for the extension of broadband services to unserved and underserved areas; and

WHEREAS: Tioga County supports and encourages the extension of broadband services within the County; and

WHEREAS: The Southern Tier Network (STN) is a nonprofit open access communication organization that enables fast affordable reliable internet access in New York State's Southern Tier Region; and

WHEREAS: The Town of Nichols is in support of an application to the USDA Broadband ReConnect Program by STN; and

WHEREAS: The USDA Broadband ReConnect grant requires a match not less than twenty-five percent (25%) of the total project cost; and

WHEREAS: The ultimate numbers for the build out have not been finalized, but are estimated at \$1.7 million dollars; and

WHEREAS: Tioga County has pledged American Rescue Plan Act (ARPA) funds toward the effort to extend broadband services to unserved and underserved areas of the County; and

WHEREAS: The Town of Nichols and Tioga County have agreed to provide an equal match injection not to exceed \$300,000 each; and

WHEREAS: \$300,000 will be provided using American Rescue Plan Act (ARPA) funding which will be allocated to account A1680 540140 M7674 Contracted Services with a separate Resolution provided by the ARPA Fund Administrator; and

WHEREAS: The USDA Broadband ReConnect grant application will be in the name of STN and submitted for a total of approximately \$1,275,000 in grant funds; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes the use of ARPA Funds to be utilized as matching funds for the purpose of extending broadband to the unserved and underserved areas of the Town of Nichols in an amount not more than the Town of Nichols match and not to exceed \$300,000.

ROLL CALL VOTE

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

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: ITCS COMMITTEE
 FINANCE COMMITTEE

RESOLUTION NO. 58-22 *AUTHORIZE PURCHASE OF STORAGE AREA
 NETWORK (SAN) ARRAYS USING CAPITAL AND
 AMERICAN RESCUE PLAN ACT (ARPA) FUNDS*

WHEREAS: The Tioga County Information Technology and Communication Services department has determined the existing data storage hardware devices have reached the end of their operational life; and

WHEREAS: The Tioga County Information Technology and Communication Services department has determined, after investigating several vendors and SAN devices, the NETAPP AFF-C190 device as the recommended hardware to replace existing storage arrays; and

WHEREAS: The NETAPP AFF-C190 devices increase Tioga County Information Security posture by offering Data-At-Rest (DAR) encryption and increased compression while reducing both power consumption and hardware failure points; and

WHEREAS: \$60,000 will be provided using American Rescue Plan Act (ARPA) funding which will be allocated to account H1680 521090 M7674 with a separate Resolution provided by the ARPA Fund Administrator, with remaining \$43,290.78 to be paid out of Capital funding allocated to H1680 521090; and

WHEREAS: The Tioga County Information Technology and Communications Services department will purchase the Storage Area Network devices using the NY-OGS Contract PM20920 (Group 72600 – Award 22802); therefore be it

RESOLVED: That the Tioga County Legislature authorizes the purchase of two (2) Storage Area Network (SAN) devices from Lynx Technologies, 2680 Grand Island

Blvd, STE 2, Grand Island, NY 14072 not to exceed \$103,290.78 to be paid out of the following accounts:

H1680 521090	Computer	\$43,290.78
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ROLL CALL VOTE

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

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: ITCS COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 59-22 *AUTHORIZE TO AMEND EXISTING ENTERPRISE AGREEMENT WITH MICROSOFT INC. TO INCLUDE MICROSOFT OFFICE 365 SUBSCRIPTIONS*

WHEREAS: The Tioga County Information Technology and Communication Services department has a current Enterprise Agreement (Enrollment ID: 6127199) with Microsoft Incorporated for Windows Server and Windows 10 Client Access Licenses (CALs); and

WHEREAS: The Tioga County Information Technology and Communication Services department is currently in year two of this three-year Enterprise Agreement with Microsoft Incorporated; and

WHEREAS: The Chief Information Officer would like to amend existing Enterprise Agreement to include Office 365 software services at a total cost of \$137,854.30 for the period of March 1, 2022 through December 31, 2023; and

WHEREAS: Funding will be provided for using Information Technology and Communication Services Capital funds H1680 520620 (Software). Year one, prorated cost is \$55,140.00 and year two anticipated cost is \$82,714.30; therefore be it

RESOLVED: That the Chair of the County Legislature is authorized to execute an agreement amendment between Tioga County and Microsoft, Inc. upon review by the County Attorney.

ROLL CALL VOTE

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

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 60-22 RE-ESTABLISH PRIOR YEAR 2021 CAPITAL
FOR 2022 BUDGET FOR FIRE/EMO

WHEREAS: Personal Protective Equipment order was placed in 2021 for the Fire/EMO department but will not be received prior to the closing of 2021; and

WHEREAS: Prior year Capital Equipment requests need to be re-established for the remaining unspent balance as of year-end 2021 for purchase or completion in 2022; therefore it be

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

Capital Equipment

A3410 520215	Personal Protective Equipment	\$5,756.51
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ROLL CALL VOTE

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

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE
PUBLIC WORKS COMMITTEE

RESOLUTION NO. 61-22 RE-ESTABLISH PRIOR YEAR 2021
PUBLIC WORKS PROJECTS

WHEREAS: Prior Year Public Works Projects Funds need to be re-established for the remaining unspent balance as of year-end 2021 for purchase or completion in 2022; therefore be it

RESOLVED: That the following account and amounts be re-established and the 2022 budget is amended:

<u>Capital Construction</u>		<u>Amount to Re-Establish</u>
H1620.520911	Renovations 56 Main Street	\$68,305.56
H1620.520994.BG001	Truck Wash Building	\$26,580.00
H1620.521988	Courthouse Renovations	\$19,141.68
H1621.520929	Boiler-HHS	\$20,000.00
<u>Bridge and Culverts</u>		<u>Amount to Re-Establish</u>
D5110.540050	Bridge Projects	\$199,000.00
D5110.540262	Culverts	\$98,000.00

ROLL CALL VOTE

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

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION
 RESOLUTION NO. 62-22 AMEND 2022 BUDGET
 APPROPRIATION OF FUNDS
 AMERICAN RESCUE PLAN ACT
 BUDGET OFFICE REQUEST 2022-002

WHEREAS: On March 11th, 2021 the State and Local Coronavirus Fiscal Recovery Fund legislation, part of the American Rescue Plan Act, hereinafter referred to as ARPA, was signed into law, awarding Tioga County \$9,362,868 in fiscal recovery funds, half of the funds were received in 2021, and the other half are to be received in 2022; and

WHEREAS: On May 10th, 2021 the U.S. Department of Treasury released guidance as to how the fiscal recovery funds are to be spent in the response effort against the COVID-19 pandemic including support of the public health response, replacement of public sector revenue losses, and water & sewer infrastructure; and

WHEREAS: The Tioga County Legislature has identified internal departments and external agencies that would greatly benefit from the provision of the ARPA funds, that also meet the treasury’s guidelines for use and provide the greatest benefit to Tioga County residents, and

WHEREAS: Upon the successful receipt and review of the One Time ARPA request form(s), both the Legislative Chair and the ARPA Fund Administrator have granted their approval of the form, and have submitted the request to the Tioga County Legislature for final review and approval; and

WHEREAS: Amending of the 2022 Budget and appropriation of Fiscal Recovery Funds require Legislative Approval; therefore be it

RESOLVED: That the 2022 Budget be amended, and funds be appropriated as follows:

TO: A6510 540640 M7674 Supplies (Not Office)	\$25,000.00
Requestor: Tioga County Veterans Service Agency (Internal)	
ARPA Category: 1.10 Mental Health Services	
Veterans Suicide Prevention	
Budget Amendment	

<p>TO: A6773 540429 M7674 Outside Support</p> <p>VID: 534 "A New Hope Center, Inc."</p> <p>ARPA Category: 1.10 Mental Health Services</p> <p>Tioga County Suicide Prevention</p> <p>Manual Check Payment</p>	<p>\$50,000.00</p>
<p>TO: A6773 540429 M7674 Outside Support</p> <p>VID: 534 "A New Hope Center, Inc."</p> <p>ARPA Category: 3.10 Housing Support: Affordable Housing</p> <p>A New Hope Center</p> <p>Manual Check Payment</p>	<p>\$100,000.00</p>
<p>TO: A1680 540140 M7674 Contracted Services</p> <p>VID: 5683 "Southern Tier Network, Inc."</p> <p>ARPA Category: 5.17 Broadband: Other Projects</p> <p>Broadband Upgrade for the Town of Nichols</p> <p>Budget Amendment</p>	<p>\$300,000.00</p>
<p>TO: H1680 520620 M7674 Software</p> <p>VID: 7043 "Lynx Technologies, Inc."</p> <p>ARPA Category: 6.10 Provision of Governmental Services</p> <p>IT – Data at Rest (DAR) Encryption Upgrade</p> <p>Budget Amendment</p>	<p>\$60,000.00</p>
<p>FROM: H1620 520911 M7674 Renovations</p> <p>TO: H1621 520255 M7674 Security Equipment</p> <p>VID: 7102 "Smiths Detection"</p> <p>ARPA Category: 6.10 Provision of Governmental Services</p> <p>Replace Malfunctioning X-Ray system at HHS Security Station</p> <p>Budget Transfer</p>	<p>\$28,111.00</p>
<p>FROM: H1620 520911 M7674 Renovations</p> <p>TO: H1621 520255 M7674 Security Equipment</p> <p>VID: 7101 "CEIA USA"</p> <p>ARPA Category: 6.10 Provision of Governmental Services</p> <p>Replace Malfunctioning Walk thru metal detector at HHS Security Station</p> <p>Budget Transfer</p>	<p>\$3,455.60</p>
<p>ROLL CALL VOTE</p> <p>Yes – Legislators Brown, Ciotoli, Hollenbeck, Monell, Mullen, Roberts, Standinger, and Weston.</p>	

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 63-22 *APPROPRIATION OF FUNDS
2021 HOMELAND SECURITY GRANT
MODIFY 2021 BUDGET
OFFICE OF EMERGENCY MANAGEMENT
SHERIFF'S OFFICE*

WHEREAS: The New York State Office of Homeland Security Program (SHSP) has been awarded a grant of \$59,750 (contract #C192610) to the Tioga County Office of Emergency Management; and

WHEREAS: 75% (\$44,812) of said grant will be appropriated to Emergency Management and 25% (\$14,938) will be appropriated to the Sheriff's Office; and

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

RESOLVED: That the 2021 NYS Homeland Security Grant (contract # C192610) be appropriated as follows:

FROM:

A3360.433567 SHS21 Homeland Security 2021 Revenue \$44,812

TO:

A3360.540140 SHS21 Homeland Security Grant –Contracted Services \$13,988
A3360.520130 SHS21 Homeland Security Grant – Equipment(not car) \$30,824

FROM:

A3361.433567 SHS21 Homeland Security 2021 Revenue \$14,938

TO:

A3361.520130 SHS21 Homeland Security Grant – Equipment(not car)\$14,938

and be it further

RESOLVED: That the remaining balance at year end be carried forward into the next budget year.

ROLL CALL VOTE

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

No – None.

Absent – Legislator/Chair Sauerbrey.

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. 64-22 *APPROPRIATION OF FUNDS AND
BUDGET MODIFICATION
MENTAL HYGIENE*

WHEREAS: Tioga County Mental Hygiene (TCMH) has been allocated additional pass through federal aid funding as a grant through the Office of Mental Health (OMH) for the purpose of Workforce Enhancement and Development; and

WHEREAS: Eligible expenses to spend these funds include but are not limited to: Recruitment and Retention Incentives, Educational Expenses, Career Development and Training Expenses; and

WHEREAS: Tioga County Mental Hygiene has identified the best use of these funds as retention incentive for the department psychiatrist and training for select staff; and

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

WHEREAS: Appropriation of funds and Budget modifications require Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A4310-444310-WEG1 FA-COVID R	\$38,000.00
To: A4310-510050-WEG1 Salary Oth	\$10,000.00
To: A4310-583088-WEG1 Social Sec	\$ 765.00
To: A4310-540733-WEG1 Training Oth	\$27,235.00

ROLL CALL VOTE

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

No – None.

Absent – Legislator/Chair Sauerbrey.

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. 65-22 APPROPRIATION OF FUNDS AND
AMEND 2022 BUDGET
SOCIAL SERVICES

WHEREAS: A Supplemental Appropriations for Disaster Relief Act of 2019 allocation of \$11,458 has been awarded to Tioga County because a qualifying disaster took place in our service area in October 2019; and

WHEREAS: Family Enrichment Network proposes to contract with Tioga County DSS to conduct an Emergency Preparedness Program which would fall under Quality Improvement Activities for the child care programs in Tioga County; and

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

RESOLVED: That funding be appropriated as follows:

From: A6010.446100 Federal Aid: Admin \$ 11,458

To: A6010.540140 Contractual \$ 11,458

ROLL CALL VOTE

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

No – None.

Absent – Legislator/Chair Sauerbrey.

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. 66-22 *APPROPRIATION OF FUNDS AND
AMEND 2022 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 \$ 44,217

To: A6010.540487 Program Expense \$ 44,217

ROLL CALL VOTE

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

No – None.

Absent – Legislator/Chair Sauerbrey.

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. 67-22 AMEND BUDGET & APPROPRIATE FUNDS
PUBLIC HEALTH

WHEREAS: Tioga County Public Health has been awarded funding from New York State; and

WHEREAS: The award is designated for Community Cancer Prevention in Action, which is a partnership between Broome and Tioga Counties; and

WHEREAS: Cancer Prevention is an area of focus for Public Health; and

WHEREAS: The funding will pass through Broome County to Tioga County Public Health; and

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

RESOLVED: That funding be appropriated as follows:

From: A4053 422800 Public Health: Local Grants \$ 10,000

To: A4053 540640 Public Health: Supplies \$ 10,000

ROLL CALL VOTE

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

No – None.

Absent – Legislator/Chair Sauerbrey.

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. 68-22 AMEND BUDGET & APPROPRIATE FUNDS
PUBLIC HEALTH

WHEREAS: Tioga County Public Health has been awarded additional funding from New York State Department of Health; and

WHEREAS: The funding is designated for the Healthy Neighborhoods Program; and

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

RESOLVED: That funding be appropriated as follows:

From: A4090 434640 Environmental Health: State Aid \$ 23,420

To: A4090 540595 Environmental Health: Services \$ 23,420

ROLL CALL VOTE

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

No – None.

Absent – Legislator/Chair Sauerbrey.

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. 69-22 TRANSFER OF FUNDS
2021 BUDGET MODIFICATION
MENTAL HYGIENE

WHEREAS: Tioga County is required to pay the full costs for Criminal Court Ordered Psychiatric Care for persons assigned Criminal Psychiatric services by Tioga County Courts; and

WHEREAS: Tioga County Mental Hygiene (TCMH) has received notice by New York State Office of Mental Health that a person was assigned these services, along with the required documentation and payment amount; and

WHEREAS: TCMH has determined the amount of additional funding needed for these already incurred mandated expenses within its own budget, yet this will require a budget modification and transfer of funds; and

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

RESOLVED: That the Mental Hygiene 2021 budget be modified and funds be transferred as follows:

From: A4210 586088	Health Ins	\$ 29,688.50
A4309 586088	Health Ins	\$ 10,000.00
A4310 581088	St Ret	\$ 10,000.00
A4310 586088	Health Ins	\$ 10,000.00
To: A4390 540590	Criminal Psychiatric: Services Rendered	\$ 59,688.50

ROLL CALL VOTE

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

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 70-22 AMEND EMPLOYEE HANDBOOK:
SECTION I: RULES OF THE LEGISLATURE;
SUBSECTION 2- COMMITTEES (11) AND
SUBSECTION 4 - APPOINTMENTS

WHEREAS: During the 2022 budget process, the Sustainability Manager's position was transferred from the Department of Public Works to the Department of Economic Development & Planning effective January 1, 2022; and

WHEREAS: This Departmental transfer warrants changes to the Rules of the Legislature Policy, SECTION 2 – COMMITTEES (11) in regards to the Economic Development/Planning/Tourism/Agriculture (AKA Economic Development) and Public Works & Capital Projects Legislative Standing Committees; and

WHEREAS: The following statement needs to be deleted from the Public Works & Capital Projects Legislative Standing Committee:

(4) All matters pertaining to curbside recycling issues.

and

WHEREAS: The following statement needs to be added to the Economic Development/Planning/Tourism/Agriculture (AKA Economic Development) Legislative Standing Committee:

(5) All matters pertaining to recycling, household hazardous waste, and renewable energy.

and

WHEREAS: SECTION 4 – APPOINTMENTS references committees and boards that were previously abolished but never removed from the policy listing; therefore be it

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

(11) There shall be the following standing committees and their duties shall be as required by law, as directed by the Chair of the Legislature, or as so, designated herein.

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

- (1) All matters pertaining to the operation of the Economic Development Office. This specifically includes the interfaces to the Tioga County Industrial Development Agency, the Tioga County Local Development Corporation, the Tioga County Property Development Corporation (Land Bank) and any subsequent entities created by the Legislature in support of economic development within Tioga County.
- (2) All matters pertaining to County Planning.

- (3) All matters pertaining to the operation of the Tourism Office.
- (4) Agriculture - All matters pertaining to societies and/or organizations for the prevention of cruelty to animals, County extension service associations, Soil & Water Conservation District, Agricultural Districts, District Forest Practice Board, Environmental Management Council (EMC), and all matters of reforestation including management of County forests and parks.
- (5) All matters pertaining to recycling, household hazardous waste, and renewable energy.

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

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

And be it further

RESOLVED: That SECTION 4 – APPOINTMENTS be amended with the removal of the following committees and boards:

- Committee on Preschool Education
- Medical Advisory Board
- Professional Advisory/Utilization Review Certified Home Health Agency
- Professional Advisory/Utilization Review Long Term Home Health Care Program
- Rabies Donation Clinic
- Transit Advisory Board

And be it further

RESOLVED: That the remainder of the Rules of the Legislature Policy is unchanged.

ROLL CALL VOTE

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

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: INFORMATION TECHNOLOGY COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 71-22 AMEND EMPLOYEE HANDBOOK;
SECTION IV: PERSONNEL RULES;
SUBSECTION P – SOCIAL MEDIA USE

WHEREAS: The Social Media Use Policy needs to be amended in whole due to numerous updates and changes; and

WHEREAS: The Chief Information Officer and Information Security Officer have reviewed the County's Social Media Use Policy and made recommendations that the policy should be amended in its entirety and replaced; therefore be it

RESOLVED: That the Social Media Use Policy be amended in its entirety and replaced as follows:

Social Media Use

Sections:

- I. Purpose
- II. Definitions
- III. Regulations on Employees' Personal Use
- IV. Regulations on Use for County Business
- V. Policy Violations

I: PURPOSE

Tioga County recognizes that traditional communication methods are now supplemented or replaced by use of various Social Media technologies. Using Social Media technologies to share news about municipal events, disseminate

emergency information, and promote work being done by staff and community groups is an effective, low-cost way to inform and interact with our community. Tioga County has developed this policy to provide direction to officers, employees and volunteers when engaged in using social media as a method of communication.

Please read this policy carefully and in its entirety before making use of social media. If you are not sure how this policy may apply to you, or whether it applies to new types of technology, please contact your Department Head before you engage in social media.

Please be cognizant that participation in anonymous internet communications regarding County business may undermine the principle that all County employees and officials should conduct the official business of Tioga County in an open and accessible manner. Information posted, blogged, or tweeted by County employees and officials reflects on the entire community and can adversely impact Tioga County's mission, goals and reputation. Remember: What you post is, in effect, instantaneous and permanent, and can be viewed and reposted by people not in your intended audience. Given the nature of social media, something you intend to be private may not remain private. Employees should not assume any electronic communication using County equipment is private. (This Policy is to be read in conjunction with the Comprehensive Information Security Policy.)

II: DEFINITIONS

- A. *Social Media technologies* means the various forms of discussion and information sharing that use technology to create web content that produces communication and conversations. Forms may include but are not limited to: social networking, blogs, video sharing, podcasts, wikis, message boards, online forums, RSS and other syndicated web feeds. Technologies include but are not limited to: picture-sharing, wall postings, e-mail, and instant messaging. Examples of social media applications include, but are not limited to, Google and Yahoo Groups (reference, social networking), Wikipedia (reference), Facebook (Social networking), YouTube (social networking and video sharing), Twitter (social networking and microblogging), LinkedIn (business networking) and news media comment sharing/blogging.
- B. *Devices* include, but are not limited to: computers, PCs, laptops, tablets, smart phones, and networks.
- C. *Employee* means any agent or officer employed by Tioga County.
- D. *Volunteer* means an unpaid agent of Tioga County.

III: REGULATIONS ON **PERSONAL** USE

1. If an employee chooses to use a social media site, it is imperative that s/he:
 - Only post information or check personal networking sites on non-work time and on non-county owned device(s), in accordance with the Comprehensive Information Security Policy; and
 - Make it clear that the views they express are personal and do not represent the views of Tioga County and are not related to their employment in any way; and
 - Never use or reference one's formal position with Tioga County when writing/posting in a non-official capacity.
 - Views that they express regarding county business, affairs or operations are personal and do not represent the county and do not relate to their employment with the county in any way.
2. All devices provided by Tioga County are the County's property and shall only be utilized in compliance with the Acceptable Use provisions defined in the Comprehensive Information Security Policy.
 - By using County property, the employee consents to the monitoring of communication and access to stored information. Tioga County may review employee use of County-owned devices at any time and without notice. Employees have no reasonable expectation of privacy when using County-owned devices or using personal devices on County-owned systems or networks.
3. Confidential information, business-related information, or County logos shall not be disclosed or otherwise released.
4. Access to social media from County-owned devices is limited to individuals performing official County business on social media.
5. Posting of disparaging, vulgar, obscene, intimidating, harassing, or threatening comments, critical discussion and/or statements about co-workers, customers, clients, patients and/or vendors may not be protected free speech. If an employee has a concern with information posted on social media, they should address it with their supervisor, Department Head, Personnel, or union representative. (This Policy should be read in conjunction with the Work Place Violence Prevention Policy and Discriminatory Harassment Policy.
6. Posting of statements or pictures that breach security, embarrass or harm Tioga County's reputation or business are prohibited.
7. Posting images of County employees in County uniforms, County equipment, vehicles, offices, or real estate is prohibited unless authorized by the Department Head.
8. Employees assume any and all risk associated with personal use of social media.
- 9.

IV: REGULATIONS ON USE FOR COUNTY BUSINESS

1. County policies, rules, regulations and standards of conduct apply to County employees and contracted service providers that engage in social media activities while conducting County business or on behalf of County departments.
2. A Department Head's decision to use social media must be reviewed by the Information Technology and Communication Services department, approved by the department's Legislative committee and supported by underlying justification pertaining to the department's goals and mission, audience, legal risks, technical capabilities and potential benefits. Any official County social media sites which exist at the time of the enactment of this policy must immediately submit this information to their Legislative committee in order to determine whether approval for the ongoing use of the site will be granted.
3. Department Heads who choose to use social media must have a strong understanding of the risks associated with use. Department Heads shall engage the Information Technology and Communications Services Department for guidance in assessing the risks associated with a specific social media site in comparison with the business opportunities expected. The County Attorney's office may also be consulted regarding anything related to social media use.
4. Department Heads are responsible for designating which employees will be the "site administrator" in their department and therefore authorized to use social media on behalf of the department, and for designating appropriate levels of access, including what sites, or types of sites, the employee is approved to use, as well as defining capability: publish, edit, or view only.
5. County social media network accounts must be requested by the Department Head to the Information Technology and Communications Services Department and must be created by the Information Technology and Communications Services Department using an official County email address.
6. Social Media sites must contain visible elements that identify them as official Tioga County sites, such as: the County seal, department logos, contact information, and a link to the main Tioga County website.
7. If the Department Head is unsure about the appropriateness of posting information, the Department Head shall ensure that any questions about the appropriateness of releasing information on social media shall be reviewed by the Chair of the Legislature prior to being posted to a department's profile or page.
8. Account password information shall only be shared with authorized employees who have been designated by the Department Head to fulfill the role of site administrator. Passwords utilized must meet minimum requirements defined in the Comprehensive Information Security Policy.

Passwords to social media sites should be changed every 90 days or when a person responsible for maintaining a site leaves employment with the County. In the event of a compromise, or suspected compromise, passwords should be changed immediately.

9. Each departmental site administrator is responsible for monitoring the postings of their department.
10. Public comment must be disabled on all official County social media sites. The site administrator must ensure that each official County social media site is set up so that public comments are not permitted.
11. Records management – Department use of social media shall be documented and maintained by the site administrator in an easily accessible format that tracks account information and preserves items that may be considered public record subject to disclosure under the New York State Freedom of Information Law (NYSFOIL).
12. Departmental use of social media must comply with the Comprehensive Information Security Policy as well as all applicable Federal, State, and County laws and procedures including, but not limited to copyright, records retention, public records laws, e-discovery, privacy protection laws, fair use and financial disclosure laws, HIPAA and any other applicable laws. Questions are to be referred to the County Attorney.
13. Departments shall not disclose confidential or proprietary information on social media sites.
14. Citing or posting images of vendors, clients, citizens, or employees is prohibited without their approval and approval of the Department Head or delegated site administrator.

V: POLICY VIOLATIONS

Violations of this policy may result in disciplinary action, up to and including termination of employment, and/or civil or criminal action, if appropriate.

ROLL CALL VOTE

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

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 72-22 AUTHORIZATION TO RECLASSIFY
ACCOUNT CLERK-TYPIST TO OFFICE SPECIALIST III
EMERGENCY SERVICES

WHEREAS: Legislative approval is required for any position reclassification; and

WHEREAS: In late November 2021, a desk audit was requested and conducted by the Personnel Department on a part-time Account Clerk-Typist position held by Debra Stubecki; and

WHEREAS: Upon analysis of the work performed by Ms. Stubecki, the Personnel Officer has recommended reclassification of said position to the title of Office Specialist III; therefore be it

RESOLVED: That the part-time Account Clerk-Typist position (\$13.79/hour) filled by Ms. Stubecki shall be reclassified as a part-time Office Specialist III effective retroactive to November 22, 2021, at the 2021 hourly rate of 17.04 and increase to the 2022 hourly rate of \$17.81 effective January 1, 2022.

ROLL CALL VOTE

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

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: ITCS COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 73-22 *AUTHORIZE APPOINTMENT OF
SYSTEMS ADMINISTRATOR
INFORMATION TECHNOLOGY &
COMMUNICATION SERVICES*

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

WHEREAS: Resolution 312-21 created the position of Systems Administrator (\$54,937 - \$64,937 M/C) and following active recruitment, the Chief Information Officer has identified a qualified candidate to fill said position; therefore be it

RESOLVED: That the Chief Information Officer is authorized to provisionally appoint Charles Root as Systems Administrator at an annual salary of \$54,937 effective March 1, 2022, pending successful completion of civil service examination requirements.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Hollenbeck, Monell, Mullen, Roberts, Standing, and Weston.

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 74-22 *DONATION OF TIME
SHERIFF'S OFFICE*

WHEREAS: The Sheriff's Office has an employee who has been out on medical leave since September 17, 2021 and will exhaust all of their benefit time as of February 16, 2022; and

WHEREAS: Members of the Tioga County Sheriff's Office are interested in donating vacation and/or comp time to said employee; and

WHEREAS: Legislative approval is required for all requests for donation of time; therefore be it

RESOLVED: That the members of the Tioga County Sheriff's Office be authorized to donate vacation and/or comp time to William White, effective February 17, 2022, and said donated days will be permitted up to and including February 28, 2022.

ROLL CALL VOTE

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

No – None.

Absent – Legislator/Chair Sauerbrey.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:17 P.M.