

**LATE-FILE**

REFERRED TO: FINANCE, LEGAL AND SAFETY COMMITTEE  
RESOLUTION NO. -25 CONVERT FULL-TIME ASSISTANT PUBLIC DEFENDER  
POSITION TO TWO PART-TIME POSITIONS  
PUBLIC DEFENDER'S OFFICE

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

WHEREAS: The Public Defender has had a vacant full-time position without applicants since July 2025; and

WHEREAS: The appointment of Michael L. Arcesi to the position of Public Defender as of January 2026 has created an opening for a second full-time Assistant Public Defender position; and

WHEREAS: No applicants have been identified for either full-time Assistant Public Defender position; and

WHEREAS: The Public Defender has received inquiries regarding the possibility of part-time Assistant Public Defender employment; and

WHEREAS: The Public Defender has determined that the office cannot meet its present requirements without at least one additional Assistant Public Defender; and

WHEREAS: The full-time position that has remained open since July 2025 is grant-funded to the extent of \$85,000 and the Public Defender has determined that no impediment exists to the use of those funds for part-time employment; therefore be it

RESOLVED: That Personnel Department is hereby authorized to split a full-time Assistant Public Defender position into two part-time Assistant Public Defender positions with a salary range of \$41,775 to \$42, 819; and be it further

RESOLVED: That additional legislative approval will be required for the Public Defender to fill these part-time positions.

REFERRED TO:

LEGISLATIVE WORKSESSION

RESOLUTION NO. -25

AUTHORIZE EXECUTION OF  
REAL PROPERTY PURCHASE CONTRACT  
AND RELATED ACTIONS

WHEREAS: Pursuant to County Law §215(1), a county may acquire real property only upon direction of the County Legislature, and no officer or agent of the County may bind the County to such acquisition without prior legislative authorization; and

WHEREAS: The Legislature of the County of Tioga has determined that the acquisition of certain commercial property, located at:

- Tax Map No. 128.08-7-56, located at 67 Central Ave, Owego, NY 13827
- Tax Map No. 128.08-7-57, located at 55-65 Central Ave, Owego, NY 13827
- Tax Map No. 128.08-7-59, located at 153 Main St, Owego, NY 13827
- Tax Map No. 128.08-7-60, located at 135-147 Main St, Owego, NY 13827

hereby known as the "Property", is in the public interest and necessary to support County operations including the construction of a new Consolidated County Office Building; and

WHEREAS: In accordance with General Municipal Law (GML) §103 and §104-b, although real property purchases are exempt from competitive bidding, counties remain obligated to ensure that the acquisition is conducted in a manner that protects taxpayer value, including obtaining appropriate appraisals, evaluating market conditions, and documenting negotiations consistent with best procurement practices and OSC guidance; and

WHEREAS: The County has obtained a professional appraisal of the Property dated August 14, 2025, confirming that the negotiated purchase price of \$1,875,000.00 is reasonable and consistent with fair market value, as recommended in multiple New York State Office of the State Comptroller (OSC) audit reports addressing municipal property acquisitions; and

WHEREAS: The draft Purchase and Sale Agreement has been reviewed by the County Attorney, who has recommended that the County Legislature formally authorize execution of the contract, subject to completion of due diligence; and

RESOLVED: That the Tioga County Legislature hereby authorizes the Chair of the Legislature and/or the County Administrator to execute a Purchase and Sale Agreement for the commercial property located at:

- Tax Map No. 128.08-7-56, located at 67 Central Ave, Owego, NY 13827
- Tax Map No. 128.08-7-57, located at 55-65 Central Ave, Owego, NY 13827
- Tax Map No. 128.08-7-59, located at 153 Main St, Owego, NY 13827
- Tax Map No. 128.08-7-60, located at 135-147 Main St, Owego, NY 13827

for a purchase price not to exceed One Million Eight Hundred Seventy-Five Thousand (\$1,875,000.00) dollars, subject to approval as to form by the County Attorney; and be it further

RESOLVED: That this authorization includes execution of all related closing documents, including but not limited to title documents, affidavits, transfer forms, escrow instructions, environmental disclosures, and any ancillary instruments necessary to complete the transaction, consistent with County Law §215; and be it further

RESOLVED: That the County Legislature finds that the acquisition is exempt from competitive bidding pursuant to GML §103, but must comply with the County's internal Procurement Policy adopted under GML §104-b, including documentation of negotiations and fair market value in accordance with OSC's Local Government Management Guide on Capital Assets and relevant OSC audit findings; and be it further

RESOLVED: That upon execution of the contract, the Legislature hereby authorizes the County Treasurer to allocate or encumber funds necessary to complete the closing, including any required earnest money deposit, consistent with County Law §363 and applicable budgetary procedures to be paid out of H1620 520994 BG005; and be it further

RESOLVED: That the Capital Budget be amended and funds be appropriated from the established Capital Reserve as needed, as such:

FROM:	H 387810 Building Reserve – SAC	\$1,875,000.00
TO:	H1620 520994 BG005 Building Construction	\$1,875,000.00

And be it further

RESOLVED: That the remaining balance in the H1620 520994 BG005 be carried forward into the next budget year until the end of the project; and be it further

RESOLVED: That a certified copy of this Resolution be filed with the County Attorney, County Administrator, and County Treasurer to ensure compliance with statutory and procurement requirements.