

*Eighth Regular Meeting*  
August 13, 2024

The Eighth Regular Meeting of 2024 was held on August 13, 2024 and was called to order by the Chair at 12:00 P.M. Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, and Standingger were present.

Chair Sauerbrey asked Legislator Roberts to have a moment of prayer. "Our Heavenly Father, we ask that you bestow us with your blessings today. We pray for our nation and ask that you guide us in our decision-making."

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

There were 6 people in attendance.

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

The following recognition resolution for Katherine E. Garrison, Department of Social Services was noted. Ms. Garrison was not in attendance.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 260-24      *RECOGNIZE KATHERINE E. GARRISON  
32 YEARS OF DEDICATED SERVICE  
DEPARTMENT OF SOCIAL SERVICES*

WHEREAS: Katherine began her career with the Tioga County Department of Social Services on October 5, 1992, as a Temporary HEAP Typist. In February 1993, Katherine was hired full-time as a Typist in the Income Maintenance Unit. In October 1995, Katherine was promoted to Social Welfare Examiner, and to Social Services Investigator in February 2002. Katherine was promoted to her current position as Principal Social Welfare Examiner in August 2004; and

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

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

WHEREAS: Katherine Garrison will retire on August 12, 2024; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Katherine Garrison for her thirty-two years of dedicated and loyal service to the Tioga County Department of Social Services and its most vulnerable citizens; and be it further

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

ROLL CALL VOTE

Unanimously Yes – Legislators Roberts, Standinger, Brown, Ciotoli, Flesher, Monell, Sauerbrey, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

The following recognition resolution for Karen L. Northup, Department of Social Services was noted. Ms. Northup was not in attendance.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 261-24      *RECOGNIZE KAREN L. NORTHUP  
11 YEARS OF DEDICATED SERVICE  
DEPARTMENT OF SOCIAL SERVICES*

WHEREAS: Karen began her career with the Tioga County Department of Social Services on May 13, 2013 as a Social Welfare Examiner; and

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

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

WHEREAS: Karen Northup will retire on August 24, 2024; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Karen Northup for her eleven years of dedicated and loyal service to the Tioga County Department of Social Services and its most vulnerable citizens; and be it further

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

ROLL CALL VOTE

Unanimously Yes – Legislators Roberts, Standinger, Brown, Ciotoli, Flesher, Monell, Sauerbrey, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Chair Sauerbrey reported we have two Proclamations; **National Recovery Month in Tioga County** and **National Suicide Prevention Awareness Month in Tioga County** that will be noted in the minutes.

**COUNTY OF TIOGA  
EXECUTIVE PROCLAMATION**

WHEREAS: Prevention, treatment and recovery efforts improve the community's welfare and provide renewed outlook on life for those who, along with their family and friends, struggle with substance use disorders; and

WHEREAS: 21.5 million adults have a co-occurring mental health and substance use disorder; and

WHEREAS: 48.7 million people aged 12 and older, or 17.3% of the population in the United States, have a substance use disorder; and

WHEREAS: 13.5% of young adults aged 18-25 had both substance use and mental health disorder in the past year; and

WHEREAS: Nearly 1 in 3 adults had either a substance use disorder or mental illness in the past year and 48.8% of young adults 18-25 had either a substance use disorder or mental illness.

WHEREAS: Substance use negatively affects children, families and loved ones and takes a great toll on our society economically and in terms of safety; and

WHEREAS: Studies have indicated that people who made an effort to get treatment, but did not receive it, were concerned that receiving treatment might cause neighbors and community members to have negative opinions of them; and

WHEREAS: Fear and stigma continue to be barriers to seeking help for an addiction; and

WHEREAS: CASA - Trinity provides prevention, education, advocacy, early intervention and referral services for individuals, friends or family members who are living with an addiction; and

WHEREAS: Tioga County Department of Mental Hygiene remains eager and prepared to provide treatment for Tioga County Citizens who choose to work toward recovery for a substance use disorder; and

WHEREAS: Such education and raising awareness is essential in overcoming misconceptions and achieving long-term recovery; and

WHEREAS: To help achieve this goal, the US Department of Health and Human Services, the Substance Use and Mental Health Services Administration, the White House Office of National Drug Control Policy, the New York State Office of Alcoholism and Substance Abuse Services, and the Tioga County Department of Mental Hygiene invite all Tioga County residents to participate in the 35<sup>th</sup> anniversary of National Alcohol and Drug Addiction Recovery Month now known as National Recovery Month; therefore

The TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the month of September 2024 as:

**NATIONAL RECOVERY MONTH IN TIOGA COUNTY**

**COUNTY OF TIOGA  
EXECUTIVE PROCLAMATION**

WHEREAS: The citizens of Tioga County value the overall health and well-being of all the residents of Tioga County and are proud to support the observance of National Suicide Prevention Awareness Month; and

WHEREAS: Suicide is the second leading cause of death in New York State; and

WHEREAS: Suicide is the second leading cause of death for ages 10-14, third leading cause of death for ages 15-24, second leading cause of death for ages 25-34, fifth leading cause of death for ages 35-44, seventh leading cause of death for ages 44-54, ninth leading cause of death for ages 55-64, and eleventh leading cause of death for ages 65+; and

WHEREAS: Suicide claimed the lives of over 1,765 New Yorkers in 2023; and

WHEREAS: More than four times as many people died by suicide in 2021 than in alcohol related motor vehicle accidents; and

WHEREAS: Stigma works against Suicide Prevention by discouraging persons at risk from seeking lifesaving help; and

WHEREAS: Most suicides are preventable; and

WHEREAS: Tioga County Suicide Prevention Coalition's mission is to increase awareness, provide education, training, resources and coordinate community services to the public; and

WHEREAS: Tioga County is no different than any other community in the country, but chooses to publicly state and place our full support behind local educators, mental health professionals, and parents, as partners in supporting our community in simply being available to one another; therefore

The TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the month of September 2024 as:

**NATIONAL SUICIDE PREVENTION AWARENESS MONTH IN TIOGA COUNTY**

There was no privilege of the floor.

Legislator Mullen made a motion to approve the minutes of July 9, 2024, 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 Monell made a motion to have the resolution withdrawn, seconded by Legislator Mullen and carried.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. -24                      *RECOGNIZE TIOGA COUNTY CHAMBER OF  
COMMERCE AS THE COUNTY'S OFFICIAL  
CHAMBER OF COMMERCE*

WHEREAS: The Tioga County Chamber of Commerce, originally incorporated as the Owego Chamber of Commerce on June 4, 1919 has continuously strived to promote a healthy and robust business environment and advocate for its member businesses throughout the community; and

WHEREAS: The Tioga County Chamber of Commerce is the largest and oldest Chamber in the county, serving all sections of Tioga County as well as parts of Broome, Tompkins, and Bradford Counties; and

WHEREAS: The Chamber plays a vital role in promoting business and community involvement, fostering the growth of local businesses, and enhancing the quality of life for every business and individual in the region; and

WHEREAS: The Tioga County Chamber offers valuable services and new opportunities to its members, advancing the local community through outstanding promotion, support, and advocacy for economic development; and

WHEREAS: The Chamber's Junior Chamber program enriches the lives of high school students attending the Owego-Apalachin School District, and its administration of Leadership Tioga supports businesses and nonprofits throughout the Southern Tier; and

WHEREAS: The Tioga County Chamber of Commerce works closely with local and state agencies to provide essential information and support, creating a solid cornerstone for the community; and

WHEREAS: Over its distinguished 100-year history, the Tioga County Chamber of Commerce has demonstrated continuous service to the residents and communities it serves, encouraging and supporting new business opportunities, facilitating partnerships, and promoting the growth of existing businesses; and

WHEREAS: The success of the Tioga County Chamber of Commerce is directly correlated to the dedicated efforts of its Board of Directors, staff, and members, whose commitment, enthusiasm, and excellence have greatly benefited the organization and community it serves; and

WHEREAS: The Tioga County Chamber of Commerce will continue to be a leading resource for information about tourism, local events, and business education for many years to come; therefore be it

RESOLVED: That the Tioga County Legislature hereby recognizes the Tioga County Chamber of Commerce as the official Chamber of Tioga County, recognizing its invaluable contributions to the business community and its role in fostering economic growth and prosperity throughout the region.

Chair Sauerbrey spoke. "This resolution is being withdrawn, as the Board of Directors would like to approve on their level first and then this resolution will probably come back next month."

ROLL CALL VOTE TO WITHDRAW RESOLUTION

Yes – Legislators Roberts, Standinger, Brown, Ciotoli, Flesher, Monell, Sauerbrey, and Mullen.

No – None.

Absent – None.

RESOLUTION WITHDRAWN.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 262-24 AUTHORIZATION TO APPLY FOR GRANT  
PUBLIC HEALTH

WHEREAS: The Floyd Hooker Foundation is a local foundation offering grant funds for Tioga County projects which serve the children of the county; and

WHEREAS: The application period for the Floyd Hooker Foundation mini-grants will be opening September 1, 2024; and

WHEREAS: Tioga County Public Health ensures the safety of Tioga County children through the prevention and remediation of lead paint hazards; and

WHEREAS: Tioga County Public Health has identified barriers to lead paint remediation for families with children diagnosed with lead poisoning due to financial constraints; and

WHEREAS: Tioga County Public Health wishes to submit an application to the Floyd Hooker Foundation for a project that will assist families in addressing lead paint hazards in their homes through education and the supplies needed to safely and effectively address lead hazards; and

WHEREAS: Tioga County Public Health will determine the grant request upon completion of the final grant proposal not to exceed the grant parameters of \$25,000; and

WHEREAS: If awarded the grant, Tioga County Public Health will submit a resolution to appropriate the funds at that time; and

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

WHEREAS: The Tioga County Legislature supports Tioga County Public Health in pursuing funding to provide needed services to Tioga County residents; therefore be it

RESOLVED: That Tioga County Public Health is authorized to submit a grant application to the Floyd Hooker Foundation not to exceed the grant parameters of \$25,000.

ROLL CALL VOTE

Yes – Legislators Roberts, Standing, Brown, Ciotoli, Flesher, Monell, Sauerbrey, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.



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

REFERRED TO: FINANCE, LEGAL AND SAFETY COMMITTEE

RESOLUTION NO. 263-24      *AUTHORIZE THE SUBMISSION OF  
REQUEST FOR PROPOSALS (RFP)  
FOURTH FAMILY DEFENSE QUALITY IMPROVEMENT  
AND CASELOAD REDUCTION GRANT*

WHEREAS: Legislative approval is required for submission of any grant application; and

WHEREAS: The Office of Indigent Legal Services will be issuing Request for Proposals (RFP) for a Fourth Family Defense Quality Improvement and Caseload Reduction Grant (4<sup>th</sup> Family Defense Grant) with awards up to \$250,000 per year for each of three years to approximately nineteen counties; and

WHEREAS: Tioga County Indigent Legal Services (ILS) would like to apply for this grant; therefore be it

RESOLVED: That Tioga County ILS be authorized to submit the Request for Proposals (RFP) for a Fourth Family Defense Quality Improvement and Caseload Reduction Grant.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Brown, Ciotoli, Flesher, Monell, Sauerbrey, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. 264-24 AUTHORITY GRANT RENEWAL  
APPROPRIATION OF FUNDS AND  
AMEND 2024 BUDGET  
MENTAL HYGIENE

WHEREAS: The Office of National Drug Control Policy (ONDCP) and the Centers for Disease Control and Prevention (CDC) have partnered in an effort to reduce substance abuse among youth; and

WHEREAS: Tioga County Mental Hygiene needs authorization to receive Federal Funding for the Drug Free Communities (DFC) Grant in partnership with Tioga County Public Health, Tioga County Alcohol and Substance Abuse Prevention (TC ASAP) Community Coalition; and

WHEREAS: Tioga County Mental Hygiene was originally awarded said grant in 2018 and was awarded a five-year extension renewed annually from 09/30/2023 through 09/30/2028; and

WHEREAS: This grant year is 09/30/2024 through 09/29/2025 and the said funds need to be appropriated annually; and

WHEREAS: The Department deems it to be in the best interest of the community and youth of Tioga County to renew this grant funding; and

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

RESOLVED: That the grant funds be appropriated and the 2024 budget be amended as follows:

From: A4213.444863	Federal Aid DFC Grant	\$125,000
To: A4213.540590	Services Rendered DFC Grant	\$125,000

And be it further

RESOLVED: That available funds on 12/31/24 of the original \$125,000 will be carried forward into the New Year 2025.



RESOLVED: That the grant funds be appropriated and the 2024 budget be amended as follows:

From: A4213.444863 STOP	Federal Aid DFC Grant	\$ 60,000
To: A4213.540590 STOP	Services Rendered	\$ 60,000

And be it further

RESOLVED: That available funds on 12/31/24 of the original \$60,000 will be carried forward into the New Year 2025.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Brown, Ciotoli, Flesher, Monell, Sauerbrey, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. 266-24      *APPROPRIATION OF FUNDS*  
*BUDGET MODIFICATION 2024*  
*MENTAL HYGIENE*

WHEREAS: Tioga County Mental Hygiene has been allocated additional pass-through state aid funding for the purpose of Alcohol and Substance Abuse Prevention; and

WHEREAS: Tioga County Mental Hygiene has contracted with the Tompkins-Seneca-Tioga BOCES and Council on Alcohol and Substance Abuses of Livingston County, d.b.a. Trinity to provide these services to Tioga County residents and Tioga County Jail inmates; and

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

WHEREAS: The appropriation of funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated and 2024 budget modified as follows:

From: A4211.434861	State Aid Council on Alcoholism	\$ 8,766.00
To: A4211.540590	Services Rendered	\$ 2,954.00
To: A4211.540595	Services Rendered Other	\$ 5,812.00

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Brown, Ciotoli, Flesher, Monell, Sauerbrey, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. 267-24      *APPROPRIATION OF FUNDS  
BUDGET MODIFICATION 2024  
MENTAL HYGIENE*

WHEREAS: The Office of Addiction Services and Supports (OASAS) has awarded the Local Government Unit (LGU) for Tioga County with dollars for the LGU to procure at its discretion based on the allowable use of funds per Settlement and Statute, funding from the Opioid Settlement Fund; and

WHEREAS: The funding is specifically designated for the purpose of Opioid Abatement; and

WHEREAS: Tioga County LGU has identified appropriate use of funds, the furnishings, supplies and equipment of a licensed OASAS and OMH clinic in Waverly, NY; and

WHEREAS: A4210 416300 will be funded from deferred revenue A269100 DR104:  
and

WHEREAS: Appropriation of Funds and budget modifications require Legislative approval; therefore be it

RESOLVED: That budget be modified and funding be appropriated as follows:

From: A4210 416300 ABATE	Narcotic Program Charges	\$100,000
To: H4310 520090 ABATE	Computer	\$ 10,000
To: H4310 520070 ABATE	Chairs	\$ 20,000
To: H4310 520200 ABATE	Office Equipment	\$ 60,000
To: H4310 540420 ABATE	Office Supplies	\$ 5,000
To: H4310 540640 ABATE	Supplies (Not Office)	\$ 5,000

And be it further

RESOLVED: That the following interfund transfer be approved:

From: A9950 593715	Interfund Transfers	\$100,000
To: H1340 450310	Interfund Transfers	\$100,000

And be it further

RESOLVED: That in accordance with Opioid Settlement Funding Statute, any unused portion of this funding be returned to the LGU to be used for other approved Opioid Abatement deliverables within Tioga County.

Legislator Mullen spoke. "I just want to say this is the continuation of our build out in Waverly and as you can see, we are getting closer."

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Brown, Ciotoli, Flesher, Monell, Sauerbrey, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE  
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 268-24      *AMEND 2024 CAPITAL BUDGET AND  
TRANSFER FUNDS FOR DAY HOLLOW RD.,  
TAYLOR RD., AND BODLE HILL RD. PAVING REHAB  
PUBLIC WORKS*

WHEREAS: Tioga County is the recipient of funding through New York State Department of Transportation consisting of Federal and non-Federal funds for a project, Day Hollow Rd., Taylor Rd., and Bodle Hill Rd. Pavement Rehabilitation PIN 9755.30; and

WHEREAS: Construction has been approved by the New York State Department of Transportation for the amount of \$1,116,700.00, in which 80% of Federal Funds will be reimbursed to Tioga County; and

WHEREAS: The non-Federal portion of Marchiselli funding is not yet approved, and until the funding is finalized, the County understands it will be responsible for the unfunded \$223,340 remaining; and

WHEREAS: Budget Amendments require Legislative approval; therefore be it

RESOLVED: That expense and revenue accounts be established in the 2024 Capital Budget as follows:

H5110.540001.H2402	Day Hollow Taylor Bodle Paving	\$1,116,700.00
H5110.445021.H2402	Federal Revenue for PIN 9755.30	\$ 893,360.00
H 390900	Unrestricted Fund Balance	\$ 223,340.00

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Brown, Ciotoli, Flesher, Monell, Sauerbrey, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE  
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 269-24 AMEND 2024 CAPITAL BUDGET AND  
TRANSFER FUNDS FOR TANDEM TRUCKS  
PUBLIC WORKS

WHEREAS: The Commissioner of Public Works has budgeted for the purchase of 2 Tandem Axle Trucks within the 2024 Capital Budget; and

WHEREAS: On July 8, 2024 the Commissioner of Public Works received a sealed bid for the purchase of 2 Tandem Axle Trucks; and

WHEREAS: The quote came in higher than the budgeted amount; and

WHEREAS: Cost savings was achieved in another 2024 Capital Budget line and legislative approval is needed to authorize all Capital Expenses and Capital Budget Amendments and Transfers; therefore be it

RESOLVED: That the Tioga County Legislature authorize the following transfer of funds and amend the Capital Budget:

From: H5130.521906	One Ton Flatbed/Rollback Truck	\$20,000.00
To: H5130.521908	Tandem Axle Truck	\$20,000.00

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Brown, Ciotoli, Flesher, Monell, Sauerbrey, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.



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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 270-24 *PURCHASING QUOTE EXEMPTIONS FOR THE USE OF LOCAL TELEVISION ADVERTISING PUBLIC HEALTH*

WHEREAS: Tioga County Public Health desires to use local television advertisement in the promotion of their programs, including Immunization, Injury Prevention and the ASAP Coalition; and

WHEREAS: Tioga County Public Health assumed management of the ASAP Coalition and inherited the approved plans for use of television advertising; and

WHEREAS: The County Purchasing and Payment Policy requires a gathering of three quotes for any cumulative purchase from any one vendor exceeding \$3,000.00; and

WHEREAS: Tioga County Public Health desires to utilize all local television stations during the course of the year; often overlapping for widespread coverage. Having all options available will ease the purchasing process and timelines for placing advertisements; and

WHEREAS: Section XIII of the County Purchasing and Payment Policy states that an exemption may be granted under any of the following circumstances, one including to be determined as sufficient justification by the Legislature; therefore be it

RESOLVED: That Tioga County Public Health be allowed to advertise as needed with local television stations without acquiring three quotes. Television stations include WBNG, WICZ and WIVT.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Brown, Ciotoli, Flesher, Monell, Sauerbrey, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 271-24 *REQUESTING TIOGA COUNTY VETERANS' SERVICE AGENCY BE ALLOWED TO EXCEED FOOD & BEVERAGE PURCHASE GUIDELINES*

WHEREAS: The Tioga County Veterans' Service Agency (TCVSA) conducts multiple community outreach events monthly and at these events provides food, beverages, and supplies to those in attendance as well as information on resources, benefits, and services available to veterans, military, and their families; and

WHEREAS: County Policy – Section III; Subsection H. Purchase of Food, Beverages, and Supplies limit expenses to \$150 per event; and

WHEREAS: The TCVSA will be holding the following events in September, with grant funds being used, that will exceed the \$150.00 per event limit, and requests to exceed the event limit must be made by resolution and require the approval of the County Legislature:

September 3: Field of Forgotten Fallen - \$250.00 (MHO Funds)

September 11 & 12: Onward Ops Sponsor Events - \$1500.00 (ETSSP Grant)

September 28: 5<sup>th</sup> Annual Ruck March and BBQ - \$7,500(ARPA/MHO Funds)

Therefore be it

RESOLVED: That the Tioga County Legislature allow the Tioga County Veterans' Service Agency to exceed the per event limit using grant funding as identified, noting that TCVSA will not exceed the total amount mentioned for each event above.

ROLL CALL VOTE

Yes – Legislators Roberts, Standing, Brown, Ciotoli, Flesher, Monell, Sauerbrey, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 272-24 AWARD BID FOR TANDEM TRUCK  
PUBLIC WORKS

WHEREAS: The Commissioner of Public Works budgeted for 2 Tandem Trucks; and

WHEREAS: On July 8, 2024 the Department of Public Works received 1 sealed bid from the following vendor:

**Burr Truck & Trailer Sales, Inc., Vestal NY** **\$328,906.00**

Therefore be it

RESOLVED: That the Tioga County Legislature award the bid to Burr Truck & Trailer Sales, Inc., Vestal NY not to exceed \$328,906.00 per truck for a total of \$657,812.00 to be paid out of Account H5130.521908.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Brown, Ciotoli, Flesher, Monell, Sauerbrey, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 273-24 AWARD BID FOR  
HAMILTON VALLEY ROAD PAVEMENT OVERLAY  
PUBLIC WORKS

WHEREAS: The Commissioner of Public Works budgeted for this project; and

WHEREAS: On July 9, 2024 the Department of Public Works received sealed bids from the following contractors:

<b>Broome Bituminous Products, Vestal NY</b>	<b>\$372,912.80</b>
Dalrymple Gravel & Contracting, Pine City, NY	\$391,950.00
Bothar Construction, Binghamton, NY	\$431,875.60
Lancaster Development, Richmondville NY	\$459,265.44
Barrett Paving Materials, Liverpool, NY	\$522,165.00

Therefore be it

RESOLVED: That the Tioga County Legislature award the bid to the low bidder, Broome Bituminous Products, Vestal NY not to exceed \$372,912.80 to be paid out of the Paving Projects Account H5110.540001.H2301.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Brown, Ciotoli, Flesher, Monell, Sauerbrey, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:	PUBLIC WORKS COMMITTEE
RESOLUTION NO. 274-24	AWARD BID FOR CODDINGTON ROAD PAVEMENT OVERLAY PUBLIC WORKS

WHEREAS: The Commissioner of Public Works budgeted for this project; and

WHEREAS: On July 9, 2024 the Department of Public Works received sealed bids from the following contractors:

**Broome Bituminous Products, Vestal NY** **\$357,427.20**

Dalrymple Gravel &amp; Contracting, Pine City, NY \$391,825.00

Lancaster Development, Richmondville NY \$443,465.79

Barrett Paving Materials, Liverpool, NY \$498,265.00

Therefore be it

RESOLVED: That the Tioga County Legislature award the bid to the low bidder, Broome Bituminous Products, Vestal NY not to exceed \$357,427.20 to be paid out of the Paving Projects Account H5110.540001.H2301.

## ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Brown, Ciotoli, Flesher, Monell, Sauerbrey, and Mullen.

No – None.

Absent – None.

## RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 275-24 *AWARD BID FOR DAY HOLLOW RD., TAYLOR RD., AND BODLE HILL RD. PAVING REHABILITATION PUBLIC WORKS*

WHEREAS: Tioga County is the recipient of funding through New York State Department of Transportation consisting of Federal and Non-Federal funds for a project, Day Hollow Rd., Taylor Rd., and Bodle Hill Rd. Pavement Rehabilitation PIN 9755.30; and

WHEREAS: A budget has been established for this project; and

WHEREAS: On July 15, 2024 the Department of Public Works received sealed bids from the following contractors:

<b>Broome Bituminous Products, Vestal NY</b>	<b>\$ 891,630.00</b>
Dalrymple Gravel & Contracting, Pine City, NY	\$ 981,250.00
L & T Construction, Richmondville, NY	\$1,044,778.99

Therefore be it

RESOLVED: That the Tioga County Legislature award the bid to the low bidder, Broome Bituminous Products, Vestal NY not to exceed \$891,630.00 to be paid out of Day Hollow Taylor Bodle Paving Account H5110.540001.H2402.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Brown, Ciotoli, Flesher, Monell, Sauerbrey, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: PUBLIC SAFETY COMMITTEE  
FINANCE/LEGAL & SAFETY COMMITTEE

RESOLUTION NO. 276-24 *AUTHORIZE CONTRACT WITH SQUAD 9, LLC  
OFFICE OF EMERGENCY SERVICES*

WHEREAS: The Tioga County Office of Emergency Services has a need to enter into a contract with Squad 9, LLC to establish and manage a (TAC) Threat Assessment Committee in Tioga County to include training services and presentations; and

WHEREAS: The County Attorney has reviewed and approved this contract; and

WHEREAS: Legislative approval is needed to be in compliance with County purchasing policies; therefore be it

RESOLVED: That the Tioga County Legislature authorizes and directs the Legislative Chair or their designee to enter into agreement with Squad 9, LLC, as approved by the County Attorney.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Brown, Ciotoli, Flesher, Monell, Sauerbrey, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE, LEGAL AND SAFETY COMMITTEE  
LEGISLATIVE WORKSESSION

RESOLUTION NO. 277-24 *AUTHORIZING LEGISLATIVE CHAIR SIGNATURE ON  
BARTON SOLAR, LLC PAYMENT IN LIEU OF TAX  
(PILOT) AGREEMENT*

WHEREAS: Barton Solar, LLC has submitted a Notice of Intent to the Town of Owego that it plans to build and operate a “Solar Energy System” with an expected total capacity of approximately 4.5 Megawatts AC; and

WHEREAS: The project location is situated on a portion of the property located on Jacobs Road, Tax Map Number 142.17-1-2.1, Town of Owego, County of Tioga, State of New York; and

WHEREAS: The Taxing Jurisdiction is defined as the Town of Owego and the County of Tioga; and

WHEREAS: The Taxing Jurisdiction has not opted out of Real Property Tax Law (RPTL) Section 487; and

WHEREAS: The Taxing Jurisdiction has indicated its intent to require Payment in Lieu of Tax (PILOT) Agreements with Barton Solar, LLC; and

WHEREAS: Pursuant to RPTL 487, the Taxing Jurisdiction has agreed to place the project as exempt upon the assessment rolls of the Taxing Jurisdiction; and

WHEREAS: Barton Solar, LLC has agreed to make an annual lump sum payment to the Taxing Jurisdiction in lieu of real property taxes for a period of fifteen (15) consecutive fiscal tax years; and

WHEREAS: The annual payment shall be in the aggregate amount of \$7,000 per Megawatt of Capacity and thereafter annual payments shall escalate by two percent (2%) per year; and

WHEREAS: The annual payments for the Taxing Jurisdiction shall be made payable to the Town of Owego, mailed to the Town of Owego, and are due no later than January 31<sup>st</sup> of each year; and

WHEREAS: The Town of Owego shall be responsible for distributing the annual payments to the County of Tioga; and

WHEREAS: The Taxing Jurisdiction has agreed that the said payments shall be disbursed to the Town of Owego and County of Tioga in equal portions; therefore be it

RESOLVED: That the Tioga County Legislature agrees to authorize the Legislative Chair to sign the Payment in Lieu of Tax (PILOT) Agreement between Barton Solar, LLC, the Town of Owego, and County of Tioga.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Brown, Ciotoli, Flesher, Monell, Sauerbrey, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 278-24 CREATE AND FILL SEASONAL SOCIAL WELFARE  
EXAMINER POSITION AND SEASONAL OFFICE  
SPECIALIST I POSITIONS FOR THE HEAP PROGRAM  
DEPARTMENT OF SOCIAL SERVICES



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

WHEREAS: The Home Energy Assistance Program (HEAP) will tentatively begin outreach in mid-August and be in full season on November 1, 2024; and

WHEREAS: The Social Services budget allows for the hiring of the following staff for the HEAP Program:

Two, full-time, seasonal Social Welfare Examiners for a combined total of 202 seven-hour days, at the starting salary of \$17.15 per hour; and

Three, full-time seasonal Office Specialist I for a combined total of 274 seven-hour days, at the starting salary of \$15.00 per hour; and

WHEREAS: Seasonal HEAP staff will start working no sooner than September 23, 2024, and stop working no later than April 30, 2025; and

WHEREAS: No individual Seasonal staff member will work more than 129 seven-hour days; and

WHEREAS: The NYS Minimum Wage is scheduled to increase on December 31, 2024, to a rate to be published by the Commissioner of Labor on or before October 1, 2024, and Tioga County intends to pay at least minimum wage so the hourly rates for Office Specialist I positions will be adjusted accordingly as of December 31, 2024; therefore be it

RESOLVED: That the Department of Social Services be authorized to create and fill the seasonal HEAP positions listed above and where required, appoint from the appropriate eligible list.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Brown, Ciotoli, Flesher, Monell, Sauerbrey, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.



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

REFERRED TO: ITCS COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 280-24 *AUTHORIZATION FOR APPOINTMENT OF  
NETWORK ADMINISTRATOR FOR INFORMATION  
TECHNOLOGY & COMMUNICATION SERVICES*

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

WHEREAS: The Chief Information Officer and Deputy Director of ITCS have identified a qualified candidate to fill said position; and

WHEREAS: The salary range for said position has been identified as \$59,706 to \$69,706; and

WHEREAS: Legislative approval is required for any appointment with an initial salary beyond the initial salary range identified for that position; and

WHEREAS: The Chief Information Officer and Deputy Director of ITCS have determined that the qualified candidate possesses 10+ years' experience, which is sufficient experience and skills to justify an entry salary at the top of the salary range; therefore be it

RESOLVED: That the Chief Information Officer is authorized to provisionally appoint Ray Culliton as Network Administrator at an annual salary of \$69,706 effective August 26, 2024, pending successful completion of civil service examination requirements; and be it further

RESOLVED: That this resolution will be null and void if Mr. Culliton fails to pass the County mandated criminal background check.

Legislator Monell made a motion to amend the above resolution, seconded by Legislator Mullen to include the following additional RESOLVED statement:

“RESOLVED: That in accordance with Tioga County Employee Handbook Management/Confidential Benefits policy, Mr. Culliton shall be eligible for any authorized 2025 Management/Confidential salary increase effective February 26, 2025, following a successful six-month evaluation.”







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

REFERRED TO: FINANCE, LEGAL AND SAFETY COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 284-24 *AMEND EMPLOYEE HANDBOOK: SECTION IV.  
PERSONNEL RULES, SUBSECTION T. ENTITLED RIGHTS  
OF NURSING EMPLOYEES TO EXPRESS BREAST MILK*

WHEREAS: The Tioga County Rights of Nursing Employees to Express Breast Milk policy was adopted by Resolution No. 419-22; and

WHEREAS: Section 206-c of the New York State Labor Law now requires employers to provide reasonable paid break time to express breast milk; and

WHEREAS: The County Attorney has reviewed this policy for compliance with State and Federal Law and has identified the need to amend language in Tioga County Rights of Nursing Employees to Express Breast Milk policy in regard to unpaid time to express breast milk; and

WHEREAS: The County Attorney has revised the Rights of Nursing Employees to Express Breast Milk to reflect these changes; therefore be it

RESOLVED: That the Employee Handbook is hereby amended to add the revised policy to Section IV. Personnel Rules, Subsection t., entitled Rights of Nursing Employees to Express Breast Milk.

### **t. Rights of Nursing Employees to Express Breast Milk**

#### **Tioga County Right of Nursing Employees to Express Breast Milk**

- I. Policy
- II. Paid Break Time
- III. Reasonable Effort and Privacy
- IV. Close Proximity
- V. Non-Discrimination

#### **I. Policy**

Tioga County shall provide written notification of the provisions of Labor Law §206-c to all employees hired and again every year after, as well as those returning to work following the birth of a child of their right to take paid leave for the purpose of expressing breastmilk. This notice will be provided to employees generally through the Employee Handbook and will be included in new employee orientations.

Employees are required to provide reasonable advance notice to their supervisors, preferably before the employee's return to work, for the scheduling of reasonable leave time and to establish a reasonable location to express breast milk.

Tioga County provides a supportive environment where employees may express breast milk during work hours. Employees who work remotely have the same rights to paid time off for the purpose of expressing breast milk, as all other employees who perform their work in-person. Employees who choose to express breast milk in the workplace will not be discriminated against in any way.

## **II. Paid Break Time**

Employees who choose to express breast milk will receive:

- Paid break time of 30 minutes and their normal breaks and mealtimes to breastfeed or express breast milk during work hours. Employees can use breaks and mealtimes to express breast milk for up to three years following childbirth (New York State Labor Law §206-c and Section 7 of the Fair Labor Standard Act).
- Paid break time is unique to every individual and the frequency of breaks will be based on each individual's needs.
- Paid break time that may run concurrent with regularly scheduled paid break or meal periods for time in excess of 30 minutes.

Employees may be required to postpone scheduled paid break time up to thirty minutes if they cannot be spared from duties until appropriate coverage arrives.

While Tioga County cannot require that an employee works while expressing breast milk, Labor Law § 206-c does not otherwise prevent an employee from voluntarily choosing to do so if they want to.

An employee may opt to take shorter paid breaks.

## **III. Reasonable Effort and Privacy**

Tioga County will make a reasonable effort to provide a room or other location (not a toilet stall or restroom) close to the employee's work area where they can privately breastfeed or express breastmilk. This location or room will be sanitary, private and contain at minimum a chair, a small table or other flat surface, be well-lit at all times, have a lock or a sign for when the location is in use to ensure privacy, an electrical outlet, a refrigerator for storing expressed breast milk or a refrigerator in close proximity, and be located near a sink with running water so that employees can wash their hands and rinse out breast pump parts.



Employees may also breastfeed or express breast milk in their own private offices or in other comfortable locations agreed upon with their supervisor.

#### **IV. Close Proximity**

Any room or location provided for the expression of breast milk will be in close proximity to the work area of the employee(s) using it for the expression of breast milk. The room or location will be within walking distance and will not appreciably lengthen break time.

#### **V. Providing a Request**

If an employee wants to express breast milk at work, they need to provide Tioga County with reasonable advance written notice, generally before returning to work. This advance notice is to allow Tioga County the time to find an appropriate location and adjust schedules if needed. Employees wishing to request a room or other location to express breast milk in the workplace should do so by submitting a written request to the Personnel Officer. Tioga County will respond to this request for a room or other location to express breast milk as soon as possible. Tioga County will notify the employee in writing of the designated location.

#### **VI. Non-Discrimination**

Tioga County will not discriminate in any way against an employee who chooses to express breast milk in the workplace. Encouraging or allowing a hostile work environment could constitute discrimination within the meaning of this policy.

#### **ROLL CALL VOTE**

Yes – Legislators Roberts, Standinger, Brown, Ciotoli, Flesher, Monell, Sauerbrey, and Mullen.

No – None.

Absent – None.

#### **RESOLUTION ADOPTED.**

Legislator Monell made a motion to bring forth three (3) late-file resolutions for Legislature consideration, seconded by Legislator Brown. Motion carried.

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

REFERRED TO: FINANCE, LEGAL AND SAFETY COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 285-24 APPOINT 2<sup>nd</sup> ASSISTANT COUNTY ATTORNEY  
LAW DEPARTMENT

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

WHEREAS: Due to the promotion of the 2<sup>nd</sup> Assistant County Attorney to the position of the 1<sup>st</sup> Assistant County Attorney the position of the 2<sup>nd</sup> Assistant County Attorney has been vacant since May 20, 2024; and

WHEREAS: The County Attorney has recruited and identified a qualified candidate whom he would like to hire for said position; and

WHEREAS: The County Attorney has determined Nicole Pence to be a qualified candidate; therefore be it

RESOLVED: That the County Attorney is hereby authorized to provisionally appoint Nicole Pence to the title of 2<sup>nd</sup> Assistant County Attorney effective September 9, 2024, at an annual Management/Confidential salary of \$92,000.00; and be it further

RESOLVED: That in accordance with Tioga County Employee Handbook Management/Confidential Benefits Policy, Dr. Pence shall be eligible for any authorized 2025 Management/Confidential salary increase effective March 9, 2025, following a successful six-month evaluation; and be it further

RESOLVED: That this resolution will be null and void if Dr. Pence fails to pass the County mandated background check.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Brown, Ciotoli, Flesher, Monell, Sauerbrey, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE  
FINANCE, LEGAL & SAFETY COMMITTEE

RESOLUTION NO. 286-24 *FILING OF AN APPLICATION FOR DESIGNATION GRANT FROM NYSERDA CLEAN COMMUNITIES PROGRAM*

WHEREAS: Tioga County recently completed and submitted a Fleet Inventory action under NYSERDA's Clean Energy Communities program; and

WHEREAS: Through this action, Tioga County Solid Waste is eligible for a Designation Grant in the amount of \$10,000; therefore be it

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

RESOLVED: That the Tioga County Legislature authorizes and directs the Chair or their designee to sign the application.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Brown, Ciotoli, Flesher, Monell, Sauerbrey, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE  
FINANCE, LEGAL & SAFETY COMMITTEE

RESOLUTION NO. 287-24 *AWARD BRIDGE PREVENTATIVE MAINTENANCE PHASE X, PIN 9754.59 CONSTRUCTION CONTRACT*

WHEREAS: Tioga County was awarded funding for this project through NYSDOT; and

WHEREAS: Funding is available for this portion of the project; and

WHEREAS: On August 9, 2024 the Department of Public Works received sealed bids from the following contractor:

**R. DeVincentis Construction Co., Binghamton NY** **\$165,000.00**

And

WHEREAS: This will be contingent upon NYSDOT concurrence; therefore be it

RESOLVED: That the Tioga County Legislature award the bid to the low bidder, R. DeVincentis Construction Co., Binghamton, NY not to exceed \$165,000.00 to be paid out of the Bridge Account D5110.540050.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Brown, Ciotoli, Flesher, Monell, Sauerbrey, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Meeting was adjourned at 12:12 p.m.