

manufacturers from harmful government overreach and preserve access to an “all-of-the-above” energy strategy that strengthens reliability and affordability and allowing consumer choice; and

WHEREAS: Tioga County’s request to declare an “Energy State of Emergency” would allow immediate action to lower bills, place safeguards on utility bills to protect our consumers from extreme price spikes, initiate suspension of taxes, fees, and surcharges on energy bills, and expedite the construction of base load generation; therefore be it

RESOLVED: That the Tioga County Legislature urges the Governor to declare an “Energy State of Emergency” to protect Tioga County residents and all New York State ratepayers from extreme and unsustainable price spikes, promote stabilization of the power grid, and to promote affordable energy; and be it further

RESOLVED: That the Clerk of the Legislature will forward certified copies of this resolution to Governor Hochul, Senator Thomas F. O’Mara, Assemblyman Christopher S. Friend, NYSAC, and any other party deemed necessary and proper.

Chair Monell spoke. “I brought this resolution forward in conjunction with Legislator Ciotoli and we have seen resolutions from other municipalities. Our electric bills are ridiculous right now. I know mine is. I spoke with a local business owner, and his electric bill has gone from \$12,000 to \$30,000 a month. This cannot continue.”

Legislator Brown spoke. “I was in Albany last week with Farm Bureau and we brought up the cost of energy to every Assemblyman and Senator we met. Unfortunately, there seemed to be a divide between upstate and downstate. The downstate politicians had no interest in us other than we have to continue pushing for these Green Energy alternatives, which is not fulfilling the needs on the map.”

Legislator Rose spoke. “I am in support of this resolution, but it does not tell us what the solution is. It is making the statement that says we want attention put on it.”

ROLL CALL VOTE

Yes – Bunce, Cantella, Ciotoli, Monell, Rose, Aronstam, and Brown.

No – None.

Absent – Legislators Flesher and Standingger.

RESOLUTION ADOPTED.

Legislator Bunce moved for the adoption of the following resolution, seconded by Legislator Cantella.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 112-26 *AUTHORIZING THE RE-ESTABLISHMENT OF 2025 FUNDS IN THE 2026 BUDGET FOR THE PURCHASE OF BALLISTIC RESISTANT BODY ARMOR*

WHEREAS: The Probation Director has indicated that purchase orders were approved and issued in 2025 for the purchase of ballistic resistant body armor and properly encumbered against 2025 appropriations; and

WHEREAS: Due to vendor manufacturing and delivery timelines, the ballistic-resistant body armor will not be delivered until the 2026 fiscal year; and

WHEREAS: Because the equipment will not be received within the 2025 fiscal year, the existing 2025 purchase orders must be cancelled and reissued in 2026 to ensure compliance with County purchasing procedures and New York State Office of the State Comptroller audit requirements; therefore be it

RESOLVED: That the following accounts and funds be re-established and the 2026 budget be amended as such:

TO: A3140 520215 PERSONAL PROTECTIVE EQUIPMENT \$2,430.06

County Administrator Bailey spoke. "I brought forth this resolution. There are two purchase orders that are in 2025 for this purchase, but the vests will not be delivered until 2026. We need to delete these purchase orders, roll the funds forward, and re-appropriate the funds in 2026."

ROLL CALL VOTE

Yes – Bunce, Cantella, Ciotoli, Monell, Rose, Standinger, Aronstam, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 113-26 RE-ESTABLISH PRIOR YEAR 2025 ARPA OPERATING & CAPITAL OBLIGATIONS IN THE 2026 BUDGET

WHEREAS: American Rescue Plan Act "ARPA" Funds have been granted to Tioga County by the US Treasury in 2021 in the total amount of \$9,362,868; and

WHEREAS: As of 12/31/2025 there is approximately \$880,611.33 in unspent ARPA funds; and

WHEREAS: It has been determined by the US Treasury that ARPA funds granted are to be considered obligated by calendar year end 2024, and be expended by the end of calendar year 2026; therefore be it

RESOLVED: That the following amounts be re-established and carried forward within the 2026 Budget:

Operational Appropriations

CI8042 540140 M7674 CONTRACTING SERVICES	\$14,763.28
56 Main Security Services	

Capital Appropriations

H1620 520911 M7674 RENOVATIONS 56 MAIN	\$181,513.29
56 Renovations/Facility Upgrades	

County Administrator Bailey spoke. "These are two ARPA obligated lines that were unspent in 2025 and need to be rolled forward to 2026. The amount for contracting services is for Securitas 56 Main Street security and that amount is going to be reclassified to current 2026 invoices to absorb some of the impact this year. The capital appropriations are for 56 Main Street renovations, and any outstanding amount will be obligated to the current HVAC project to absorb some of the costs."

ROLL CALL VOTE

Yes – Bunce, Cantella, Ciotoli, Monell, Rose, Standinger, Aronstam, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 114-26 *AUTHORIZING A 2026 BUDGET AMENDMENT TO RECOGNIZE ADULT-USE CANNABIS REVENUE AND APPROPRIATE FUNDS FOR DISTRIBUTION TO TOWNS AND VILLAGES*

WHEREAS: Tioga County has and will continue receive Adult-Use Cannabis Tax revenue distributed by New York State pursuant to the New York State Cannabis Law; and

WHEREAS: Such revenues and expenditures were not fully anticipated or budgeted for in the originally adopted 2026 County budget; and

WHEREAS: The County must amend the budget to properly recognize and account for this revenue, and appropriate the required expense for the distribution of funds to towns and villages in accordance with New York State Comptroller accounting and audit requirements; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes a budget amendment to increase estimated revenue and appropriate 75% of the funds for the distribution of Adult-Use Cannabis Tax to towns and villages in the 2026 budget as follows:

TO: A1340 411160 Tax on Adult Use Cannabis	\$160,000.00
TO: A1985 540652 AUC Tax Towns/Villages	\$120,000.00

County Administrator Bailey spoke. "In the 2026 budget, we did not appropriate any funds for cannabis, as we did not know how much would come in or what we would be expending. We do have to provide 75% of the distribution back to the towns and villages where the cannabis dispensary is located. Based on the amount received and the Treasurer's reporting, they have determined that \$120,000 would be expected to be appropriated for 2026."

Legislator Standinger spoke. "I think it was foolish for the State to allow for this cannabis situation to occur but given the fact that it has occurred and there is money to be distributed, I am okay with the way it is being distributed."

Legislator Cantella spoke. "I second Legislator Standinger's comment. I think it was foolish to do, and I am not sure we can count on it in the future, and it may cause more problems than we are taking in. It does not seem like it is the right path but it's the State and we have to recognize it."

Legislator Aronstam spoke. "Our position in Waverly was if New York State makes the regulation, then we have to do what is best for the village in those parameters. No one was in favor of legalizing cannabis, but if it is going to be legalized then we might as well take the advantage that the State gives us."

Legislator Rose spoke. "On a different perspective, I see this as a continuum of the way they will handle other drug abuse in the past, including alcohol, but I do want to see stronger measures to not market to our young people. That would be my reflection on this law."

ROLL CALL VOTE

Yes – Bunce, Cantella, Ciotoli, Monell, Rose, Standinger, Aronstam, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 115-26 *AMEND EMPLOYEE HANDBOOK: REVISE SECTION IV. PERSONNEL RULES: SUBSECTION S. ENTITLED REMOTE WORK POLICY – PILOT PROGRAM, IV. GENERAL POLICY AND V. EXPECTATIONS TO PERMIT TEMPORARY REMOTE WORK ARRANGEMENTS FOR OPERATIONAL DISRUPTIONS*

WHEREAS: The Tioga County Legislature adopted Resolution No. 265-21 on November 9, 2021, establishing a new policy entitled Tioga County Remote Work supporting the use of remote worksites for a portion of the standard workweek and allowing Department Heads to implement Remote Work Arrangements for eligible Management/Confidential employees, where appropriate; and

WHEREAS: The Tioga County Legislature adopted Resolution No. 47-23 on January 10, 2023, revising the Tioga County Remote Work Policy-Pilot Program in its entirety to include eligible CSEA staff as deemed appropriate by their Department Head; and

WHEREAS: The Tioga County Legislature adopted Resolution No. 94-23 on February 14, 2023, revising the Employee Handbook: Section IV. Personnel Rules;

Subsection T. entitled Tioga County Remote Work Policy-Pilot Program, Subsection IV. Policy C. Hardware, Software, and Supplies; and

WHEREAS: The Tioga County Legislature adopted Resolution No. 534-23 on December 12, 2023, authorizing a (1) one-year extension of the Tioga County Remote Work Policy-Pilot Program, making the policy effective January 1, 2023 – December 31, 2024; and

WHEREAS: The Tioga County Legislature adopted Resolution No. 467-24 on December 10, 2024, authorizing a (6) six-month extension of the Tioga County Remote Work Policy-Pilot Program, making the policy effective January 1, 2025 – June 30, 2025; and

WHEREAS: The Tioga County Legislature adopted Resolution No. 231-25 on June 10th, 2025, authorizing a (6) six-month extension of the Tioga County Remote Work Policy-Pilot Program, making the current policy effective July 1st, 2025 – December 31, 2025; and

WHEREAS: The Tioga County Legislature adopted Resolution 297-25 on December 9th, 2025, authorizing a (6) six-month extension and revision of the Tioga County Remote Work Policy-Pilot Program, making the current policy effective January 1st, 2026 – June 30th, 2026; and

WHEREAS: The current policy limits remote work to no more than two (2) days per standard work week, except where otherwise expressly authorized; and

WHEREAS: The County anticipates temporary operational disruptions that may displace employees from their normal work locations, including but not limited to building renovations, HVAC system upgrades, emergency weather events, and public health or safety concerns; and

WHEREAS: Temporary flexibility in remote work arrangements during such disruptions may be necessary to ensure continuity of County operations, minimize service interruptions, and maintain a safe working environment for employees and the public; and

WHEREAS: The Legislature wishes to authorize limited, time-bound discretion for temporary remote work arrangements in these circumstances, while preserving the intent of the Remote Work Policy as a pilot program and ensuring that such flexibility does not establish permanent remote work arrangements or expectations; and

WHEREAS: The Legislature further wishes to clarify that this authorization is separate from and does not replace the County's obligations under the Americans with Disabilities Act (ADA), the New York State Human Rights Law, or other applicable accommodation laws; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes an amendment to the Tioga County Remote Work Policy – Pilot Program to permit the County Administrator or the Chair of the Legislature to temporarily approve remote work arrangements exceeding the two (2) day per week limit when necessary to address short-term operational disruptions or emergency conditions, including but not limited to facility displacements, public health concerns, or emergency weather events; and be it further

RESOLVED: That the Employee Handbook is hereby amended to revise Section IV. Personnel Rules, Subsection s. entitled Remote Work Policy – Pilot Program, IV. General Policy and V. Expectations as follows:

Tioga County Remote Work Policy-Pilot Program

IV. GENERAL POLICY

a. Eligibility:

- i. Employees shall be approved for a Remote Work Agreement based on their role and the department needs. Meeting the criteria below does not guarantee approval, operational and organizations needs will be priority.
- ii. Remote work may be available to Management/Confidential and CSEA members; however, it is not guaranteed and may not be suitable for all roles. Employees do not have an inherent right to a Remote Work Agreement, nor is such an agreement indefinite. Department Heads, and/or immediate supervisors (where applicable), have full discretion to approve, modify, or revoke Remote Work Agreements based on operational needs and policy compliance. Furthermore, Department Heads and/or immediate supervisors may terminate a Remote Work Agreement at any time if it is deemed inconsistent with departmental objectives or if an employee fails to adhere to established policy and guidelines.
- iii. The characteristics of an eligible employee will include a demonstrated conscientiousness about work time and productivity, self-motivation and ability to work alone. The employee communicates effectively with supervisors, co-workers, support staff and clients. The employee operates a computer or other equipment independently, to the degree necessary to work from their home. The employee must be performing at an overall satisfactory level or above in their position.
- iv. An employee's work must be of a nature that face-to-face interaction with internal or external individuals is minimal and/or the employee's tasks can be performed successfully away from the centrally located worksite.

- v. The need for specialized material or equipment to work remotely should be minimal. Employees interested in Remote Work must already have a safe and ergonomic home office environment or work area and the basic materials and equipment needed at their home to remote work.
- vi. Employees must have completed a reasonable amount of employment to be assessed by Department Head to be a successful candidate for a Remote Work Agreement.
- vii. Employees must have appropriate dependent care arrangements that allow the employee to work without distraction and mitigate undue interruption, which could impact productivity.

b. Ineligibility

- i. Employees in training capacity or that provides hands-on service.
- ii. Employees with attendance, behavior or tardiness issues.
- iii. Employees who have been counseled or disciplined within the two years immediately preceding the request.
- iv. Department Heads are eligible for a Remote Work Agreement pending the unanimous approval of their Legislative Committee and recommendation of the County Administrator. Department Heads are authorized to work remotely as needed but are discouraged from engaging in a continuous Remote Work agreement.

c. Temporary Remote Work Authorization for Operational Disruptions

- i. Notwithstanding the standard frequency limits set forth in this policy, the County Administrator or the Chair of the Legislature may authorize temporary remote work arrangements exceeding the two (2) day per week limit when necessary to address short-term operations disruptions or emergency conditions.

- ii. Such authorizations may be granted for reasons including, but not limited to:
 - 1. Temporary displacement of employees due to building renovations, HVAC upgrades, or other facility related interruptions.
 - 2. Declared public health concerns or communicable disease outbreaks affecting County operations
 - 3. Emergency weather events or other circumstances impacting safe access to County facilities; or
 - 4. Other conditions where temporary remote work is necessary to ensure continuity of County operations.
- iii. Any temporary authorization granted under this provision:
 - 1. Shall be time-limited and reviewed periodically.
 - 2. Shall not be construed as a permanent modification of this policy.
 - 3. Shall not create a continuing right, precedent, or expectation of ongoing remote work.
 - 4. Shall not be used to establish or maintain permanent remote work arrangement; and
 - 5. Shall remain subject to revocation at any time based on *operational needs*.
- iv. This provision is **separate from and does not replace the County's obligations under the Americans with Disabilities Act (ADA), the New York State Human Rights Law, or any other applicable equal employment or reasonable accommodation requirements**. Requests for medical or disability-related accommodation shall continue to be processed through the County's established personnel and accommodation procedures.

V. EXPECTATIONS

a. Hours

- i. Employees will be expected to complete their remote work during their approved work schedule. The Remote Work Agreement must indicate the hours that the remote employee will be available to be reached by staff and clients in conjunction with the County Hours of Operation Policy.
- ii. Approved remote schedules and any deviations of these for remote work must be approved in advance by the Department Head and/or immediate supervisor.

iii. Accrual time, overtime, and lunch breaks during remote hours shall follow the same policy and procedures as when an employee is located at their centrally located worksite. Remote work is not an alternative to utilization of leave time.

b. Frequency

- i. No more than the equivalent of (2) two days per standard work week may be worked from a remote work location, with the exception of attorneys, and as otherwise authorized under the General Policy section for temporary operational disruptions.
 1. Employees with a 35-hour workweek, (2) two days, shall mean (14) fourteen hours.
 2. Employees with a 40-hour workweek, (2) two days, shall mean (16) sixteen hours.
 3. Attorneys employed by Tioga County, with Department Head and Legislative consideration and approval, may be eligible to work remotely for up to (5) five days per week.

c. Impact on County Operations

- i. The essential duties, obligations, and responsibilities of an employee who works remotely are the same as at their centrally located worksite. Employees must be available to communicate with those with whom they normally conduct business (e.g., supervisor, clients/the public, co-workers, etc.) by phone and email while working remotely. Employees must respond to inquiries in the same fashion and within the same timeframes, as if they were in the office.
- ii. County operations take priority over Remote Work Agreements. Employees may be required to report to their centrally located worksite on remote workdays at the discretion of their Department Head and/or immediate supervisor, to address operational needs.

- iii. The travel time from the employees' home to the centrally located worksite will be treated as commuting time and will not be counted as hours worked, nor will the employees' mileage be reimbursed. On-Call employees are exempt from this and are to comply with their department's procedures in conjunction with the current CBA rules for On-Call pay. Remote work must not create additional burdens for in-office staff. Remote employees are expected to complete their assigned tasks independently, ensuring that colleagues working on-site do not have to take on extra responsibilities due to their absence. Workflows, communication, and task distribution should be managed efficiently so that remote work does not disrupt operations or increase workload for others.

d. Accountability

- i. Employees are required to accurately record and report all hours worked. Department Heads and/or supervisors are responsible for implementing a review process to ensure that assigned tasks and responsibilities are completed effectively. The Remote Work Weekly Log is available on the County's Intranet under "Employee Handbook – EH Forms." Department Heads are not required to regularly report Remote Work hours, but should there be an issue with performance or availability, it should be brought to the direct attention of the full Legislature by the County Administrator.
- ii. Department Heads shall include "Remote Work" as an agenda item, with a detail report on the status of employees approved for Remote Work to their Legislative Committee. This shall be reported on the first month of each quarter (January, April, July, October), and include the approved employee name, title, the number of days per week they're approved to work remotely, and which days of the work week or indicate "flexible" is the days change.
- iii. Non-work-related interruptions must be kept to a minimum. Remote work shall not be used as a substitute for dependent child or elder care. Remote employees are expected to make dependent or childcare arrangements during the period they will be working.
- iv. Remote work is not intended to enable employees to conduct personal or non-County business while on County time.
- v. The employee is responsible for maintaining a safe and ergonomic remote working environment, including the work area, bathroom, and other areas that may be necessary for use while working remotely.

- vi. Violations of this policy may result in rescission of a Remote Work Agreement, as well as potential disciplinary action.

e. Prohibited

- i. Employees shall not conduct any unauthorized external (non-County) work during their remote work schedule.
- ii. Remote employees shall not hold in-person business meetings with internal or external clients, customers, or colleagues at their remote work location.

f. Applicability of County Conduct Expectations

- i. Any County policies pertaining to workplace conduct and behavior apply in full to employees working remotely, including, but not limited to, the County's anti-discrimination and harassment policy.

County Administrator Bailey spoke. "This resolution is a revision to the current Remote Work Pilot-Program Policy, as the current policy only allows for up to two (2) days per week, with the exception for attorneys, who are allowed up to five (5) days per week. Looking at the current HVAC project that has been underway in our building currently and for the past year, we discussed having an override mechanism in the policy if staff could not be displaced to another temporary location and what that would look like if we couldn't do that. This is a proactive versus reactive approach. Language has been built into the current policy that would allow the County Administrator or Chair of the Legislature to authorize over and above the two (2) days per week for situations including, but not limited to building renovations, HVAC system upgrades, emergency weather events, and public health or safety concerns. There is also language built into the policy as there was a concern with ADA compliance and what we will have to do regarding accommodation if it appears it will enhance accommodation or create an environment where employees could seek additional accommodation. The policy itself does not have any impact on ADA accommodation, and it still has to go through Personnel regardless of what the policy states.

Legislator Rose spoke. "I understand the difficulty from a management concern of very liberal tight remote work from home kinds of policies, so recognizing that I want to comment that one of our issues here in the county is the inability to recruit good people to jobs and one of the strongest influences to young people taking jobs is flexibility in the workplace. So, we are cutting our nose to spite our face in certain jobs, not all jobs, in terms of recruiting by having a strict policy.

Legislator Standinger spoke. "Regarding this policy, it provides for exemptions. I think if you have a blanket 'you can work from home any day you want' that is not a good policy, but to have approval of exemptions by an authority is a good thing."

ROLL CALL VOTE

Yes – Bunce, Cantella, Ciotoli, Monell, Rose, Standinger, Aronstam, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

Meeting adjourned at 10:18 A.M.