

Tenth Regular Meeting
October 12, 2021

The Tenth Regular Meeting of 2021 was held on October 12, 2021 and was called to order by the Chair at 12:00 P.M. All nine Legislative members were present.

Chair Sauerbrey turned the meeting over to Legislator Roberts who incorporated a moment of silence as today's prayer in memory of Sr. Investigator, Clifford Alexander, who passed away on September 25, 2021.

Legislator Roberts spoke. "As Chair Sauerbrey mentioned, I would like to ask for a moment of silence for Clifford Alexander, Sr. Investigator, Sheriff's Office."

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

There were 21 people in attendance.

Chair Sauerbrey reported we have two Proclamations that will be read and presented; *Employee Recognition & Appreciation Week and Green Light for Military Service County* and one Proclamation; *Dental Hygiene Month* that will be noted in the minutes.

Chair Sauerbrey reported Steven Palinosky, Employee Recognition Committee member, will read and present the Employee Recognition & Appreciation Week proclamation recognizing the County's employees who have attained 25 and 35 years of service.

Steven Palinosky spoke. "Good Afternoon Ladies and Gentlemen. Again, I am Steve Palinosky and I am representing the Employee Recognition Committee (ERC) and Institute for Advancement (I4A).

"First of all, as always, thank you to the Legislature for your support of the Employee Recognition Program. We really appreciate it. Next week is Employee Recognition Week and we will be conducting our annual pin ceremonies. We will be travelling the highways and byways of different county locations to hand out service pins to employees who have attained 5, 10, 15+ years of service. The schedule is as follows:

"Monday, October 18th, at 11:00 a.m. in the Hubbard Auditorium to recognize employees in the offices of the County Clerk, District Attorney, Legislature, ED&P, Personnel, Probation, and Public Defender. Then, later that

afternoon, at 2:30 p.m., the committee will be recognizing the employees of the Public Works Department at their facility.

“On Tuesday, October 19th, at 2:30 p.m., the committee will be recognizing the employees of the Sheriff’s Office at their facility.

“On Wednesday, October 20th, at 11:30 a.m., the committee will be recognizing the employees at Social Services, Mental Hygiene, Public Health, and Board of Elections at the Health & Human Services Building.

“Country Boys Kitchen will be onsite for each pin ceremony offering complimentary lunches courtesy of the Legislature, the Institute for Advancement, and the Employee Recognition Committee.

“On Wednesday, October 27th, the Employee Recognition Committee will host the Employee Recognition Luncheon at 12:00 p.m. at the Terra Cotta, formerly known as the Owego Treadway Inn. In addition to recognizing this year’s honorees, we have also invited last year’s honorees because they did not receive their luncheon. To review, the 2020 honorees include:

“Elaine Jardine – 25 years

“Anne Davis – 30 years

“Tracy Hill – 30 years

“Anita Teed – 30 years

“Julie Whipple – 30 years

“Without further ado, I will read this year’s proclamation acknowledging the 2021 honorees.”

COUNTY OF TIOGA EXECUTIVE PROCLAMATION

WHEREAS: The mission and services of Tioga County depend heavily on the tireless contributions of its dedicated employees; and

WHEREAS: The Tioga County Legislature wishes to recognize the efforts of all Tioga County employees; and

WHEREAS: The Employee Recognition Committee was created to provide a mechanism to show our appreciation for the Employees of Tioga County; and

WHEREAS: Those employees who have served for more than 25 years have shown a steadfast commitment to serving the well-being of the residents of Tioga County, and should be recognized by those whom they have served; and

WHEREAS: The Tioga County Legislature would like to especially recognize the following employees who have attained 25 and 35 years since last year's ceremonies:

<u>Name</u>	<u>Department</u>	<u>Years</u>
George Awad	Public Defender	35
Shellianna Decker	Public Safety Dispatcher	25
Clifford Alexander	Senior Investigator (Posthumously)	25

NOW THEREFORE, THE TIOGA COUNTY LEGISLATURE does hereby proclaim and designate the week of October 18th – 22nd, 2021 as

EMPLOYEE RECOGNITION AND APPRECIATION WEEK

In the County of Tioga, New York, and call upon our citizens to join in recognizing these dedicated employees.

Legislator Balliet read and presented the Green Light for Military Service County proclamation to Veterans Service Agency Director Michael Middaugh.

**COUNTY OF TIOGA
EXECUTIVE PROCLAMATION**

WHEREAS: Approximately 200,000 service members transition from military to civilian communities annually and there is an anticipated 20% increase in that transition due to the drawdown of the Afghanistan/Iraq War; and

WHEREAS: Current studies indicate that 44-72% of service members experience high levels of stress during the transition period from military to civilian, sadly for these transitioning members they are at the highest risk for suicide during their first year after military service; and

WHEREAS: The Tioga County Legislature appreciates the sacrifices that our United States military personnel have made while defending freedom and believe that specific recognition should be accorded them in appreciation for their service; and

WHEREAS: Designating this as a time to salute and honor our men and women in uniform who are making the transition to civilian life by switching one lightbulb to green to show visible support for these veterans; therefore

The TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim October 13, 2021 through Veterans Day, November 11, 2021 as a:

GREEN LIGHT FOR MILITARY SERVICE COUNTY

and in observance of Operation Green Light for Military Services encourages its citizens to recognize the importance of honoring all those who made immeasurable sacrifices in preserving freedom by displaying a green light in a window of their residence and/or business. Green is the color of hope, renewal, and wellbeing, and that by this simple act of changing one light to green, we can spark meaningful conversation regarding the recognition of veterans and help "green light" them forward as valued members of our communities.

Veterans Service Agency Director Michael Middaugh spoke. "Thank you to the members of the Legislature and Chairwoman Sauerbrey. Recently, Chairwoman Sauerbrey was elected President of New York State Association of Counties (NYSAC), which was a great honor for our little county. As a result of this, and as a member of the New York State County Veterans Service Officers Association, we are partnering with them on Operation Green Light across the State of New York. We became the first county to make the official proclamation regarding that and we are highly promoting it. We are trying to get businesses involved throughout the County within the next month. It is not just something we want to do for a month, but we want to do throughout the year. Our little agency has been picked as a pilot program for the National ETS (End of Terminal Service) sponsorship program. National ETS is the leave within a year of a veteran's separation and will now be mentored through our agency if they are returning to this area of New York, so that they can find housing, employment, and adapt to coming back from military service into the civilian community. Hopefully, we will lower those suicide rates of 22 a day, which is the whole purpose behind Operation Green Light.

"The New York State County Veterans Service Officers Association asked and appointed me to be the national representative to the National County Veterans Service Officers Association to bring New York's issues to the national level and to help with legislative changes at the national level for more funding for veterans and local services across the country. I will be representing the State over the next year as the new national representative".

**COUNTY OF TIOGA
EXECUTIVE PROCLAMATION**

WHEREAS: October is nationally recognized as Dental Hygiene Month; and

WHEREAS: Good oral hygiene is important in the prevention of diseases such as tooth decay, periodontitis, gingivitis, and oral cancer; and

WHEREAS: Combining 2019 and 2020 data, the Tioga County Dental Van saw 1690 patients with tooth decay, with almost 60% having extensive disease; and

WHEREAS: Brushing your teeth at least twice per day and flossing no less than once per day are crucial components of good oral health; and

WHEREAS: Consuming a healthy diet which emphasizes fruits and vegetables and limits sugary foods and beverages is also critical for preventing oral disease; and

WHEREAS: Routine visits to a dental professional can aid in early disease detection; and

WHEREAS: The Tioga County Dental Van is an affordable option that is available to all Tioga County residents for routine oral care; therefore

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

DENTAL HYGIENE MONTH

and urges all residents to practice and prioritize oral hygiene and ensure they are up-to-date on routine examinations and cleanings.

There was no privilege of the floor.

Legislator Roberts made a motion to approve the minutes of September 9 and 16, 2021, seconded by Legislator Mullen 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 by the end of this week.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 212-21 SET PUBLIC HEARING
2022 BUDGET

RESOLVED: That the public hearing on the tentative Tioga County Budget for 2022 be held at 9:30 A.M., Tuesday, November 9, 2021, in the Edward D. Hubbard Auditorium of the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, New York 13827.

Chair Sauerbrey spoke. "We will be livestreaming the budget public hearing."

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 213-21 RESOLUTION APPOINTING NEW MEMBER
TO COMMUNITY SERVICES BOARD

WHEREAS: Larissa Pierce has agreed to become a new member; and

WHEREAS: The Community Services Board has recommended Larissa Pierce's appointment; 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 Larissa Pierce be appointed to the Community Services Board to fill the partial term of John Holton, Sr., starting November 1, 2021 and ending March 31, 2022.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 214-21 RESOLUTION APPOINTING NEW MEMBER
TO COMMUNITY SERVICES BOARD

WHEREAS: Shawn Nalepa has agreed to become a new member; and

WHEREAS: The Community Services Board has recommended Shawn Nalepa's appointment; 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 Shawn Nalepa be appointed to the Community Services Board to fill the partial term of Rose Mumbulo, starting November 1, 2021 and ending May 31, 2022.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGAL/FINANCE COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 215-21 *AUTHORIZING AND APPROVING A SETTLEMENT AGREEMENT WITH OPIOID SUPPLY CHAIN PARTICIPANTS 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 defendants McKesson Corporation, Cardinal Health, Inc. and AmerisourceBergen Corporation together with subdivisions PSS World Medical, Inc., Kinray, LLC, Bellco Drug Corporation and American Medical Distributors (Collectively "Settling Distributors") based on claims that these entities contributed to the opioid epidemic by failing to comply with their obligations under the federal Controlled Substances Act and the New York Controlled Substances Act to implement adequate measures to prevent diversion of the prescription opioids they distributed to pharmacies and others, all of which contributed to a public health crisis in New York; and

WHEREAS: These "Settling Distributors" have offered to settle the claims against them over eighteen (18) years and agreeing to implement injunctive relief under a controlled substance monitoring program; and

WHEREAS: The final amount to be received by Tioga County will have a potential value of between \$805,683.12 and \$1,423,227.69 depending upon overall participation and milestones; and

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

RESOLVED: That Tioga County is authorized to settle its claims with the above named Settling Distributors 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 of these Settling Distributors and distribute the proceeds between the participating Plaintiffs.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 216-21 *AUTHORIZE THE SUBMISSION OF THE
FLOYD HOOKER FOUNDATION
APPLICATION FOR THE TIOGA
COUNTY PROBATION DEPARTMENT
YOUTH PROGRAM*

WHEREAS: The Tioga County Probation Department would like to apply for a grant from The Floyd Hooker Foundation in the amount of \$7,500.00 for the Juvenile/Youth at Probation; and

WHEREAS: County Policy #47 requires that a resolution be approved before any such grant application is submitted. The Floyd Hooker Foundation's grant application needs to be completed by October 15, 2021; therefore be it

RESOLVED: That the Tioga County Probation Department be given the authorization to apply for The Floyd Hooker Foundation grant application in the amount of \$7,500 to be in compliance with the county policy.

Legislator Standinger spoke. "Our new Probation Director has aggressively pursued mechanisms to address the youth and I think this is indicative of that. So, we are grateful for his efforts there."

Legislator Mullen spoke. "I agree. Brian has done a fantastic job."

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. 217-21

AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS

WHEREAS: A project for the Tioga County Culvert Program, Phase 1 (FFY 2022), PIN 9754.94 (the Project) is eligible for funding under Title 23 U.S. Code, as amended that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal Funds and 20% non-Federal Funds; and

WHEREAS: The County of Tioga desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the costs of the Preliminary Engineering/Design work.

NOW, THEREFORE, the Tioga County Legislature, duly convened does hereby

RESOLVED: That the Tioga County Legislature hereby approves the above-subject project; and it is hereby further

RESOLVED: That the Tioga County Legislature hereby authorized the County of Tioga to pay in the first instance 100% of the Federal and non-Federal share of the cost of the Preliminary Engineering/Design work for the Project or portions thereof; and it is further

RESOLVED: That the sum of \$45,000 is hereby appropriated from account H51 10.520003.H1008 and made available to cover the costs of participation in the above phase of the Project; and it is further

RESOLVED: That in the event the full Federal and non-Federal share costs of the project exceeds the amount appropriated above, the Tioga County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon notification by the New York State Department of Transportation thereof, and it is further

RESOLVED: That the Chair of the Tioga County Legislature be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Tioga with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED: That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED: This Resolution shall take effect immediately.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. 218-21

AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS

WHEREAS: A project for the Tioga County Bridge Preventative Maintenance Program Phase 8 (FFY 2022), PIN 9754.57 (the Project) is eligible for funding under Title 23 U.S. Code, as amended that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal Funds and 20% non-Federal Funds; and

WHEREAS: The County of Tioga desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the costs of the Preliminary Engineering/Design work.

NOW, THEREFORE, the Tioga County Legislature, duly convened does hereby

RESOLVED: That the Tioga County Legislature hereby approves the above-subject project; and it is hereby further

RESOLVED: That the Tioga County Legislature hereby authorized the County of Tioga to pay in the first instance 100% of the Federal and non-Federal share of the cost of the Preliminary Engineering/Design work for the Project or portions thereof; and it is further

RESOLVED: That the sum of \$10,000 is hereby appropriated from account D5110.540050 and made available to cover the costs of participation in the above phase of the Project; and it is further

RESOLVED: That in the event the full Federal and non-Federal share costs of the project exceeds the amount appropriated above, the Tioga County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon notification by the New York State Department of Transportation thereof, and it is further

RESOLVED: That the Chair of the Tioga County Legislature be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Tioga with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED: That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED: This Resolution shall take effect immediately.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 219-21 *AUTHORIZE CONTRACT WITH LIFETIME BENEFIT SOLUTIONS, INC. TO ADMINISTER FLEXIBLE SPENDING AND HEALTH REIMBURSEMENT ACCOUNT PROGRAMS*

WHEREAS: Tioga County currently uses the services of Lifetime Benefit Solutions, Inc. to administer Tioga County's flexible-spending and health reimbursement account programs; and

WHEREAS: Lifetime Benefit Solutions, Inc. has submitted a new contract to continue administering said programs and conduct all required compliance testing services; and

WHEREAS: The Flexible-Spending program is a negotiated benefit for all Tioga County unionized employees; and

WHEREAS: The Health Reimbursement Account is a negotiated benefit for CSEA union employees; and

WHEREAS: Both the employees and the County can save tax dollars on money channeled through the flexible spending program; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to enter into a contract with Lifetime Benefit Solutions, Inc., subject to review by the County Attorney, for the services stated above for the period of January 1, 2022 through December 31, 2022 and be it further

RESOLVED: That Tioga County will continue with the flexible spending card for the period of January 1, 2022 through December 31, 2022.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 220-21 *AUTHORIZATION TO CONTRACT
WITH NYSTEC - RADIO CONSULTING
STATE INTEROPERABLE 18 GRANT*

WHEREAS: The Tioga County Office of Emergency Services has a need to upgrade and replace its current radio communications system due to poor performance issues; and

WHEREAS: Tioga County has contracted with NYSTEC at a cost of \$117,855.28 for the period June 1, 2021 through October 31, 2021; and

WHEREAS: The Director of Emergency Services would like to amend contract with NYSTEC extending the contract period from October 31, 2021 through June 30, 2022; and

WHEREAS: Said contract amendment will not increase the original contract authorized value; and

WHEREAS: NYSTEC is listed on the Office of General Services Administration contract; and

WHEREAS: There are sufficient funds in account A3415.540140 IO18F (contracted services) State Interoperable Grant18 Radio & Equipment and A3415.540140

IO19F (contracted services) State Interoperable Grant19 Radio & Equipment; therefore be it

RESOLVED: That the Chair of the County Legislature is authorized to execute an amended contract between Tioga County and NYSTEC upon review by the County Attorney.

Chair Sauerbrey spoke. "This is an extension of the current contract, as we await the State's announcement of grant funding."

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 221-21 *ERRONEOUS ASSESSMENT
TOWN OF SPENCER*

WHEREAS: An application for Corrected Tax Roll for the years 2020, 2019, and 2018 indicates that parcel #57.19-1-10 in the Town of Spencer assessed to Jean and Jessica Regis on the 2020, 2019, and 2018 tax rolls of the Town of Spencer is erroneous in that the 41132 Veterans C 25% exemption was not applied; and

WHEREAS: Proper paperwork has been presented proving that this property is and was entitled to this exemption; and

WHEREAS: An Application of Refund or Credit of Real Property Taxes has been filed for paid 2021, 2020, and 2019 Town and County taxes resulting in a refund as follows:

<u>TAX YEAR/ROLL YEAR</u>	<u>REFUND</u>
2021/2020	156.49
2020/2019	192.60
2019/2018	182.14
TOTAL:	531.23

Therefore be it

RESOLVED: That a refund be issued to Jean and Jessica Regis in the amount of \$531.23; and be it further

RESOLVED: That the erroneous county tax of \$ 531.23 be charged to the proper account in the records of the County Treasurer.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 222-21 *AMEND BUDGET*
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, Tioga County Culvert Program, Phase 1 (FFY22), PIN 9754.94; and

WHEREAS: The project duration will last until December 2022, and is programmed to have a total cost of \$375,000 including all phases of the project, in which 80% of Federal funds and 15% of State funds, will be reimbursed to Tioga County; and

WHEREAS: Remaining funds will be allocated from unrestricted fund balance in the Capital Fund; and

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

RESOLVED: That funding be appropriated and new project accounts established as follows:

From: H5110.445020.H1008	Federal Aid-County Road Bridge	\$300,000.00
H5110.435020.H1008	State Aid-County Road Bridge	\$ 56,250.00
H.390900	Fund Balance Unrestricted	\$ 18,750.00
To: H5110.520003.H1008	Culvert Replacement	\$375,000.00

And be it further

RESOLVED: Appropriations be re-established for the remaining unspent balance as of year-end until projects are completed.

ROLL CALL VOTE

Yes – Legislators Roberts, Sauerbrey, Standinger, Sullivan, Weston, Balliet, Hollenbeck, Monell, 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. 223-21 TRANSFER OF FUNDS
BUDGET MODIFICATION
MENTAL HYGIENE

WHEREAS: Tioga County is required to pay the full costs for the treatment of Tioga County residents that have been assigned Criminal Psychiatric services by the NYS Court system; and

WHEREAS: Tioga County Mental Hygiene (TCMH) has received notice that a Tioga County resident was assigned these services, along with the required 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 budget be modified and funds be transferred as follows:

From:	A4210 510010	Full Time	\$15,000.00
	A4309 510010	Full Time	\$15,000.00
	A4310 510010	Full Time	\$68,315.60
To:	A4390 540590	Criminal Psychiatric: Services Rendered	\$98,315.60

Legislator Sullivan spoke. "This happens occasionally and this year we were hit pretty good with the cost of criminal psychiatric services. This is the second time that funds had to be moved around. First, we went to our Contingency Account. This time, Mental Hygiene had excess funds for positions that had not been filled, so we did not have to hit the Contingency Account again, but the year is not over yet."

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 224-21 *APPROPRIATION OF FUNDS AND
BUDGET MODIFICATION
MENTAL HYGIENE*

WHEREAS: Tioga County Mental Hygiene (TCMH) has been allocated additional pass through state aid funding for the purpose of Ongoing Integrated Supported Employment, Care Management, Health Home Service Dollars, Drop-In Center, Advocacy/Support Services (Warm-Line), and Supported Housing; and

WHEREAS: TCMH has contracted with Catholic Charities and Rehabilitative Support Services to provide these services to Tioga County residents; 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: A4310-434900 State Aid-Mental Health	\$ 356.00
To: A4311-540595 Services Rendered (Other)	\$ 112.00
To: A4321-540130 Contracts	\$ 149.00
To: A4321-540590 Services Rendered	\$ 38.00
To: A4333-540130 Contracts	\$ 57.00

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 225-21 AMEND BUDGET & APPROPRIATE FUNDS
PUBLIC HEALTH

WHEREAS: Tioga County Public Health has received funding from the Tioga County Senior Citizens Foundation; and

WHEREAS: Funding is specific to providing items to senior citizens in Tioga County for the safe care of pets; and

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

RESOLVED: That funding be appropriated as follows;

From: A4090 422800 Public Health: Local Grants	\$ 1,500
To: A4090 540640 Environmental Health: Supplies	\$ 1,500

ROLL CALL VOTE

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

No – None.

Absent – None.

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. 226-21 *TRANSFER OF DOG FUND MONIES
AND APPROPRIATION OF FUNDS
OTHER ANIMAL CONTROL ACCOUNT
SHERIFF'S OFFICE*

WHEREAS: Resolution 45-11 apportioned dog monies, from a report of the expenditures and surplus from the dog license fund monies, for the year end of December 31, 2010; and

WHEREAS: Tioga County has not been responsible for dog licensing since 2011, and the Tioga County Sheriff's Office has maintained the responsibility and costs associated with Agriculture and Markets violations; and

WHEREAS: Trust account TA 205700 has carried a balance of \$2,593.67 and the Tioga County Treasurer's Office has recommended the abolishment of the TA 205700 trust account and the transfer of the remaining cash balance to the Tioga County Sheriff's Office, Other Animal Control fund; and

WHEREAS: Future funding will be provided through yearly budget carry forward monies, donations, and budget appropriations, as needed, when funds are depleted; and

WHEREAS: The creation of new accounts and the appropriation of funds requires legislative approval; therefore be it

RESOLVED: That the Tioga County Legislature approve the establishment and appropriation of new budgetary account A3520 Other Animal Control and transfer of funds as follows:

From:	TA 205700 Dog Monies	\$2,593.67
To:	A3520-427700 Other Unclassified Revenues	\$2,593.67

AND

From:	A3520-427700 Other Unclassified Revenues	\$2,593.67
To:	A3520-540640 Supplies (Not Office)	\$ 593.67
	A3520-540590 Service Rendered	\$2,000.00

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 227-21 *GASB 84 TRUST RECLASSIFICATION TO GENERAL FUND*

WHEREAS: The Governmental Accounting Standards Board (GASB) issued Statement No. 84 for Fiduciary Activities to improve guidance regarding the identification of fiduciary activities for accounting and financial reporting purposes and how those activities should be reported; and

WHEREAS: The external audit report for 2020 provided by Insero & Co. CPAs, LLP has removed several Trust Activity (TA) accounts and transferred the funds into the General Fund (A) based on the GASB 84 statement requirements; and

WHEREAS: In order for 2020 Tioga County Financials to coincide with the External Auditor’s 2020 Financial Report, a transfer of funds from the Trust to the General Fund needs to occur; and

WHEREAS: Legislative approval is needed to transfer between Trust and General Fund accounts; therefore be it

RESOLVED: That the following transfers and reclassifications be made from Trust Accounts (TA) to the General Fund (A).

FROM:

TA	US Savings Bonds	202500	\$ 12.50
TA	Guaranty And Bid Deposits	203000	\$5,000.00
TA	Unclassified Trust	208509	\$1,024.89
TA	Unclaimed Property	209700	\$8,912.14

TO:

A	US Savings Bonds	272500	\$ 12.50
A	Guaranty And Bid Deposits	273000	\$5,000.00
A	Other Liability (Unclassified Trust)	268800	\$1,024.89
A	Due to Other Governments (Unclaimed Property)	263101	\$8,912.14

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 228-21 *TRANSFER OF FUNDS*
 2021 BUDGET MODIFICATION
 COUNTY LIABILITY INSURANCE FUND

WHEREAS: The funds budgeted for 2021 CI1910 540270 Insurance Premiums will be exceeded in October 2021; and

WHEREAS: The 2021 CI1930 540270 Liability Claims has budgeted funds available for transfer; and

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

RESOLVED: That budgeted funds be transferred as follows:

From: C11930 540270 Insurance Claims \$ 26,000.00

To: C11910 540270 Insurance Premiums \$ 26,000.00

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 229-21 *AUTHORIZE THE SALE OF 113 LIBERTY STREET
LOCATED IN THE VILLAGE OF OWEGO TO THE
TIOGA COUNTY PROPERTY DEVELOPMENT
CORPORATION*

WHEREAS: Property located in the Village of Owego transferred to Tioga County, identified as Tax Map number 128.08-1-8, parcel number 733 owes 2018, 2019 and 2021 taxes and is past the last date of redemption; and

WHEREAS: The County has been approached by the Tioga County Property Development Corporation, who has made an offer to purchase the property for \$1.00 "as is"; therefore be it

RESOLVED: That the Chair of the Tioga County Legislature be and hereby is authorized to sign and record on receipt of \$1.00, a Quit Claim Deed conveying the property transferred to Tioga County, located in the, Village of Owego, identified on the Village of Owego Tax Map as number 128.08-1-8 parcel number 733, to the Tioga County Property Development Corporation or assigns.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGAL COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 230-21 *AUTHORIZE APPOINTMENT:
SECRETARY TO COUNTY ATTORNEY*

WHEREAS: Legislative approval is required for any appointment to a non-union position within Tioga County; and

WHEREAS: The position of Secretary to County Attorney (\$36,742 – 46,742 Non-union) has been vacant since July 7, 2021, due to retirement; and

WHEREAS: The County Attorney has recruited for a replacement and after interviewing, a satisfactory candidate has been identified; therefore be it

RESOLVED: That the Tioga County Attorney is authorized to appoint Christine Freyvogel to the title of Secretary to County Attorney at an annual salary of \$37,102 effective retroactive to October 9, 2021; and be it further

RESOLVED: In accordance with Tioga County policy, Ms. Freyvogel shall be eligible for any authorized 2022 Non-union salary increase effective April 9, 2022, following a successful six month evaluation.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION
PERSONNEL COMMITTEE

RESOLUTION NO. 231-21 STANDARD WORK DAY AND
REPORTING RESOLUTION

WHEREAS: The New York State Retirement System created new reporting regulations in 2009 that require establishment of terms and work hours for elected and appointed officials and a resolution stating such at the onset of each term; therefore be it

RESOLVED: That the County of Tioga hereby establishes the following as standard work days for elected and appointed officials, and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by the following officials to the Clerk of this body;

Title	Name	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (based on Record of Activities)
Elected Officials					
Legislator	S Tracy Monell	6	01/01/19 – 12/31/21	N	6.42

I, Cathy A. Haskell, Secretary/Clerk of the governing board of the County of Tioga, of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board at a legally convened meeting held on the twelfth day of October, 2021 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Tioga County Legislature on this twelfth day of October, 2021.

Tioga County Legislative Clerk

Affidavit of Posting: I, Cathy A. Haskell, being duly sworn, depose and say that the posting of the resolution began on October 12, 2021 and continued for at least 30 days. That the resolution was available to the public on the

X Employer's website at www.tiogacountyny.gov

X Official sign board at Tioga County Legislative Office.

X Main Entrance Clerk's Office at 56 Main Street, Owego, NY 13827

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 232-21 ACCEPT AUCTION BIDS FOR COUNTY OWNED
PROPERTY ACQUIRED FOR TAXES,
AUTHORIZE EXECUTION OF DEEDS

WHEREAS: Properties acquired by Tioga County for nonpayment of taxes in the Towns of Barton, Candor, Owego, Spencer and Tioga and Villages of Newark Valley, Owego, Spencer, and Waverly were offered for sale at Public Auction conducted Thursday, October 7, 2021, by the County Treasurer; and

WHEREAS: It is the intent of the Legislature to return the properties to the Tax Rolls as soon as possible; therefore be it

RESOLVED: That the following bids, being the highest made at said Auction for the several different properties offered, be and hereby are accepted and the Chair of the Tioga County Legislature authorized to sign and record, on receipt of the amount bid and recording costs, Quit Claim Deeds conveying the various parcels to the successful bidders and to their assigns:

<u>Prior Owner-Tax Map#</u>	<u>Purchaser</u>	<u>Bid</u>
<u>Village of Waverly:</u>		
Patrick Hogan; 166.15-1-8;	Sabrina Swansbrough	\$ 8,000
Lincoln J Casio; 166.15-7-7;	Gary E. & Judy A. Kauppinen	\$ 51,500
Christina R Ellis; 166.19-4-11;	William H. Brewster	\$ 7,500
<u>Town of Barton:</u>		
Joseph D Zarkowski; 113.00-3-13.12;	Robin M. Baker	\$ 6,500
Estate of Ellen Zoeller; 122.14-1-3;	John T. Mick	\$ 4,000
Tina M Manchester; 135.00-1-8;	Kristopher Atchison	\$ 16,500
Robert J Triolo; 157.00-2-18;	Angel L. Beebe	\$ 600
Robert J Triolo; 157.07-1-20;	Angel L. Beebe	\$ 100
Sally J Shea; 166.00-1-7.20;	Matthew H. Sloat	\$ 18,500
Douglas K VanAllen; 166.00-2-20.21;	BTSB Properties LLC	\$ 21,000
Ronald Olsen; 166.11-5-1.1;	Stacey L. & Tony L. Santalucia	\$ 122,500
William Tobey; 167.18-1-2;	Norman D. Millage Jr	\$ 9,000
<u>Town of Candor:</u>		
James Sloughter; 27.00-1-9.113;	Frank Swansbrough	\$ 7,000
Beverly Krauss; 27.00-1-9.70;	Perkins Realty Investments	\$ 1,000
Judith Johnson; 60.00-1-11.10;	Steven & Michelle Chaffee	\$ 133,000
Kristine S Hia; 72.06-1-3.22	Alexis M. Parillo	\$ 25,000
<u>Village of Newark Valley:</u>		
Brandon S Baird; 64.19-2-25;	Zamir Shaikh	\$ 10,000
<u>Village of Owego:</u>		
Maurice Daniel Miller; 117.19-1-66;	Robert F. Graves	\$ 12,500
The Kurt J. Kemmerling Trust; 117.19-2-62;	Owego Holdings NY LLC	\$ 22,500
Equity First Realty; 128.08-2-60;	Richard A., Jr. & Andrea Shimer	\$ 14,500
Gerald D Wade Jr; 129.05-1-10;	Owego Holdings NY LLC	\$ 1,500
Richard H Fiacco; 129.05-2-12;	Neil J. & Sarah Lewis	\$ 42,500

<u>Prior Owner-Tax Map#</u>	<u>Purchaser</u>	<u>Bid</u>
<u>Town of Owego:</u>		
Cecil J Van Patten; 131.19-1-23;	James Walley	\$ 14,000
Hazel Youells; 141.00-1-68;	Christopher E. & Carol M. Ray	\$ 600
David A Sayles; 142.06-1-1& 142.06-1-2	Perkins Realty Investments	\$ 12,000
Kevin E Lane; 142.10-1-6.3;	Perkins Realty Investments	\$ 51,000
Lucas H Coene; 142.11-1-1;	Daniel P. & Michele O. Frauenhofer	\$ 13,000
James Mosher; 142.14-2-49;	Lory Tinkham	\$ 8,500
Brian Hulbert; 142.18-1-24;	Thaddeus J. Sisson	\$ 21,500
Maurice J Duffy; 153.05-1-20;	Robie Rentals Inc.	\$ 65,000
Drihmi Realty Inc.; 153.07-1-56.2;	Anthony J. & Crystal L. Albanese	\$ 9,500
Terry Ann Woloszyn; 164.05-1-3.14;	Keith L. McNeal	\$ 11,000
Mark P Lane; 98.00-1-28;	Jared J. Martin	\$ 7,000
Eric C Knapp; 98.00-1-54;	Kamal Hanna	\$ 135,000
Eric C Knapp; 98.00-1-56;	John B. Seymour	\$ 90,000
<u>Village of Spencer:</u>		
Elizabeth A Letourneau; 68.07-1-43;	Patrick Byrne	\$ 17,000
<u>Town of Spencer</u>		
Jason Mott; 46.00-1-38;	Patrick Byrne	\$ 15,500
Darlene Ann Rider-Breese; 70.00-2-26.12; TPR Realty		\$ 2,500
David Wemmer; 80.00-1-11 & 80.00-1-13.10; TPR Realty		\$ 24,000
<u>Town of Tioga:</u>		
Kenneth J Jacobson; 105.00-2-7;	Pamela J. Guilfoyle	\$ 1,500
Bryan Tinnel; 106.19-1-18;	Lory Tinkham	\$ 12,500
Seth Grantham; 115.00-2-14.10;	Kayla M. Pond	\$ 34,000
Henry C Beebe; 137.00-3-13.22;	Patrick N. & Kelly Hildebrant	\$ 13,000
Emmanuel Sloat; 158.00-2-2;	April L. Jacobson	\$ 170,000

Legislator Standinger spoke. "This is unfortunate that we have to sell these properties for foreclosure, but ultimately it gets them back on the tax rolls. That's a good thing. It's a necessary evil.

ROLL CALL VOTE

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

No – Legislator Mullen.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:19 P.M.