

Eighth Regular Meeting
August 11, 2020

The Eighth Regular Meeting of 2020 was held on August 11, 2020 and was called to order by the Chair at 12:00 P.M. Eight Legislative members were present with Legislator Sullivan being absent.

Chair Sauerbrey asked Legislator Weston to have a moment of prayer. "Dear Lord, we ask in your name to please slow down the four horsemen of the apocalypse and allow us time to help solve the quandary of problems that beset the world at this particular time."

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

There were 22 people in attendance.

Legislator Standinger read and presented the following Proclamations on Breastfeeding Awareness Month and Tioga County Public Health Employee Appreciation Day.

COUNTY OF TIOGA
EXECUTIVE PROCLAMATION

WHEREAS: Breastfeeding provides infants with a healthy start to life that lasts a lifetime; and

WHEREAS: Breast milk is known as the perfect food for infants, containing vital nutrients that protect against multiple diseases including, asthma, childhood leukemia, childhood obesity, and type II diabetes; and

WHEREAS: Research shows that if 90% of families exclusively breastfed during the first six months of life, nearly 1,000 infant deaths could be prevented annually; and

WHEREAS: According to 2018-2019 data, 17.2% of WIC infants were breastfed exclusively at least six months of age in Tioga County; and

WHEREAS: Most mothers want to breastfeed, but stop early due to lack of family support and resources including unsupportive workplace policies and cultural norms; and

WHEREAS: Acknowledging barriers faced by mothers that prevent them from breastfeeding is an important first step towards increasing rates in Tioga County and improving the health outcomes of our children; and

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

BREASTFEEDING AWARENESS MONTH

And urges families to seek support from community resources, such as Tioga County WIC and Tioga County Public Health, if they are struggling to breastfeed.

Legislator Standinger spoke. "With that being said, I would like to say that having three daughters they all are healthy and were healthy when they were young as a result of breastfeeding, I am sure. Maybe their dad helped a little bit, but it was their mom that made them healthy, so I think it is a good thing."

Laura Bennett, Public Health Educator spoke. "I would like to thank the Legislature for declaring August as Breastfeeding Awareness Month. Exclusively, breastfeeding is recommended for the first six months of a child's life and while we recognize that breastfeeding is not an option for every family, advocating for breastfeeding education and awareness is in the best interest of Tioga County's children. We can advocate for breastfeeding by normalizing the practice of it to show support for mothers, as well as referring them to community resources like WIC. So, once again, thank you for recognizing the importance of breastfeeding and the positive impact it has on maternal and child health."

Legislator Standinger spoke. "I am very happy to read this proclamation. All you folks out in the audience are primarily from the Public Health Department and I believe this is the result of your actions and ability to step up to the plate concerning this current pandemic. I do not agree with the way government has taken care of this situation, but nonetheless we have to abide by the rules that are dictated to us and I know you all have done that."

**COUNTY OF TIOGA
EXECUTIVE PROCLAMATION**

WHEREAS: The first case of COVID-19 in New York State was confirmed on March 1, 2020 and the State quickly became the epicenter of the pandemic; and

WHEREAS: Tioga County, in conjunction with the Tioga County Public Health Department, declared a State of Emergency effective March 14, 2020 in response to the first positive case of COVID-19 identified in Tioga County; and

WHEREAS: Tioga County Public Health Department has taken aggressive steps to curb the spread of this virus by keeping our citizens well-informed and educated on the safety protocols; and

WHEREAS: Tioga County Public Health has worked tirelessly serving the citizens of Tioga County since the onset of this virus by monitoring and managing caseloads, working with families exposed or diagnosed with COVID-19, and contact tracing; and

WHEREAS: The citizens of Tioga County benefit from the knowledge, expertise, commitment, and dedication of the Tioga County Public Health Department that is working seven days a week to keep them informed and safe; and

WHEREAS: Public Health efforts alone cannot accomplish the goal of maintaining a healthier community without the cooperation of community partnerships and individuals doing their part by practicing social distancing, good hygiene, and wearing masks when social distancing cannot be attained; and

WHEREAS: Tioga County Legislature does publicly recognize, commend, and thank all the Tioga County Public Health Department employees for their swift responsiveness and tireless efforts to go above and beyond during the COVID-19 pandemic for the well-being of our citizens; therefore

THE TIOGA COUNTY LEGISLATURE does hereby proclaim and designate on behalf of Tioga County and its citizens August 11, 2020 as

TIOGA COUNTY PUBLIC HEALTH EMPLOYEE APPRECIATION DAY

in the County of Tioga, New York, and call upon all of its citizens to join with us in recognizing this Department's outstanding efforts during the COVID-19 pandemic.

Legislator Standinger spoke. "I know this is the first time we have had a pandemic with an illness, so it is a learning experience for everybody. I know the State and the Federal government have not done the right things as it came along, but I am assured that all of you did. You operated under conditions that were not ideal and you stepped up to the challenge. As Chair of the Health and Human Services Committee, I certainly appreciate the fact that everyone stepped up with grace and hard work and this is recognition for those efforts."

Lisa McCafferty, Public Health Director spoke. "I just want to say to everyone these are the folks behind all of this. These are the ones who have

made it happen for better or worse. They have some war stories they could share with you or not. I just want to give a big shout out to everyone. I cannot say enough for everything everyone here, and those who are not here with us today, have done on behalf of addressing this global pandemic.

Several of you recognize Kylie, as you see her all the time, but this is Jessica. You may or may not know, but Barb Bilbrey opted to go to Savannah, Georgia. Do not ask me why. But, these are the two gatekeepers of all this. Everything you have seen and heard is gone through Barb and Jessica. I just want to give a shout out and big round of applause to everybody in the audience.”

Kylie Holochak, Senior Public Health E spoke. “Good Afternoon, so as Lisa said, I am Kylie Holochak. I think most of you know me. I want to thank you for recognizing us today. I think I speak for the whole team when I say we really appreciate being recognized. It is hard to believe that it has been five months of this, but we truly are fortunate for the team we have and, again thank you so much for your support today.”

Chair Sauerbrey spoke. “So, before we move on to other business, I would like you all to stand together for a photo for Facebook. We have to let the community know how much we appreciate you.

But, let me just add this is an amazing team of people. Since March 14, 2020, when we were trying to figure out do we do a State of Emergency, do we close the schools, we had no idea what was going to happen. But, you all have done an amazing, amazing job and for a while, you were all working seven days a week. I just want you to know how much I appreciate all that you have done. I talk to one of you usually every day for one reason or another, but you are on the money and you respond quickly and I really appreciate it because you have done an amazing job.

Never having been through a public health emergency, been through two floods, which is a different kind of emergency that I received training, but never have I received training on a public health emergency. Everyone has done a great job and I learned a lot. Thank you very much.”

There was no privilege of the floor.

Legislator Roberts made a motion to approve the minutes of July 14, 16, 23, and 27, 2020, seconded by Legislator Mullen and carried.

Chair Sauerbrey stated that all Legislative Committees met this month and the minutes are or will be on file with the Clerk of the Legislature.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 157-20 *SET PUBLIC HEARING FOR
AGRICULTURAL DISTRICT #1
EIGHT-YEAR REVIEW FOR TOWNS OF
BARTON, CANDOR, SPENCER AND TIOGA*

WHEREAS: The Tioga County Legislature is reviewing a proposed plan for continuation with modifications of Agricultural District #1, which is comprised of enrolled and proposed new parcels in the Towns of Barton, Candor, Spencer, and Tioga; and

WHEREAS: This review is being conducted pursuant to Article 25-AA of the New York State Agricultural & Markets Law; and

WHEREAS: The proposed plan and map, as recommended by the Tioga County Agriculture & Farmland Protection Board, is available for public inspection at the Clerk of Legislature's Office at 56 Main St. in Owego; therefore be it

RESOLVED: That a public hearing will be held on Tuesday, August 25, 2020 at 1:00 pm in the Town of Candor Hall, 101 Owego Road, Candor, NY. All interested parties will be heard by the Tioga County Legislature at this hearing.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: ECONOMIC DEVELOPMENT & PLANNING
COMMITTEE

RESOLUTION NO. 158-20 *SEQRA CONSIDERATION FOR NEW YORK STATE
OFFICE OF PARKS, RECREATION AND HISTORIC
PRESERVATION 2020-2021 SNOWMOBILE TRAILS
GRANT-IN-AID PROGRAM, PHASE II APPLICATION*

WHEREAS: All new or modified snowmobile trails must have a SEQRA Determination approved; and

WHEREAS: The trail changes for upgrades/reroutes to both segments of S21 and S57, for the Tioga Ridge Runners Snowmobile Club, as presented to NYSOPRHP are an Unlisted Action requiring Tioga County to consider the environmental significance of these changes; and

WHEREAS: A Short Form Environmental Assessment Form has been prepared for review by the Tioga County Legislature; now therefore be it

RESOLVED: That the Tioga County Legislature does hereby declare itself to be the Lead Agency and that it will undertake an uncoordinated review of the project; and be it further

RESOLVED: That the Tioga County Legislature has reviewed the Short Form Environmental Assessment Form, including the impact assessment, and has determined, based on the information and analysis set forth therein that the proposed action WILL NOT result in any significant adverse environmental impacts; and be it further

RESOLVED: That the Tioga County Legislature authorizes and directs the Chair to execute the Impact Assessment and the Determination of Significance of the Short Form Environmental Assessment Form and a Notice of Determination of Non-Significance (a Negative Declaration) in a manner consistent with this determination.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO:

ADMINISTRATIVE SERVICES COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 159-20

*AUTHORIZE ACCEPTANCE OF FEDERAL CARES
ACT REIMBURSEMENT FOR BOARD OF ELECTIONS
AND AMEND BUDGET*

WHEREAS: The Tioga County Legislature in May 2020 authorized the Board of Elections to enter into a federal grant reimbursement contract for up to \$64,618.62 through the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) and Help America Vote Act (HAVA); and

WHEREAS: The contract was executed by all parties and a copy was received by Tioga County Board of Elections on June 29, 2020; and

WHEREAS: A revenue fund for Federal Aid-HAVA/COVID-19 must be created in the Board of Elections 2020 Budget to receive reimbursements from this grant; therefore be it

RESOLVED: That the Tioga County Board of Elections is authorized to accept up to \$64,618.62 reimbursement from the executed CARES Act/HAVA contract; and

RESOLVED: That funding be appropriated as follows:

From: A1450 440890-COV19 Federal Aid-Hava/COVID19 \$64,618.62

To: A1450 540490-COV19 Election Expense/ COVID19 \$64,618.62

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 160-20 AMEND BUDGET & APPROPRIATE FUNDS
PUBLIC HEALTH

WHEREAS: Tioga County Public Health has been awarded additional funding from NYSDOH; and

WHEREAS: The funding is specifically designated for Public Health efforts toward COVID-19 in Tioga County; and

WHEREAS: The budget accounts will utilize Munis project codes for county-wide reporting of COVID-19 expenses and revenues; and

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

RESOLVED: That funding be appropriated as follows:

From: A4011 434011-COV19 Public Health: State Aid/COVID19 \$255,487

To: A4011 540487-COV19 Public Health: Supplies/COVID19 \$255,487

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 161-20 AMEND RESO 95-20
MODIFY 2020 BUDGET AND
TRANSFER FUNDS BACK TO
CONTINGENCY FOR COVID19
EMERGENCY SERVICES

WHEREAS: Resolution #95-20 requested a transfer of funds from the contingency account to the Emergency Services equipment account in the amount of \$15,000 for the purchase of equipment needed due to the Coronavirus Outbreak in Tioga County; and

WHEREAS: Said equipment totaled \$14,661.45 and will be reimbursed by Schuyler County through the HazMat Consortium Grant; therefore be it

RESOLVED: That the 2020 budget be modified to transfer funds back to the contingency account as follows:

FROM:	H3640.520130.COVID19 Equipment (Not Car)	\$15,000
TO:	A1990.540715 Contingency	\$15,000

And be it further

RESOLVED: That the 2020 budget be modified and funds be appropriated to the following accounts:

Expense Account	H3640.520130.COVID19 Equipment (Not Car)	\$14,661.45
Revenue Account	H3640.443050.COVID19 Federal Aid - DHSES	\$14,661.45

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO:	FINANCE COMMITTEE LEGISLATIVE WORKSESSION
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RESOLUTION NO. 162-20	<i>BUDGET MODIFICATION OF 2020 ORIGINAL APPROPRIATIONS IN RESPONSE TO COVID-19 PANDEMIC</i>
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WHEREAS: In direct response to the COVID-19 pandemic and the State of Emergency declared in New York State, and the NY-Pause gubernatorial executive order designed to maintain social distancing and stop the spread of coronavirus, many businesses and entities have been closed for a prolonged period of time; and

WHEREAS: The closure of these business and entities have caused a situation in which Tioga County and other municipalities are experiencing significant

decreases in the amount of anticipated revenues for the 2020 Budget year from Sales Tax, Gaming Revenues, Occupancy Tax, State Aid, and other local fees for service; and

WHEREAS: The Tioga County Treasurer's Office and the Tioga County Budget Officer have estimated a potential loss of revenue between \$5 million and \$8 million for 2020 based on current revenue projections and impact report estimates from NYSAC and the New York State Comptroller's Office; and

WHEREAS: The 2020 Original Budget was already considered to be in deficit prior to the Coronavirus Pandemic, with the Tioga County Legislature authorizing \$2,977,482.82 to be earmarked as appropriated fund balance to close the budget gap for 2020; and

WHEREAS: On May 18th, 2020 the Budget Officer issued a COVID-19 Financial Response Plan to all Directors & Elected Officials and proceeded with an across the board Budget Cut of 10% of Original 2020 appropriations, not including Salary, Fringe, Mandated Services, or expenditures considered reimbursable by State and/or Federal Aid, and to submit said reductions to their office by June 5th, 2020 for review; and

WHEREAS: It is clear that Tioga County will face against significant and ongoing fiscal challenges due to the COVID-19 pandemic and loss of revenues, for which the Tioga County Legislature, Chair, Legislative Clerk, Treasurer, Budget Officer, and all Directors have worked tirelessly to keep aware of any and all new financial challenges that the County may face;

therefore be it

RESOLVED: That the Budget Officer for Tioga County shall make a one-time Budget Modification transferring budgeted appropriations out of the 2020 Budget for the total amount of \$1,552,210.91 and moving funds to newly established Contingency lines; and be it further

RESOLVED: That the amount of the Budget Cut will not include benefit reductions as Departments cannot access benefit lines and reductions in benefits related to reductions in salary amounts will be adjusted and reconciled at year-end by the Tioga County Treasurer's Office; and be it further

RESOLVED: That the amount of the Budget cut will be held in Contingency accounts tracked separately from Operating Contingency with a COV19 project code, and will allow at year end the amounts cut to drop back into fund balance, alleviating some of the burden of the Deficit Budget for 2020 and negative financial impacts associated with the COVID-19 pandemic; and be it further

RESOLVED: That the Chief Accountant for Tioga County shall create 4 new contingency accounts for each Fund being reduced so that the funds can not only be tracked, but with Legislative approval be drawn back out to cover necessary shortfall that departments may encounter within 2020:

A1990 540715	COVID-19	Contingency Transfers
B1990 540715	COVID-19	Contingency Transfers
D1990 540715	COVID-19	Contingency Transfers
H1990 540715	COVID-19	Contingency Transfers

And be it further

RESOLVED: That the following budgetary lines be modified and transferred to the appropriate contingency line as detailed:

FROM:

A1010 510010	Full Time	\$38,500	Legislative
A1165 540700	Transcripts	\$9,324	District Attorney
A1170 540140	Contracting	\$3,660	Public Defender
A1185 540390	Mileage	\$500	Medical Examiner
A1325 510010	Full Time	\$12,000	Treasurer
A1325 540140	Contracting	\$20,000	Treasurer
A1355 540180	Dues	\$140	Assessments
A1355 540731	Training/State	\$400	Assessments
A1355 540733	Training/Other	\$1,500	Assessments
A1410 540320	Leased/Equip	\$600	County Clerk
A1410 540390	Mileage Expense	\$10	County Clerk
A1410 540420	Office Supplies	\$246	County Clerk
A1410 540480	Postage	\$200	County Clerk
A1410 540485	Printing/Paper	\$100	County Clerk
A1410 540520	Recording/Micro	\$150	County Clerk
A1410 540733	Training/Other	\$200	County Clerk
A1411 540320	Leased/Equip	\$125	DMV
A1411 540390	Mileage Expense	\$5	DMV
A1411 540420	Office Supplies	\$80	DMV
A1411 540480	Postage	\$325	DMV
A1411 540485	Printing/Paper	\$27.50	DMV
A1411 540733	Training/Other	\$100	DMV
A1420 520200	Office Equipment	\$200	Law
A1420 520210	Other Furniture	\$250	Law
A1420 540010	Advertising	\$200	Law
A1420 540040	Books	\$450	Law
A1420 540180	Dues	\$406	Law
A1420 540330	Legal Fees	\$3,232.50	Law

A1420 540390	Mileage Expense	\$100	Law
A1420 540420	Office Supplies	\$204	Law
A1420 540485	Printing/Paper	\$100	Law
A1420 540731	Training/State	\$300	Law
A1430 540140	Contracting	\$40,000	Personnel
A1430 540733	Training/Other	\$2,038.01	Personnel
A1450 520090	Computer	\$2,000	Elections
A1450 520130	Equip. (Not Car)	\$5,000	Elections
A1450 540733	Training (Other)	\$1,000	Elections
A1460 540390	Mileage Expense	\$40	Records Mgmt
A1460 540420	Office Supplies	\$50	Records Mgmt
A1460 540480	Postage	\$20	Records Mgmt
A1460 540485	Printing/Paper	\$25	Records Mgmt
A1460 540595	Services Rend.	\$100	Records Mgmt
A1620 540231	Heating Fuel	\$5,000	Buildings
A1620 540591	Sewer	\$3,000	Buildings
A1621 540443	Parking Lot Maint.	\$5,000	Buildings
A1680 540040	Books	\$275	Information Technology
A1680 540070	Car Maintenance	\$250	Information Technology
A1680 540140	Contracting	\$18,000	Information Technology
A1680 540180	Dues	\$150	Information Technology
A1680 540390	Mileage Expense	\$150	Information Technology
A1680 540480	Postage	\$50	Information Technology
A1680 540733	Training/Other	\$3,500	Information Technology
A2960 540590	Services Rend.	\$50,000	Handicapped Education
A2960 540710	Transport	\$200,000	Handicapped Education
A3110 510010	Full Time	\$14,176	Sheriff
A3110 540220	Automobile Fuel	\$17,850	Sheriff
A3140 520070	Chairs	\$400	Probation
A3140 520215	PPE	\$1,000	Probation
A3140 540070	Car Maintenance	\$1,050	Probation
A3140 540080	Clinic Supplies	\$900	Probation
A3140 540220	Auto Fuel	\$750	Probation
A3140 540220 RTA	Auto Fuel	\$730	Probation
A3140 540340	Literature	\$1,553.99	Probation
A3140 540360	Meals/Food	\$977.02	Probation
A3140 540390	Mileage Expense	\$78	Probation
A3140 540480	Postage	\$423.75	Probation
A3140 540590	Services Rend.	\$1,265	Probation
A3140 540630	Stationary	\$1,000	Probation
A3140 540731	Training/State	\$7,000	Probation
A3142 540140	Contracting	\$6,500	Alt. to Incarceration
A3142 540140 RTA	Contracting	\$1,908	Alt. to Incarceration
A3150 540360	Meals/Food	\$17,600	Jail

A3410 510020	Part Time	\$5,000	Fire
A3410 540144	EMS Instructors	\$2,500	Fire
A3640 540360 CO	Meals/Food	\$398	EMO
A4011 510010	Full Time	\$80,491	Public Health Admin
A4044 540487	Program Expense	\$46,000	Early Intervention
A4210 510010	Full Time	\$86,212	Alcohol & Drug
A4309 510010	Full Time	\$29,611	Mental Health Admin
A4310 510010	Full Time	\$202,614	Mental Health Clinic
A6010 510010	Full Time	\$65,000	Social Services Admin
A6010 520070	Chairs	\$463	Social Services Admin
A6010 520090	Computer	\$7,250.48	Social Services Admin
A6010 540010	Advertising	\$200	Social Services Admin
A6010 540070	Car Maintenance	\$2,000	Social Services Admin
A6010 540190	Ed. Reimburse.	\$1,500	Social Services Admin
A6010 540220	Auto Fuel	\$4,500	Social Services Admin
A6010 540350	Off. Eq. Maint	\$170	Social Services Admin
A6010 540360	Meals/Food	\$271.96	Social Services Admin
A6010 540370	Medical Expense	\$100	Social Services Admin
A6010 540390	Mileage Expense	\$150	Social Services Admin
A6010 540420	Office Supplies	\$4,000	Social Services Admin
A6010 540485	Printing/Paper	\$500	Social Services Admin
A6010 540640	Supplies (Not Off)	\$300	Social Services Admin
A6010 540733	Training/Other	\$5,000	Social Services Admin
A6510 540340	Literature	\$400	Veterans
A6510 540420	Office Supplies	\$291	Veterans
A8020 540140	Contracting	\$7,193.50	Planning
B8160 540140	Contracting	\$7,150.20	Refuse & Garbage
D5110540260	Hgwy Supplies	\$6,500	Road Maintenance
H1620 520994 BG001	Trk Wash Bldg	\$245,000	Buildings
H1620 520994 BG002	Salt Storage	\$100,000	Buildings
H1620 521941	Fork Lift	\$15,000	Buildings
H1621 520931	Carpeting-HHS	\$15,000	Buildings
H1680 520620	Software Exp	\$10,000	Information Technology
H1680 512090	Computers	\$12,000	Information Technology
H5130 521943	Steamer-Roads	\$10,000	Road Machinery
H6010 521060	Car/Truck	\$75,000	Social Services Admin
Total Modification		\$1,552,210.91	

TO:

A1990 540715 COV19Contingency	\$1,056,560.71
B1990 540715 COV19Contingency	\$7,150.20
D1990 540715 COV19Contingency	\$6,500
H1990 540715 COV19Contingency	\$482,000
Total Modification	\$1,552,210.91

Chair Sauerbrey spoke. "I just want to say that we had gone to the Departments and asked them to cut 10% of their 2020 budget, which they did and this is the mechanism to pull the funds to the appropriate line items. I would like to thank all the Departments for doing this."

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 163-20 APPROVE FUNDING
2020 SUMMER YOUTH EMPLOYMENT
PROGRAM FUNDING

WHEREAS: Additional funding has been awarded to Tioga County Department of Social Services from the Office of Temporary and Disability Assistance for Summer Youth Employment Programs; and

WHEREAS: The plan submitted for expenditure of these funds has been approved; and

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

RESOLVED: That funding be appropriated as follows:

From: A6010.446100 Federal Aid: Administration	\$105,194
To: A6010.540140 Contractual	\$ 95,194
A6010.540487 Program Expense	\$ 10,000

Chair Sauerbrey spoke. "Even though we are in a pandemic, we were able to work with some youths and give them valuable experience through County experience and I thank Shawn and his folks for that."

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 164-20 ABOLISH VACANT FULL-TIME
COMMUNITY SERVICES WORKER AND
CREATE FULL-TIME OFFICE SPECIALIST I
SOCIAL SERVICES

WHEREAS: Legislative approval is required to abolish or create any position within Tioga County employment; and

WHEREAS: One (1) full-time Community Services Worker (CSEA SG IV - \$28,352) position has been vacant within the Department of Social Services since June 30, 2020; and

WHEREAS: Upon review of the department's staffing needs, the Commissioner of Social Services has determined that the vacancy would be better utilized if downgraded to that of an Office Specialist I (CSEA SG III \$26,779); therefore be it

RESOLVED: That the vacant full-time Community Services Worker position shall be abolished and a full-time Office Specialist I position shall be created effective August 12, 2020.

Legislator Standingger spoke. "This resolution is the result of the Commissioner of Social Services who constantly examines the Department staff and whether or not it is suitable to the tasks at hand. This resolution is a result of that identification."

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 165-20 *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 2, 2020; 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 the period September 28, 2020 through February 26, 2021 at the starting salary of \$15.03 per hour, and

One, full-time seasonal Office Specialist I for the period October 13, 2020 through March 26, 2021 at the starting salary of \$12.46 per hour, and

Two, full-time, seasonal Office Specialist I for the period October 26, 2020 through February 26, 2021 at the starting salary of \$12.46 per hour, and

One, full-time, seasonal Office Specialist I for the period October 26, 2020 through January 29, 2021 at the starting salary of \$12.46 per hour; and

WHEREAS: The NYS Minimum Wage is scheduled to increase on December 31, 2020 to \$12.50 per hour 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, 2020; 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 Weston, Balliet, Hollenbeck, Monell, Mullen, Roberts, Sauerbrey, and Standinger.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 166-20 *AUTHORIZE CONTINUANCE OF
FULL-TIME HIGHWAY WORKER
(SEASONAL) POSITION
PUBLIC WORKS*

WHEREAS: Resolution 87-20 authorized the creation and filling of a full-time, Highway Worker (Seasonal) position (\$11.80/HR) in the Tioga County Department of Public Works for a temporary duration from April 1, 2020 – October 9, 2020; and

WHEREAS: Due to a vacant Motor Equipment Operator II position (\$15.046/HR; CSEA Grade 8) within the Highway Department, the Commissioner of Public Works would like to extend the duration of the temporary position in order to adequately staff his department; and

WHEREAS: Due to said vacant position, there are sufficient funds within the department's budget to cover an extension; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the continuance of full-time, Highway Worker (Seasonal) position Public Works for maximum of 1500 hours through December 31, 2020.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
PERSONNEL COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 167-20 *AUTHORIZE DONATION OF VACATION DAYS
(MOTOR VEHICLE BUREAU)*

WHEREAS: Shannon Holcomb, a recently hired Motor Vehicle License Clerk, has recently had a medical absence for which she has inadequate leave time to cover; and

WHEREAS: Joyce Costantini is interested in donating 4 days of her vacation time to Ms. Holcomb to use; and

WHEREAS: The County believes it is important and appropriate to support Ms. Holcomb during this time; therefore be it

RESOLVED: That Shannon Holcomb shall be required to liquidate all her accrued Sick and Vacation time, but then shall have access to the 4 vacation days donated by Joyce Costantini.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 168-20 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)	Not Submitted
Appointed Officials						
Budget Officer (PT)	Jackson Bailey	6	04/13/20 – 12/31/2021	N	12.10	

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 eleventh day of August, 2020 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 eleventh day of August, 2020.

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 August 11, 2020 and continued for at least 30 days. That the resolution was available to the public on the

- Employer's website at www.tiogacountyny.com
- Official sign board at Tioga County Legislative Office.
- Main Entrance Clerk's Office at _____

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Monell made a motion to bring forth two late-file resolutions for Legislature consideration, seconded by Legislator Hollenbeck. Motion carried.

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

REFERRED TO:	FINANCE COMMITTEE
RESOLUTION NO. 169-20	<i>SUPREME COURT ORDER</i> <i>TOWN OF OWEGO</i>

WHEREAS: The Supreme Court of the State of New York has rendered an Order in the matter of Southern Tier Hotel, LLC v. Town of Owego Assessor, Board of Assessment Review of the Town of Owego, and the Town of Owego, County of Tioga, New York, and issued Stipulation of Settlement and Order, indicating a reduction of assessment as decided by the parties involved, and filed on July 28, 2020; and

WHEREAS: The Court Stipulation of Settlement and Order reduces the assessment of Southern Tier Hotel's parcels 129.11-1-13.2 and 129.11-1-14.2 for the tax years of 2017/2018, 2018/2019, 2019/2020, and 2020/2021; and

WHEREAS: The 2017/2018 taxes were paid to the Tioga County Treasurer for both subject properties, and the order stipulates a refund shall be issued according to the reduced assessment; and

WHEREAS: The 2018/2019 and 2019/2020 taxes remain unpaid at the Office of the Tioga County Treasurer for both subject properties, and the order stipulates new tax bills shall be generated according to the reduced assessment; and

WHEREAS: The 2020/2021 tax bills have not been issued yet, and the order stipulates the tax bills shall be generated according to the reduced assessment; therefore be it

RESOLVED: That a refund be issued to Southern Tier Hotel, LLC by the Tioga County Treasurer for tax year 2017/2018 and the erroneous amounts be charged back to the proper accounts in the records of the Tioga County Treasurer's Office; and be it further

RESOLVED: That new bills for the unpaid 2018/2019 and 2019/2020 tax years for both subject properties be issued by the Tioga County Treasurer's Office as stipulated by the Order and the erroneous amounts be charged back to the proper accounts in the records of the Tioga County Treasurer's Office; and be it further

RESOLVED: That the 2020/2021 tax bills for both subject properties be issued with the reduced assessment as stipulated by the Order, and be it further

RESOLVED: That the combined assessment of the subject properties be \$1,496,000 for the tax years 2021/22, 2022/23, and 2023/24.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO:

LEGISLATIVE WORKSESSION
PERSONNEL COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 170-20

*AUTHORIZE EXCEPTION TO EMPLOYEE
HANDBOOK SECTION IV. PERSONNEL RULES –
SUBSECTION J: NON-UNION VACATION*

WHEREAS: Public Health has experienced significant and ongoing staffing coverage issues working seven days a week throughout the COVID-19 pandemic; and

WHEREAS: The Employee Handbook Section IV. Personnel Rules - Subsection J. Non-Union Vacation Policy dictates the rules regarding vacation accruals and carry-over for Non-Union staff; and

WHEREAS: The Policy allows for carry-over of 20 days of vacation from one anniversary to the next; and

WHEREAS: Due to the responsibilities related to the ongoing response, two TCPH non-union staff have been unable to utilize their vacation time and are in jeopardy of losing earned vacation days; and

WHEREAS: Public Health requests that during this unique and exceptional pandemic circumstance these two employees be granted exception and to cash-in the vacation days in jeopardy of being lost; and

WHEREAS: Funds for this "cash-in" are available in the 2020 Public Health budget and are fully reimbursable without any County cost; therefore be it

RESOLVED: That the County Legislature hereby authorizes an exception to Employee Handbook Section IV. Personnel Rules – Subsection J. Non-Union Vacation Policy due to the current and ongoing pandemic, for Heather Vroman (60.5 hours) and Lisa McCafferty (130 hours) to cash-in the earned vacation days that are in excess of the allowable 20-day carryover on their employee anniversary dates at a combined amount not to exceed \$9,000.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

The meeting adjourned at 12:22 P.M.