

# Agenda



## TIOGA COUNTY LEGISLATURE

7/13/2021

12:00 PM

EDWARD D. HUBBARD AUDITORIUM

Ronald E. Dougherty County Office Building

56 Main Street

Owego NY 13827

Meeting called by: Chair Martha Sauerbrey

Type of meeting: 7<sup>th</sup> Regular

Attendees:  
 Legislator Balliet  
 Legislator Hollenbeck  
 Legislator Monell  
 Legislator Mullen  
 Legislator Roberts  
 Legislator Sauerbrey  
 Legislator Standing  
 Legislator Sullivan  
 Legislator Weston

### Agenda topics

Invocation  
 Pledge of Allegiance

Legislator Hollenbeck  
 Legislator Hollenbeck

Proclamations (2)

Plastic Free Month  
 Healthy Vision Month in Tioga County

Privilege of the Floor  
 Approval of Minutes

June 15, 2021

Petitions, Communications & Notices

Appointments/Reappointments

Reports Standing Committees

## RESOLUTIONS:

1. Resolution Urging NYS Governor Andrew M. Cuomo to Forgo Additional Federal Unemployment Funds
2. Schedule Second Public Hearing for New York State Community Development Block Grant
3. Award Design Services to C&S Engineers for Wash Bay Facility
4. Award Design Services to Delta Engineers for Harnick Road Bridge BIN 2218720
5. 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
6. Amend Budget – Public Works
7. Accept Indigent Legal Services Award and Amend Budget
8. Authorize Acceptance of the NYS 2020-2021 PSAP Operations Grant and Modify 2021 Budget
9. Modify 2021 Budget and Transfer Funds – Sheriff's Office
10. Appropriation of Funds and Budget Modification – Mental Hygiene
11. Contingency Fund Request and Transfer of Funds – Mental Hygiene
12. Transfer of Funds – Tioga Career Center
13. Appropriation of Funds and Amend 2021 Budget – Social Services
14. Approve Funding for 2021 Summer Youth Employment Program
15. Amend Budget & Appropriate Funds – Public Health
16. Amend Budget & Appropriate Funds – Public Health
17. Authorize Appointment: Secretary to Commissioner of Social Services
18. Appoint Freedom of Information Officer

**County of Tioga  
EXECUTIVE PROCLAMATION**

WHEREAS: Tioga County recognizes that waste disposal and recycling issues have both environmental and economic costs; and

WHEREAS: These issues lessen the effectiveness of our businesses and increase pressure on the environment through loss of natural resources, harming the vitality of our communities; and

WHEREAS: The economic burden is amplified in Tioga County due to the lack of a landfill within the County; and

WHEREAS: Educating residents about the benefits of reducing waste, reusing and recycling efforts are essential elements in attaining sustainable community; and

WHEREAS: Each of us needs to do our part by taking personal responsibility to improve behaviors and practices by learning how we can reduce waste, reuse and recycle; and

WHEREAS: Tioga County Solid Waste supports these initiatives; therefore  
THE TIOGA COUNTY LEGISLATURE does hereby proclaim the month of July 2021  
as

**PLASTIC FREE MONTH**

And urges all residents to take steps to educate themselves, their families, and the community about the role of reduction, reuse and recycling in the environmental and economic health of our community.

**County of Tioga  
EXECUTIVE PROCLAMATION**

WHEREAS: Vision loss is among the top 10 causes of disability in the United States, with an estimated 7 million Americans having vision impairment, including 1 million who are blind; and

WHEREAS: These numbers are expected to double by 2050 due to the aging U.S. population, and the expected increase in chronic diseases that can cause vision loss, such as diabetes; and

WHEREAS: Risk factors for eye disease include race/ethnicity, age, sex, and having a chronic health condition such as diabetes, high blood pressure, or heart disease; and behavioral factors such as smoking and being physically inactive; and

WHEREAS: Ninety percent of blindness caused by diabetes is preventable; and

WHEREAS: Early detection and timely treatment of eye conditions such as diabetic retinopathy has been found to be successful and cost effective; and

WHEREAS: More than half of adult Americans who did not seek eye care due to lack of awareness or costs; or by lack of insurance; therefore

THE TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the month of July 2021 as:

**HEALTHY VISION MONTH IN TIOGA COUNTY**

and urges all the citizens of our County to know their family's eye health history, eat right, maintain a healthy weight, wear protective eyewear, quit smoking, and wear sunglasses, even on cloudy days to protect against vision loss.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. -21 RESOLUTION URGING NYS GOVERNOR  
ANDREW M. CUOMO TO FORGO ADDITIONAL  
FEDERAL UNEMPLOYMENT FUNDS

WHEREAS: The Federal Government passed the American Rescue Plan; and

WHEREAS: This plan includes additional Pandemic Emergency Unemployment Compensation of \$300.00 a week for people laid off through the week ending September 5, 2021; and

WHEREAS: There is a severe national labor shortage caused by the Federal Government's unemployment policy changes and extensions; and

WHEREAS: Businesses have reduced hours of operation or closed due to lack of available staff; and

WHEREAS: It is vital that we rebuild the economy in Tioga County and New York State to ensure the health and viability of our State; therefore be it

RESOLVED: That the Tioga County Legislature urges the Governor of New York State, along with our State Legislature, to sunset the \$300.00 additional weekly unemployment insurance benefit on September 5, 2021 as scheduled and forgo any additional extensions; and be it further

RESOLVED: That the Clerk of the Legislature forward a certified copy of this resolution to New York State Governor Cuomo, Congressman Reed, Senator Akshar, Senator Schumer, Assemblyman Friend, and New York State Association of Counties.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE  
LEGISLATIVE WORKSESSION

RESOLUTION NO. -21 SCHEDULE SECOND PUBLIC HEARING FOR  
NEW YORK STATE COMMUNITY DEVELOPMENT  
BLOCK GRANT

WHEREAS: Tioga County was awarded a Community Development Block Grant in 2017; and

WHEREAS: New York State Community Development Block Grant (CDBG) Program funds in the amount of \$300,000 were received and funded the replacement of the mobile dental trailer; and

WHEREAS: On June 24, 2019 Tioga County put into operation the new mobile dental unit in which to serve the dental needs of the community; and

WHEREAS: In compliance with the requirements of the Housing and Community Development Act of 1972, Tioga County seeks public input on the project Tioga Mobile Dental Services; and

WHEREAS: Due to the printed public notice of the original 2<sup>nd</sup> Public Hearing appearing only six days prior to the Hearing Date, another 2<sup>nd</sup> Public Hearing is required by CDBG; therefore be it

RESOLVED: That the Tioga County Legislature will hold a public hearing for community input in regards to the current Community Development Block Grant project in the Legislative Conference Room of the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, New York 13827 on Thursday, August 5, 2021 at 1:00 P.M. All persons desiring to present written or oral comments may do so at said time.

REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. -21

AWARD DESIGN SERVICES TO  
C&S ENGINEERS FOR WASH BAY FACILITY

WHEREAS: Tioga County had budgeted for a wash bay facility in 2020 to be built at Corporate Drive, due to COVID the project budget was reduced and not enough funds were available to continue with the project; and

WHEREAS: The Commissioner of Public Works desires to proceed with the project and received a proposal for preliminary design services only for this project from C&S Engineers, Syracuse, NY; and

WHEREAS: The proposal for this phase of the project is \$28,420; therefore be it

RESOLVED: That the Tioga County Legislature approve the proposal for preliminary design portion of the Wash Bay Facility for C&S Engineers not to exceed \$28,420 to be paid out of the following account:

H1620.520994.BG001 Highway Truck Wash Building

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. -21 AWARD DESIGN SERVICES  
TO DELTA ENGINEERS FOR  
HARNICK ROAD BRIDGE BIN 2218720

WHEREAS: Tioga County is the recipient of funding through NYSDOT for the bridge replacement of Harnick Road over Apalachin Creek; and

WHEREAS: The Commissioner of Public Works received a proposal for design services for this project from Delta Engineers, Endwell, NY; and

WHEREAS: The proposal for this bridge is \$299,806; therefore be it

RESOLVED: That the Tioga County Legislature approve the proposal for the Harnick Road over Apalachin Creek Bridge BIN 2218720 for Delta Engineers not to exceed \$299,806 to be paid out of the following account:

H5110.540004.H2102 Harnick Road over Apalachin Creek



REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. -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 Bridge Replacement, BIN 2218720 Harnick Road over Apalachin Creek, PIN 9754.90 (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 and Right of Way Incidentals 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 and Right-of-Way Incidentals work for the Project or portions thereof; and it is further

RESOLVED: that the sum of \$294,400 is hereby appropriated from account H5110.540004.H2102 and made available to cover the costs of participation in the above phases 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 of the County of Tioga 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.

REFERRED TO: PUBLIC WORKS COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. -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, Harnick Road over Apalachin Creek, PIN 9754.90; and

WHEREAS: The project duration lasts until October 2023, and is programmed to have a total cost of \$1,730,400 including all phases of the project, in which 80% of Federal Funds will be reimbursed to Tioga County; and

WHEREAS: Tioga County is the recipient of CHIPS, PAVE NY and EWR funding from New York State, the total amount of funding available is \$2,719,024.79; 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.H2102	Federal Aid - for PIN 9754.90	\$1,384,320.00
H5110.435010	State Aid – CHIPS	\$1,442,185.54

To: H5110.540004.H2102	Harnick Road over Apalachin Creek	\$1,730,400
H5110.540001.H2103	East River Drive Paving	\$ 600,000
H5110.540001.H2104	Corporate Drive Reconstruction	\$ 517,000

And be it further

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. - 21 ACCEPT INDIGENT LEGAL SERVICES AWARD  
AND AMEND BUDGET

WHEREAS: The Assigned Counsel Administrator's Office has been awarded an Indigent Legal Services Grant (C110049) in the amount of \$123,804.00; and

WHEREAS: This funding now needs to be appropriated; therefore be it

RESOLVED: That the ILS Grant of \$123,804.00 be appropriated and the 2021 Budget be amended as follows:

Revenue Account: A1173 430260 State Aid Indigent \$123,804.00

Expense Account: A 1173 510010 Full Time Salary	\$ 72,310.00
A 1173 510020 Part Time Salary	\$ 42,010.00
A 1173 540040 Books	\$ 4,000.00
A 1173 540280 Investigations	\$ 750.00
A 1173 540480 Postage	\$ 34.00
A 1173 540620 Software	\$ 2,500.00
A 1173 583088 Social Security	\$ 1,500.00
A 1173 584088 Workers Comp	\$ 686.55
A 1173 588988 EAP	\$ 13.45

REFERRED TO: PUBLIC SAFETY COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. -21 AUTHORIZE ACCEPTANCE OF THE  
NYS 2020-2021 PSAP OPERATIONS GRANT AND  
MODIFY 2021 BUDGET

WHEREAS: The Sheriff's Office applied and was awarded a NYS Office of Interoperable and Emergency Communications PSAP Operations grant in the amount of \$129,555; and

WHEREAS: This funding will reimburse the E911 budget for Dispatcher personnel service costs incurred in 2021; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the acceptance of this award; and be it further

RESOLVED: That the 2021 budget be modified to reflect this state aid and that this funding be receipted with the following revenue account.

Revenue Account: A3020 433310 \$129,555

REFERRED TO: PUBLIC SAFETY COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. -21 MODIFY 2021 BUDGET AND  
TRANSFER FUNDS  
SHERIFF'S OFFICE

WHEREAS: Funds need to be transferred to pay for emergency equipment for the Road Patrol; and

WHEREAS: Legislative approval is needed to modify the 2021 budget and transfer funds between object of expenses; therefore be it

RESOLVED: That the 2021 budget be modified and transfer of funds be made as follows:

FROM:  
A3110.5400070 Car Maintenance \$31,448.50

TO:  
A3110.520191 Emergency Equipment \$31,448.50

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. -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 Family Peer Support Services, Ongoing Integrated Supported Employment, Psychosocial Club, Drop-In Center, Advocacy/Support Services (Warm-Line), and Single Point of Access; and

WHEREAS: TCMH has contracted with AspireHopeNY, 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	\$ 2,428.00
To: A4311-540595 Services Rendered (Other)	\$ 8.00
To: A4320-540140 Contracting Services	\$ 68.00
To: A4320-540590 Services Rendered	\$ 440.00
To: A4333-540130 Contracts	\$ 1,260.00
To: A4333-540140 Contracting Services	\$ 652.00

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. -21 CONTINGENCY FUND REQUEST AND  
TRANSFER OF FUNDS  
MENTAL HYGIENE

WHEREAS: Tioga County Mental Hygiene (TCMH) is required to pay a portion of the costs for the inpatient treatment of Tioga County residents that have been assigned Criminal Psychiatric services by the NYS Court system; and

WHEREAS: TCMH has received notice that Tioga County residents were 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, yet this will require a budget modification and transfer of funds from contingency to Mental Health's appropriation account; and

WHEREAS: Transfer of funds and contingency fund requests requires Legislative approval; therefore be it

RESOLVED: That contingency fund use be approved and transferred as follows:

From: A1990 540715	County Contingency Account	\$ 33,125.05
To: A4390 540590	Criminal Psychiatric: Services Rendered	\$ 33,125.05



REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. -21 TRANSFER OF FUNDS  
TIOGA CAREER CENTER

WHEREAS: Resolution 144-21 appropriated Broome County issued Contract Modification #1 in the amount of \$20,000 in Adult Funds to Tioga County; and

WHEREAS: Utilization of these funds requires a modification to the original appropriation; and

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

RESOLVED: That the Tioga Career Center re-allocates the funds as follows:

From:	CD6293 540130 Contracts	\$ 2350.80
To:	CD6293 520070 Chairs	\$ 2350.80

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. -21 APPROPRIATION OF FUNDS AND  
AMEND 2021 BUDGET - SOCIAL SERVICES

WHEREAS: Funding to Enhance Adult Protective Services to Respond to COVID-19 has been awarded to Tioga County Department of Social Services from the Office of Children and Family Services to enhance, improve, and expand the ability of APS to investigate allegations of abuse, neglect, and exploitation in the context of COVID-19; and

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

RESOLVED: That funding be appropriated as follows:

From:	A6010.446100 Federal Aid: Administration	\$ 14,416
To:	A6010.540487 Program Expense	\$ 14,416

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. -21 APPROVE FUNDING FOR 2021  
SUMMER YOUTH EMPLOYMENT PROGRAM

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	\$115,914
To: A6010.540140 Contractual	\$107,576
A6010.540487 Program Expense	\$ 8,338

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE  
FINANCE COMMITTEE

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

WHEREAS: Tioga County Public Health has been awarded additional funding from the CDC passed through NYSDOH; and

WHEREAS: The funding is specifically designated for Public Health efforts toward COVID-19 as Epidemiology & Laboratory Capacity (ELC) 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: Funds may require future transfers to more appropriate budget lines based upon modifications and approvals from NYS & CDC; and

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

RESOLVED: That Legislature authorizes the Budget Officer to make necessary account transfers as required for these funds, per future modifications approvals from NYS; and be it further

RESOLVED: That funding be appropriated as follows:

From: A4011 434011-ELC1 Public Health: State Aid/ELC1	\$1,369,080
To: A4011 540487-ELC1 Public Health: Program Expense/ELC1	\$1,369,080

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE  
FINANCE COMMITTEE

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

WHEREAS: Tioga County Public Health has been awarded funding from New York State; and

WHEREAS: The award is designated for Creating Healthy Schools & Communities, which is a partnership between Broome and Tioga Counties; and

WHEREAS: Creating Healthy School & Communities is an area of focus for Public Health; and

WHEREAS: The funding will pass through Broome County to Tioga County Public Health; and

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

RESOLVED: That funding be appropriated as follows:

From: A4053 422800	Public Health: Local Grants	\$ 50,000
To: A4053 540640	Public Health: Supplies	\$ 50,000

REFERRED TO: HEALTH AND HUMAN SERVICES COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. -21 AUTHORIZE APPOINTMENT:  
SECRETARY TO COMMISSIONER OF  
SOCIAL SERVICES

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

WHEREAS: The position of Secretary to Commissioner of Social Services (\$36,742-\$46,742, Non-union) has been vacant since May 1, 2021, due to resignation; and

WHEREAS: The Commissioner of Social Services has recruited for said vacancy and has identified a qualified internal candidate who is currently employed as an Office Specialist I (\$26,779-\$27,479, CSEA); therefore be it

RESOLVED: That the Commissioner of Social Services is authorized to promote Brenda Holt to the title of Secretary to Commissioner of Social Services an annual salary of \$44,201 effective July 14, 2021.

REFERRED TO:

LEGISLATIVE WORKSESSION  
LEGAL/FINANCE COMMITTEE

RESOLUTION NO. - 21

APPOINT FREEDOM OF INFORMATION OFFICER

WHEREAS: Upon retirement of Diane Stephens, Confidential Secretary to the County Attorney, who also served as the County's Freedom of Information Officer, a new Freedom of Information Officer must be appointed; therefore be it

RESOLVED: That Kevin Humes, Paralegal with the Law Department, be and hereby is appointed Freedom of Information Officer for Tioga County; and be it further

RESOLVED: That in the event he is unable to act for any reason, the County Attorney is hereby designated to act in his stead; and be it further

RESOLVED: That in the event the Freedom of Information Officer makes a personal request for information, said request shall be approved by the County Attorney.