

Sixth Regular Meeting
June 14, 2022

The Sixth Regular Meeting of 2022 was held on June 14, 2022 and was called to order by the Chair at 12:00 P.M. All Legislative members were present.

Chair Sauerbrey asked Legislator Mullen to have a moment of prayer. "Dear Lord, we ask you to watch over our meeting today and help guide us in our decision-making for the residents of Tioga County. We say a special prayer of thanks for the freedoms we receive and have in this country and the protection of our members in the U.S. Armed Forces, as they continue to protect our nation and its freedom."

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

There were 15 people in attendance.

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

Legislator Weston read and presented the following resolution to Alan Ervay, Public Works.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 165-22 *RECOGNIZING ALAN ERVAY'S
20 YEARS OF DEDICATED SERVICE
TO TIOGA COUNTY*

WHEREAS: Alan Ervay started his employment with Tioga County as Automotive Mechanic II of Public Works June 10, 2002 and was promoted to Mechanic/Working Supervisor on July 26, 2006; and

WHEREAS: Alan Ervay has been a dedicated and loyal employee in the performance of his duties and responsibilities during the past 20 years to the Public Works Department. He has earned the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: Mr. Ervay is retiring on June 18, 2022; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Alan Ervay for his 20 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this dedicated and outstanding employee, Alan Ervay.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Mr. Ervay spoke. "These past 20 years I have really enjoyed working for Tioga County and with a lot of nice people. Everyone has always treated me with respect. I am really going to miss working even though retirement sounds good, but I would rather be working. Thank you for employing me and all the good things you have done for me."

Commissioner of Public Works Hammond spoke. "I would like to say a couple of things about Alan while I have the opportunity. The first thing I will say is that I was going to spend some time putting a speech together, but I ran out of time and I realized that if I could not say something nice about Al, I really should not be up here.

"Al has been, as stated, an auto mechanic for 20 years for Tioga County. He is also a CDL driver and could always be counted on to show up in the middle of the night and plow snow for the citizens of Tioga County if there was a shortage of drivers. He is the kind of man that every supervisor wants to have. At no point in time was I ever concerned that Al Ervay wasn't giving the taxpayers of Tioga County their due. He could always be counted on to go the extra mile and I am going to miss it. The resolution states that he had the admiration of his colleagues and peers, but he also had the admiration of his supervisors. Thank you, Al for everything you have done for Tioga County. One of the things that Al did above and beyond was every time a Sheriff's cruiser came in, he would put that into priority. Every time a vehicle needed to be picked up, he would go get it all hours of the day or night. If the Sheriff's vehicle hit a deer, which tends to happen in a rural county like ours, he would haul it back and get it back in service in a timely fashion. When new police cruisers come in, they do not have the lights, sirens,

cages, push bars, or anything that makes it a police cruiser besides the actual vehicle itself and Al would put it all together. Often times, he would use parts from the old cruisers to save the taxpayers money. Again, these are just a few of the things that Al has done for us and it is going to be tough to fill his shoes. Thank you."

Chair Sauerbrey reported we have one Proclamation; **Skin Cancer Awareness Month** that will be noted in the minutes.

COUNTY OF TIOGA EXECUTIVE PROCLAMATION

WHEREAS: Skin cancer is the most common cancer in the United States and worldwide, affecting 1 in 5 Americans by the age of 70; and

WHEREAS: Melanoma, the third most common form of skin cancer and the most deadly, is estimated to kill approximately 7,650 individuals in 2022; and

WHEREAS: According to the New York State Cancer Registry, Tioga County averages about 20 cases of melanoma annually; and

WHEREAS: If caught early, melanoma has a 5-year survival rate of 99%; and

WHEREAS: Routine skin cancer screenings and self-examinations for abnormal moles and spots can help catch melanomas early on; and

WHEREAS: Rates of melanoma and other skin cancers can be further reduced through routine sun safety practices including: applying sunscreen with a minimum of SPF 15, seeking shaded areas, dressing in long sleeved clothing, wearing sun glasses and wide-brimmed hats, and limiting time outdoors between the hours of 10am and 4pm when the sun's UV rays are strongest; and

WHEREAS: Tioga County Public Health in partnership with the Cancer Prevention in Action grant funded by New York State, emphasize the importance of sun safety through education and outreach to local daycares, outdoor recreation facilities, outdoor worksites, and the community in general; now therefore

THE TIOGA COUNTY LEGISLATURE does hereby proclaim the month of June 2022 as

SKIN CANCER AWARENESS MONTH

and urges all residents to practice sun safety year round and seek medical advice for any abnormal moles or spots.

There was no privilege of the floor.

Legislator Mullen made a motion to approve the minutes of May 10, 2022, seconded by Legislator Hollenbeck and carried.

Chair Sauerbrey officially welcomed our new Personnel Officer, Linda Parke, to Tioga County and wished her well.

Chair Sauerbrey made the following appointment to the Tioga County Council of Governments:

Legislator William Standinger – 6/14/2022

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

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 166-22 *APPOINT MEMBER TO THE TIOGA COUNTY
LOCAL DEVELOPMENT CORPORATION*

WHEREAS: Sandy Layman resigned from the Tioga County Local Development Corporation Board effective 3/31/22; and

WHEREAS: Keith Flesher has expressed his desire to serve on the Tioga County Local Development Corporation Board to fill Sandy Layman's term that expired 3/31/22; and

WHEREAS: The Tioga County Local Development Corporation Board of Directors has found Keith Flesher willing and able to fill said vacancy; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoint Keith Flesher to fill Sandy Layman's expired term 6/14/22 – 3/31/25.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 167-22 *AUTHORIZE SUBMISSION OF APPALACHIAN
REGIONAL COMMISSION GRANT APPLICATION
FOR STRATEGIC PLAN*

WHEREAS: Tioga County's current strategic plan, Tioga County 2020 Strategic Plan, was adopted in 2016 and is now mostly complete and out of date; and

WHEREAS: Tioga County has an opportunity to create a new strategic plan with 50% funding from the Appalachian Regional Commission's (ARC) Area Development Program 2022 round, which also requires a 50% local match; and

WHEREAS: MRB |group has provided Tioga County with a cost estimate for such strategic plan at approximately \$50,000; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes said grant application to ARC for a Tioga County Strategic Plan update in an amount not to exceed \$50,000, commits the \$25,000 local cash match from the General Fund Balance and authorizes the Chair of the County Legislature to sign any and all grant related paperwork upon review and approval of the County Attorney.

ROLL CALL VOTE

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

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. 168-22 *AUTHORIZE THE SUBMISSION OF THE
FISCAL YEAR 2022 BODY WORN CAMERA GRANT
SHERIFF'S OFFICE*

WHEREAS: United States Department of Justice has announced the fiscal year 2022 BWC (Body Worn Camera) grant funding; and

WHEREAS: Applications for this grant are required to be submitted in May of 2022; and

WHEREAS: County Policy Section III (e) requires that a resolution be approved before any such grant application is submitted. However, due to the short notification period, the Tioga County Sheriff's Office had to submit an application for this funding by May 25, 2022; therefore be it

RESOLVED: That the Tioga County Sheriff's Office be authorized to submit the appropriate grant application for securing this funding, after the fact, and authorizes the Chair of the Legislature to sign such application.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 169-22 *AUTHORIZE THE SUBMISSION OF
EMPG22 GRANT APPLICATION
OFFICE OF EMERGENCY SERVICES*

WHEREAS: The NYS Department of Homeland Security/Federal Emergency Management Agency has issued an Emergency Management Performance Grant (EMPG22) in the amount of \$24,278; and

WHEREAS: County Policy #47 requires that a resolution be approved before any such grant application is submitted. However, due to the short notification period, the Tioga County Office of Emergency Services had to submit an application for this funding by June 6, 2022; therefore be it

RESOLVED: That the Tioga County Office of Emergency Services be given authorization to apply for the 2022 EMPG grant application, after the fact to be in compliance with county policy, and authorizes the Chair of the Legislature to sign such application.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 170-22 *AUTHORIZE THE SUBMISSION OF
HOMELAND SECURITY GRANT
APPLICATION (SHSP22)
OFFICE OF EMERGENCY SERVICES*

WHEREAS: The NYS Department of Homeland Security/Federal Emergency Management Agency has issued a grant of \$59,750 to the Tioga County Office of Emergency Services. 30% of the monies will be appropriated to the Sheriff's Office (\$17,925) and 70% to Emergency Management (\$41,825); and

WHEREAS: County Policy #47 requires that a resolution be approved before any such grant application is submitted. However, due to the short notification period, the Tioga County Office of Emergency Services had to submit an application for this funding by June 6, 2022; therefore be it

RESOLVED: That the Tioga County Office of Emergency Services be given authorization to apply for the 2022 Homeland Security grant application, after the fact to be in compliance with county policy, and authorizes the Chair of the Legislature to sign such application.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 171-22 *AUTHORIZE THE CHAIR OF THE LEGISLATURE
TO ENTER INTO THE CENTRAL NEW YORK
INTEROPERABLE COMMUNICATIONS
CONSORTIUM (CNYICC) AGREEMENT
OFFICE OF EMERGENCY SERVICES*

WHEREAS: There is a need to cooperate and establish an interoperability communications network for emergency services communications to serve the Southern Tier East and Central New York Regions; and

WHEREAS: This need has been expressed in the National SAFECOM program, is encouraged by the Federal Government through a number of federal grant programs, and is well recognized as the future for planning interoperable communications systems; and

WHEREAS: In order to seek federal funding for such initiatives, it is the desire of the counties of Broome, Cayuga, Cortland, Jefferson, Lewis, Madison, Oneida, Onondaga, Oswego, Tioga, and St. Lawrence, to form the Central New York Interoperable Communications Consortium; and

WHEREAS: It is desirable that the Central New York Interoperable Communications Consortium be endorsed by its participant active counties and that its responsibilities be formally set forth; therefore be it

RESOLVED: That the County of Tioga, for the reasons set forth above, and pursuant to the authority provided under Article 5-G of the New York State General Municipal Law, hereby expresses its desire to work with its neighboring counties as an active member of the Central New York Interoperable Communications Consortium and officially designates its E-911 Coordinator, Emergency Services Coordinator, Chief Communications Officer, or Fire Coordinator to be its official representative to said alliance; and be it further

RESOLVED: That once activated, the Regional Interoperable Communications Alliance will be governed in the manner set forth in the Memorandum of Understanding; and be it further

RESOLVED: That the Regional Interoperable Communications Alliance shall be activated upon the adoption of this resolution by this county and any two other counties listed as potential member counties, and that the Alliance shall only represent those counties with active memberships.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 172-22 *AUTHORIZING LEGISLATIVE CHAIR SIGNATURE
ON NY OWEGO II, LLC PAYMENT IN LIEU
OF TAX AGREEMENT*

WHEREAS: NY Owego II, LLC has submitted a Notice of Intent to the Town of Owego that it plans to build and operate a “Solar Energy System” with an expected total capacity of approximately 5.0 Megawatts AC; and

WHEREAS: The project location is situated at 267 Cafferty Hill Road, tax map #143.06-1-1.1, Town of Owego, County of Tioga, State of New York; and

WHEREAS: The Taxing Jurisdiction is defined as the Town of Owego, the Union Endicott Central School District and the County of Tioga; and

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

WHEREAS: The Taxing Jurisdiction has indicated its intent to require Payment in Lieu of Taxes (PILOT) Agreements with NY Owego II, LLC; and

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

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

WHEREAS: Such fifteen (15) year term shall commence on the first taxable status date selected by NY Owego II, LLC following the commencement of the construction of the project, and shall end by the fifteenth fiscal year following; and

WHEREAS: The first annual payment shall be in the aggregate amount of \$4,000 per built out Megawatt AC of capacity, and thereafter annual payments shall escalate by two (2.0 %) percent per year; and

WHEREAS: The annual payments for the Taxing Jurisdiction shall be made payable to the Town of Owego and mailed to the Town of Owego and are due no later than January 15th of each year; and

WHEREAS; The Town of Owego shall be responsible for distributing the annual payments to the Union Endicott Central School District and the County of Tioga; and

WHEREAS: The Taxing Jurisdictions have agreed that the said payments shall be disbursed to the Town of Owego, Union Endicott Central School District and County of Tioga in equal portions; therefore be it

RESOLVED: That the Tioga County Legislature agrees to authorize the Legislative Chair to sign the Payment in Lieu of Tax Agreement between NY Owego II, LLC, the Town of Owego, Union Endicott Central School District and Tioga County.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 173-22 *AUTHORIZE LEGISLATIVE CHAIR SIGNATURE
ON NY OWEGO III, LLC PAYMENT IN LIEU
OF TAX AGREEMENT*

WHEREAS: NY Owego III, LLC has submitted a Notice of Intent to the Town of Owego that it plans to build and operate a “Solar Energy System” with an expected total capacity of approximately 5.0 Megawatts AC; and

WHEREAS: The project location is situated at 2635 Day Hollow Road, tax map # 119.00-2-25, Town of Owego, County of Tioga, State of New York; and

WHEREAS: The Taxing Jurisdiction is defined as the Town of Owego, the Owego Apalachin Central School District and the County of Tioga; and

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

WHEREAS: The Taxing Jurisdiction has indicated its intent to require Payment in Lieu of Taxes (PILOT) Agreements with NY Owego III, LLC; and

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

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

WHEREAS: Such fifteen (15) year term shall commence on the first taxable status date selected by NY Owego III, LLC following the commencement of the construction of the project, and shall end by the fifteenth fiscal year following; and

WHEREAS: The first annual payment shall be in the aggregate amount of \$4,000 per built out Megawatt AC of capacity, and thereafter annual payments shall escalate by two (2.0 %) percent per year; and

WHEREAS: The annual payments for the Taxing Jurisdiction shall be made payable to the Town of Owego and mailed to the Town of Owego and are due no later than January 15th of each year; and

WHEREAS; The Town of Owego shall be responsible for distributing the annual payments to the Owego Apalachin Central School District and the County of Tioga; and

WHEREAS: The Taxing Jurisdictions have agreed that the said payments shall be disbursed to the Town of Owego, Owego Apalachin Central School District and County of Tioga in equal portions; therefore be it

RESOLVED: That the Tioga County Legislature agrees to authorize the Legislative Chair to sign the Payment in Lieu of Tax Agreement between NY Owego III, LLC, the Town of Owego, Owego Apalachin Central School District and Tioga County.

Legislator Mullen spoke. "This one I will vote yes, but it was a big issue where this one went. I hope in the future there is a little more cooperation amongst other jurisdictions and municipalities when something like this comes up. I am very concerned for some of the property values of the people on Day Hollow Road."

ROLL CALL VOTE

Yes – Legislators Mullen, Roberts, Standinger, Weston, Brown, Ciotoli, Hollenbeck, and Monell.

No – Legislator/Chair Sauerbrey.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 174-22 *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, Right-of-Way Incidentals and Right-of-Way Acquisition work.

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

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

RESOLVED: That the Tioga County Legislature hereby authorizes the County of Tioga to pay in the first instance 100% of the Federal and non-Federal share of the

cost of the Right-of-Way Incidentals and Right-of-Way Acquisition work for the Project or portions thereof; and it is further

RESOLVED: That the sum of \$17,400 is hereby appropriated from account H5110.520003.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 Mullen, Roberts, Sauerbrey, Standinger, Weston, Brown, Ciotoli, Hollenbeck, and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 175-22 *AWARD BID FOR TRANSPORTATION SERVICES
TO EARLY INTERVENTION AND PRESCHOOL
SPECIAL EDUCATION CHILDREN'S PROGRAM
PUBLIC HEALTH*

WHEREAS: Bids have been received for the Provision of Transportation Services to Early Intervention and Pre-School Special Education Children; and

WHEREAS: The bids (pricing based on a one-way trip) were received and opened on May 19, 2022, and the bid results were as follows:

Serafini Transportation Corp. Zone 1 - \$105; Zone 2 - \$118

And

WHEREAS: Funds have been included in the Public Health Department budget for this service; and

WHEREAS: Serafini Transportation Corp. has been determined to be the responsible bidder proposing the lowest unit price per child based on a one-way transportation cost, and whose proposal complies with all provisions to render it formal and legal and whose proposal is considered to be in the best interest of Tioga County; and

WHEREAS: The Director of Public Health is in agreement with this determination in the provision of transportation of Tioga County's most vulnerable young citizens; therefore be it

RESOLVED: That the Tioga County Legislature authorize the Department of Public Health to enter into a contract with Serafini Transportation Corp. for the Provision of Transportation Services to Early Intervention and Preschool Special Education Children based on stated stipulated cost of \$105 for Zone 1 and \$118 for Zone 2 per one-way trip for the period of July 1, 2022 through June 30, 2025.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 176-22 *AWARD CONTRACT FOR THE REPAIRS TO
PARK SETTLEMENT BRIDGE*

WHEREAS: Tioga County has a bridge in need of repair due to a NYSDOT inspection; and

WHEREAS: The Commissioner of Public Works received two sealed bids on June 2, 2022 and the bids came in as follows:

Economy Paving Co. Inc.	\$164,644.46
R. DeVincentis Construction	\$178,000.00

And

WHEREAS: Tioga County DPW completed the review of the bids and finds the low bidder, Economy Paving Co. Inc., Cortland, NY meets all of the qualifications of the specifications; therefore be it

RESOLVED: That the Tioga County Legislature authorize awarding the contract to Economy Paving Co. Inc., Cortland, NY not to exceed \$164,644.46 to be paid out of the following account:

H5110.540002.H1504 – Park Settlement Bridge

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 177-22 *AWARD HVAC CONTROL CONTRACT
FOR THE HHS BUILDING*

WHEREAS: Tioga County has budgeted funds for the replacement of the HVAC Controls at the HHS Building; and

WHEREAS: The Commissioner of Public Works received one sealed bid on June 1, 2022 and the bid came in as follows:

Postler & Jaeckle Corporation, Endicott NY	\$492,420.00 Base Bid
	\$229,115.00 Alt #1

And

WHEREAS: Tioga County DPW completed the review of the bid and finds the low bidder Postler & Jaeckle Corporation, Endicott, NY meets all of the qualifications of the specifications; therefore be it

RESOLVED: That the Tioga County Legislature authorize awarding the BASE BID contract to Postler & Jaeckle Corporation, Endicott, NY not to exceed \$492,420.00 to be paid out of the following account:

H1621.520926 – HVAC Control System

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 178-22 *EXTEND CONTRACT CBH MEDICAL FOR
JAIL MEDICAL AND MENTAL HEALTH SERVICES
SHERIFF'S OFFICE*

WHEREAS: Resolution 274-20 authorized the execution of an agreement for medical and mental health services for inmates at the Tioga County Jail with the option to renew for three additional one-year terms; and

WHEREAS: This agreement will expire December 31, 2022 and the Sheriff's Office would like to extend it an additional year at a cost not to exceed \$798,060; therefore be it

RESOLVED: That the agreement with CBH Medical to provide comprehensive medical and mental health services for the inmates at the Tioga County Jail be extended for a one-year period beginning January 1, 2023; and be it further

RESOLVED: That the Tioga County Legislature authorizes the execution of this agreement with CBH Medical to provide such services.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 179-22 *AUTHORIZE SALE OF COUNTY OWNED
PROPERTIES ACQUIRED FOR DELINQUENT TAXES*

WHEREAS: Tioga County is the owner of numerous properties which it has acquired for delinquent taxes, which are surplus to the County needs; and

WHEREAS: It is the intent of the Tioga County Legislature to place the properties back on the tax rolls; therefore be it

RESOLVED: That the following properties be sold at public auction to be held in the former Treadway Conference Center at 1100 NY-17C, Owego, New York 13827 on August 4, 2022 conducted by Manasse Auctioneers.

Village of Waverly

166.19-3-47.1; James E Goodwin

166.15-1-75; Samuel J King & Stefania Rose King

Town of Barton

155.00-1-10.10; James M Gay, Sr & Carol D Gay

168.00-1-13.40; Peggy S Hazard & Stephen B Hazard

Village of Candor

61.18-1-28; Mark H Brown

Town of Newark Valley

44.00-1-10; Melody A Barnett

75.18-1-84; Yibo Lin

75.18-1-85; Yibo Lin

55.00-1-6.11; Grigoriy Vlasyuk

Town of Nichols

150.00-1-37; Stephen Bailey

Village of Owego

128.08-3-79; Joanne E Ellerson

129.05-4-12; Joanne E Ellerson

129.05-2-26; Vicki L Harrell & Paul Rathke

128.08-3-31; Mary Franzenburg, Casey Sauer & Cody George John Sauer

117.20-2-6; Nichole Stables

117.20-3-42.2; Pauline Sherwood

Town of Owego

153.06-2-14; Leon Anastaskos

142.18-2-15; Jeanette Jansen & Kermit A Jansen

143.13-2-50.1; Thomas J Robinson & Candice VanSchaick

Town of Richford5.00-1-35.20; Donna InmanTown of Spencer92.00-1-22.10; Ralph G Cobb & Eleanor M Cobb91.00-1-31; Shyrlee A Gardner59.00-1-39; William R GrenoldsTown of Tioga106.19-1-20; James Haines & Esther Haines127.00-1-39; Margaret Henson &/or Sandy Root158.00-1-23.10; James R Peppard Jr158.12-1-29; John Weaver

Legislator Standinger spoke. "It is unfortunate that there are situations where people cannot pay their taxes and we have to do this, but it is something that needs to be done."

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:

FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 180-22

*AUTHORIZING TIOGA COUNTY TO MAKE
PURCHASES THROUGH COOPERATIVE
CONTRACTS AWARDED PURSUANT TO
BEST VALUE CONTRACTING*

WHEREAS: Local Law No. 4 of the Year 2015, Tioga County Best Value Competitive Bidding Law, authorizes the use of Best Value Award methodology, in the competitive bidding process, for purchase contracts (including contracts for service work (article 9), but excluding any purchase contracts necessary for the completion of a public works contract pursuant to (article 8) of the Labor Law) may be awarded on the basis of low bid or best value, as authorized by Section

WHEREAS: Tioga County's purchasing policy shall be administered in accordance with all ethical rules called for by the County of Tioga and the National Institute of Governmental Purchasing Code of Ethics; and

WHEREAS: OMNIA Partners is a cooperative purchasing organization that is driving excellence in local government purchasing. Its extensive scope of competitively-solicited local government contracts from world-class suppliers streamlines the purchasing process and helps local government agencies achieve their strategic goals; and

WHEREAS: Tioga County purchasing procedures shall be subject to the approval of the Legislature; therefore be it

RESOLVED: That the OMNIA Partners Cooperative Purchasing program satisfies certain purchasing requirements and is hereby authorized for use by all Tioga County departments within the scope of Section VII – Purchasing and Payment Policy of the Tioga County Employee Handbook.

ROLL CALL VOTE

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

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. 182-22 APPROVE FUNDING
2022 YOUTH BUREAU PROGRAM FUNDING

WHEREAS: Youth Sports and Education Opportunity Funding (22-OCFS-LCM-09) has been awarded to the Tioga County Youth Bureau from the Office of Children and Family Services; and

WHEREAS: Appropriation of funds and budget modification requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A7310.438200 State Aid – Youth Programs \$6,653.00

To: A7310.541540 Reimbursements \$6,653.00

ROLL CALL VOTE

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

No – None.

Absent – None.

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. 183-22 *APPROVE FUNDING
2022 SUMMER YOUTH EMPLOYMENT
PROGRAM FUNDING*

WHEREAS: Additional funding has been awarded (22-LCM-08) 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 and budget modification requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A6010.446100 Federal Aid: Administration \$118,459

To: A6010.540140 Contractual \$118,459

ROLL CALL VOTE

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

No – None.

Absent – None.

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. 184-22 AMEND 2022 BUDGET
SOCIAL SERVICES

WHEREAS: Tioga County Department of Social Services has moved high density filing from the Services area to accommodate the need for more office space; and

WHEREAS: Office furniture for staff moving to the new office space needs to be purchased; and

WHEREAS: Transfer of funds between Program (54) and Other Furniture (52) requires Legislative approval; therefore be it

RESOLVED: That funding be transferred as follows:

From: A6010.540487 Program Expense	\$ 10,000.00
To: A6010.520210 Other Furniture	\$ 10,000.00

ROLL CALL VOTE

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

No – None.

Absent – None.

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. 185-22 AMEND 2022 BUDGET
SOCIAL SERVICES

WHEREAS: Tioga County Department of Social Services appropriated Safe Harbor funding in (54) Program Expense; and

WHEREAS: The Department has identified the need for an iPad and accessories for the Safe Harbor program and received a quote from Information Technology; and

WHEREAS: Transfer of funds between Program (54) and Computer (52) requires Legislative approval; therefore be it

RESOLVED: That funding be transferred as follows:

From: A6010.540487 Program Expense	\$ 1,439.00
To: A6010.520090 Computer	\$ 1,439.00

ROLL CALL VOTE

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

No – None.

Absent – None.

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. 186-22 AMEND BUDGET & APPROPRIATE FUNDS
PUBLIC HEALTH

WHEREAS: Tioga County Public Health has been awarded additional funding from the New York State Department of Health (NYSDOH); and

WHEREAS: The award is for successful participation in the NYSDOH Local Health Department Performance Incentive Program; and

WHEREAS: The funding is designated for Public Health program related expenses; and

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

RESOLVED: That funding be appropriated as follows:

From: A4011 434010	Public Health: State Aid	\$22,000
To: A4011 540010	Public Health: Advertising	\$15,000
A4011 540640	Public Health: Supplies	\$ 7,000

ROLL CALL VOTE

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

No – None.

Absent – None.

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. 187-22 AMEND BUDGET & APPROPRIATE FUNDS
PUBLIC HEALTH

WHEREAS: Tioga County Public Health received two funding awards from Delta Dental; and

WHEREAS: The awards are specifically for Tioga County Mobile Dental Services; and

WHEREAS: The funding was received previously, and is in a deferred revenue account; and

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

RESOLVED: That funding be appropriated as follows:

From: A 269100-DR004 Public Health Deferred Revenue \$25,000

To: A4064 540595 Dental: Services Rendered \$25,000

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 188-22 *AMEND BUDGET AND TRANSFER FUNDS
PUBLIC WORKS*

WHEREAS: Tioga County has a bridge in need of repair due to an inspection by NYSDOT; and

WHEREAS: The Commissioner has received bids for the pier repair to Park Settlement Bridge and there are no funds for this project in the current budget; and

WHEREAS: Budget Amendments require Legislative approval; therefore be it

RESOLVED: That funding be transferred as follows:

From: H390900 Fund Balance-Unrestricted \$170,000

To: H5110.540002.H1504 Park Settlement Bridge \$170,000

Legislator Standinger spoke. "This is in the Town of Candor and it is, to my understanding, the largest wooden bridge in the County and maybe in the State. The longer we can keep this bridge in service the better it is because it costs a lot of money to put a new bridge in, so I appreciate the Commissioner of Public Works for repairing this bridge."

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 189-22 AMEND BUDGET AND TRANSFER FUNDS
PUBLIC WORKS

WHEREAS: Tioga County has budgeted for replacement of the HVAC controls at the HHS Building; and

WHEREAS: The Commissioner has received bids for the new installation of the HVAC system and there are insufficient funds for this project in the current budget; and

WHEREAS: Budget Amendments require Legislative approval; therefore be it

RESOLVED: That funding be transferred as follows:

From: H390900	Fund Balance-Unrestricted	\$166,000
To: H1621.520926	HVAC Control System	\$166,000

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 190-22 *BUDGET MODIFICATION TO TIOGA COUNTY
VETERANS' SERVICE AGENCY 2022 BUDGET*

WHEREAS: The Tioga County Veteran Services' Agency (TCVSA) has received increased direct State Aid to Localities money, increase from \$10,000 to \$25,000 for 2022; and

WHEREAS: TCVSA has received new State Aid to Localities money for the PFC Dwyer Program in the amount of \$100,000 from the Tioga County Mental Hygiene Department; and

WHEREAS: TCVSA has already allocated this funding in its 2022 budget; yet this will require a 2022 budget modification and appropriation with a transfer of funds within TCSVA to cover the expenses created by changing one part-time Veterans Service Officer position to full-time (40-hour), and changing the Director of Veterans' Services position from a 35-hour workweek to a 40-hour workweek, and changing remaining part-time Veteran Service Officer from 17-hour workweek to a 19.5-hour workweek effective June 18, 2022; and

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

RESOLVED: That 2022 budget modification/transfer be approved as follows:

From: A6510 510020	Part Time Payroll	\$15,667.00
To: A6510 510010	Full Time Payroll	\$15,667.00

And be it further

RESOLVED: That a 2022 budget appropriation be approved as follows:

From: A6510 437100	State Aid – Veterans	\$ 3,339.00
To: A6510 510010	Full Time Payroll	\$ 1,887.00
To: A6510 585588	Disability Insurance Fringe	\$ 34.00
To: A6510 583088	Social Security Fringe	\$ 1,418.00

Legislator Standinger spoke. "We have a Navy Veteran in charge of the Veterans Service Agency and I just want to say he does an outstanding job with his budget. I appreciate what he does for the Veterans, myself included, as well as Legislator Mullen who is a Marine Corps Veteran sitting here next to me."

Legislator Mullen spoke. "I am not on this committee anymore, but we have a Veterans Service Agency in this county. We basically did not when I first became a Legislator 6-7 years ago. The Director has done a fantastic job and it is very much appreciated."

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
 FINANCE COMMITTEE
 PERSONNEL COMMITTEE

RESOLUTION NO. 191-22 *APPROPRIATION OF FUNDS, TRANSFER OF FUNDS,
 AND BUDGET MODIFICATION
 MENTAL HYGIENE*

WHEREAS: Tioga County Mental Hygiene (TCMH) has been allocated additional pass through federal aid funding as a grant through the Office of Alcohol and Substance Abuse (OASAS) and previously from the Office of Mental Health (OMH) for the purpose of Workforce Enhancement and Development; and

WHEREAS: Eligible expenses to spend these funds include but are not limited to: Recruitment and Retention Incentives, Educational Expenses, Career Development and Training Expenses; and

WHEREAS: Tioga County Mental Hygiene has identified the best use of these funds as retention incentive for the entire departments staff and training for select staff; and

WHEREAS: Personnel has negotiated a Memorandum of Agreement between Tioga County and the CSEA Union to distribute \$1,000 per each Union Member of the Mental Hygiene Department; and

WHEREAS: TCMH has determined the allowable retention incentives for full time therapists: \$1,000; and

WHEREAS: TCMH will incur no local share increase, yet this will require a Budget Modification, Transfer of Funds and an Appropriation of Funds into the proper account codes; and

WHEREAS: Budget Modifications, Transfer of Funds and Appropriation of Funds require Legislative approval; therefore be it

RESOLVED: That funding be transferred as follows:

From: A4310-540733-WEG1	Training Other	\$1076.50
To: A4310-510050-WEG1	Salary Other	\$1000.00
To: A4310-583088-WEG1	Social Sec Fringe	\$ 76.50

ROLL CALL VOTE

Yes – Legislators Mullen, Roberts, Standinger, Weston, Brown, Ciotoli, Hollenbeck, and Monell.

No – Legislator Sauerbrey.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 192-22 AMEND RESOLUTION 116-22;
RESOLUTION AUTHORIZING BUDGET TRANSFER

WHEREAS: Resolution 116-22 authorized and approved the acceptance of administrative service funds and modification of the Economic Development budget; and

WHEREAS: Revenue was allocated into Intergovernmental Charges-Health (422800) previously labeled Grant-Non State Federal; and

WHEREAS: For proper revenue classification the Chief Accountant would like to request a budget transfer from Intergovernmental Charges-Health (422800) previously labeled Grant-Non State Federal to General Government Income (412890); and

WHEREAS: Budget transfers between 41* and 42* account lines require legislative approval; therefore be it

RESOLVED: That the Budget Officer be authorized to completed the following budget transfer as follows:

From: A6422-422800 Intergovernmental Charges-Health	\$100,000.00
To: A6422-412890 General Government Income	\$100,000.00

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 193-22 *AMEND RESOLUTION 145-22;
APPROPRIATION OF FUNDS, TRANSFER OF FUNDS,
AND BUDGET MODIFICATION
MENTAL HYGIENE*

WHEREAS: Resolution 145-22 authorized the appropriation of grant funds for Mental Health's Recruitment and Retention Incentives; and

WHEREAS: The proper amount of funding to satisfy the retention incentive was appropriated and transferred as follows:

From: A4210-444310-WEG1 FA-COVID R	\$13,796.00
To: A4210-510050-WEG1 Salary Other	\$12,543.00
To: A4210-583088-WEG1 Social Sec Fringe	\$ 960.00
To: A4210-540733-WEG1 Training Other	\$ 293.00
From: A4310-540733-WEG1 Training Other	\$24,346.00
To: A4310-510050-WEG1 Salary Other	\$22,616.00
To: A4310-583088-WEG1 Social Sec Fringe	\$ 1,730.00

And

WHEREAS: It has been discovered that a portion of the appropriated and transferred funds should have been appropriated or transferred to A4309-510050-WEG1 and A4309-583088-WEG1; and

WHEREAS: Budget Modifications, Transfer of Funds and Appropriation of Funds require Legislative approval; therefore be it

RESOLVED: That funding be transferred as follows:

From: A4210-510050-WEG1 Salary Other	\$ 9,543.00
To: A4309-510050-WEG1 Salary Other	\$ 9,543.00

From:	A4210-583088-WEG1 Social Sec Fringe	\$ 741.47
To:	A4309-583088-WEG1 Social Sec Fringe	\$ 741.47
From:	A4310-510050-WEG1 Salary Other	\$ 2,616.00
To:	A4309-510050-WEG1 Salary Other	\$ 2,616.00
From:	A4310-583088-WEG1 Social Sec Fringe	\$ 144.17
To:	A4309-583088-WEG1 Social Sec Fringe	\$ 144.17
From:	A4210-444310-WEG1 FA-COVID R	\$ 10,284.47
	A4310-444310-WEG1 FA-COVID R	\$ 2,760.17
To:	A4309-444310-WEG1 FA-COVID R	\$ 13,044.64

ROLL CALL VOTE

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

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. 194-22 *MODIFY 2022 BUDGET AND
APPROPRIATION OF FUNDS
RESERVE FOR E911
OFFICE OF EMERGENCY SERVICES*

WHEREAS: Due to the Computer Aided Dispatch (CAD) upgrade in the E911 Center, it is necessary to replace the outdated laptop computers in the Sheriff's patrol cars, as well as the cell phone modems and antennas, so they work effectively with the new system, at a cost not to exceed \$50,000; and

WHEREAS: The Director of Emergency Services would like to request funds from the Reserve for E911 account; therefore be it

RESOLVED: That the following budget be appropriated from the Reserve for E911 as follows:

FROM: A388903	Reserve for E911	\$50,000
TO: A3021.520130	Equipment (not car)	\$50,000

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 195-22 *ESTABLISHMENT OF CAPITAL RESERVE FOR
EMERGENCY RADIO COMMUNICATION SYSTEM &
INFRASTRUCTURE*

WHEREAS: Tioga County recognizes the importance of the Emergency Radio Communication System and Infrastructure in maintaining government efficiency and safety; and

WHEREAS: Tioga County wishes to establish an Emergency Radio Communication System and Infrastructure Reserve Fund pursuant to General Municipal Law Section 6(c) to finance the purchase of the necessary software, hardware, construction, reconstruction and acquisition for the physical public betterment or improvement of the Emergency Radio Communication System & Infrastructure; therefore be it

RESOLVED: That pursuant to Section 6-c of the General Municipal Law, as amended, there is hereby established a capital reserve fund to be known as the "Emergency Radio Communication System & Infrastructure Reserve Fund". The purpose of this Reserve Fund is to accumulate moneys to finance the purchase of the necessary software, hardware, construction, reconstruction and acquisition for the physical public betterment or improvement of the Emergency Radio Communication System & Infrastructure; and be it further

RESOLVED: That the Tioga County Treasurer is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by Section 10

of the General Municipal Law. The Tioga County Treasurer may invest the moneys in the Emergency Radio Communication System & Infrastructure Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the investment policy of Tioga County. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Emergency Radio Communication System & Infrastructure Reserve Fund. The Tioga County Treasurer shall account for the Emergency Radio Communication System & Infrastructure Reserve Fund in a manner which maintains the separate identity of this Reserve Fund and shows the date and amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the amount and date of each withdrawal from the fund and the total assets of the fund, showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to the Legislature a detailed report of the operation and condition of the Emergency Radio Communication System & Infrastructure Reserve Fund; and be it further

RESOLVED: That except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Emergency Radio Communication System and Infrastructure Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of this Legislature and such additional actions or proceedings as may be required by Section 6-c of the General Municipal Law or any other law.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:

FINANCE/LEGAL COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 196-22

*FUND CAPITAL RESERVES FOR
EMERGENCY RADIO COMMUNICATION SYSTEM
& INFRASTRUCTURE, CAPITAL, CAPITAL
HARDWARE & CAPITAL SOFTWARE*

WHEREAS: The Tioga County Legislature recognizes the importance of the Emergency Radio Communications System and Infrastructure in maintaining government efficiency and safety, therefore established a fund for such needs in Resolution 195-22; and

WHEREAS: The Tioga County Legislature also recognizes the importance of the continued maintenance and upgrades of Tioga County Infrastructure by utilization of established Capital Reserves; and

WHEREAS: The Tioga County Legislature would like to fund the Emergency Radio Communication System & Infrastructure Reserve with the 2021 surplus of Sales Tax Revenue in the amount of \$6,463,875.40, less the budget overage in sales tax distribution in the amount of \$2,137,192.24 for the totals amount available of 4,326,683.16; and

WHEREAS: The Tioga County Legislature would like to fund the Capital, Capital Software, and Capital Hardware Reserves with Unrestricted Capital Fund Balance; therefore be it

RESOLVED: That the Tioga County Treasurer transfer \$4,300,000.00 from the General Operating Fund to the Capital Fund as follows:

FROM:	A9950-593715 Transfer to Capital Fund	\$4,300,000.00
TO:	H1340-450310 Inter Fund Transfer	\$4,300,000.00

And be it further

RESOLVED: That the Tioga County Treasurer funds the Emergency Radio Communication System & Infrastructure Reserve Fund (H-387809) with the \$4,300,000.00 in Sales Tax Revenue surplus and fund Capital Reserves with Unrestricted Fund Balance:

FROM:	H-390900 Fund Balance	\$ 4,300,000.00
TO:	H-387809 Emergency Radio Communication System & Infrastructure	\$ 4,300,000.00

FROM:	H-390900 Fund Balance	\$ 2,500,000.00
TO:	H-387807 Capital Reserve	\$ 2,000,000.00
TO:	H-387804 Capital Software Reserve	\$ 250,000.00
TO:	H-387805 Capital Hardware Reserve	\$ 250,000.00

Legislator/Chair Sauerbrey spoke. "As everyone knows, we have been working on a radio communications project and this is setting aside a reserve where we can put funds to pay for this project. We are hoping for a grant, but we also have some fund balance that we are going to put in this reserve so we can pay for the radio interoperable communication system."

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 197-22 *AUTHORIZE APPOINTMENT OF ACCOUNTANT
TREASURER'S OFFICE*

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

WHEREAS: The position of Accountant (\$41,932-\$51,932) became vacant as of June 6, 2022, within the Treasurer's Office; and

WHEREAS: The Treasurer has conducted interviews from the appropriate civil service eligible list and has identified a desirable candidate; therefore be it

RESOLVED: That Laura Schurter is probationally appointed to the title of Accountant, at an annual, management/confidential salary of \$43,000, effective June 18, 2022.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 198-22 APPOINTMENT OF PART-TIME ELECTION WORKER
(DEMOCRATIC)

WHEREAS: Legislative approval is required for any appointment to any position not covered by a collective bargaining agreement or part of the management/confidential listing; and

WHEREAS: A position of Election Worker (Part-Time, Democratic) was vacated on May 16, 2022 due to resignation; and

WHEREAS: Authorization to backfill the vacancy was approved on May 19, 2022; and

WHEREAS: The Democratic Election Commissioner has selected a candidate to fill said vacancy; therefore be it

RESOLVED: That Sue Smith-Heavenrich shall be appointed as an Election Worker (PT) effective June 22, 2022, at the rate of \$13.85/hr.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 199-22 AUTHORIZE SALARY ABOVE CSEA BASE FOR
ACCOUNTING ASSOCIATE III (ANGELA ZITO)
PROBATION DEPARTMENT

WHEREAS: Legislative approval is required to hire above the established CSEA salary base; and

WHEREAS: The Probation Director has identified a candidate to fill the Accounting Associate III (CSEA SG VII, \$37,904 – 38,904) vacancy who is currently employed with Tioga County and who has over 10 years of prior relevant work experience; therefore be it

RESOLVED: That Angela Zito is hereby provisionally appointed to the title of Accounting Associate III at the annual rate of \$38,904 (increment stage 2) effective retroactive to June 6, 2022, pending successful completion of civil service examination requirements; and be it further

RESOLVED: That on Ms. Zito's anniversary date, she will be eligible for her seventh year increment in November 2028.

ROLL CALL VOTE

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

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
PERSONNEL COMMITTEE

RESOLUTION NO. 200-22

*AUTHORIZE SALARY GRADE REALLOCATION;
DATA OFFICER
(PUBLIC DEFENDER)*

WHEREAS: Legislative approval is required to reallocate titles within salary grades; and

WHEREAS: The Public Defender has received an additional \$9,000 in Indigent Legal Services grant funds to compensate for duties associated with discovery document retrieval and case management within his department; and

WHEREAS: The Public Defender does not want to increase his headcount by

creating another position and would rather assign said duties to the current Data Officer (CSEA SG V, \$30,965-\$31,965), Stacey Reynolds; and

WHEREAS: Upon review by the Personnel Officer, it has been determined that revisions to the current classification of Data Officer are appropriate to reflect the additional work duties performed; and

WHEREAS: Upon review of the existing CSEA salary grades and the respective titles along with the desired qualification for Data Officer, justification exists to reallocate the salary grade for this title; therefore be it

RESOLVED: That the title of Data Officer shall be reallocated to CSEA Salary Grade VII (\$37,904-\$38,904) and that Ms. Reynolds' annual salary shall be increased by \$6,939 effective June 20, 2022.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 201-22 *AUTHORIZATION TO CHANGE ONE (1) PART-TIME VETERANS' SERVICE OFFICER POSITION TO FULL-TIME; INCREASE HOURS OF ONE (1) PART-TIME VETERANS SERVICE OFFICER TO 19.5 HOURS PER WEEK; INCREASE HOURS OF DIRECTOR OF VETERANS' SERVICES TO 40 PER WEEK (VETERANS' SERVICES OFFICE)*

WHEREAS: Legislative approval is required for any changes to a department's authorized headcount; and

WHEREAS: Per Resolution 321-21, the Veterans' Services Office added a part-time Veterans Service Officer (17 hours per week) to its headcount for 2022; and

WHEREAS: In order to meet the needs of the veterans, programs have been expanded and enhanced, creating a need for additional work hours for the Director and staff; and

WHEREAS: The Director position is currently 35 hours per week and both part-time Veterans Service Officers are 17 hours per week; and

WHEREAS: CSEA is in agreement with the terms and conditions of increasing the VSO position to full-time; and

WHEREAS: The Veterans Services Office has received an increase in State Aid to Localities money in the amount of \$115,000 to cover the increase in payroll and fringe benefits; therefore be it

RESOLVED: That one part-time Veterans' Service Officer position shall be changed to full-time with a 40 hour workweek (CSEA SG X \$44,246) effective June 18, 2022 with permission to fill; and be it further

RESOLVED: That one part-time Veterans' Service Officer position shall be increased from 17 to 19.5 hours per week effective June 18, 2022; and be it further

RESOLVED: The Director of Veterans' Services position shall be changed from a 35 hour to a 40 hour workweek effective June 18, 2022 and the incumbent's 2022 annual salary shall be increased proportionally from \$46,219 to \$52,832; and be it further

RESOLVED: That the Veterans' Services Department authorized full-time headcount will increase from 1 to 2 and part-time headcount shall decrease from 2 to 1.

Legislator Standinger spoke. "It sounds like it is a lot of monkeying around with the money here to provide additional services, but I know if they weren't needed the Director of Veterans Service Agency would not ask."

Legislator/Chair Sauerbrey spoke. "It also needs to be pointed out that these additional hours are funded by grants that our Director sought and received on behalf of the County."

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION
PERSONNEL COMMITTEE

RESOLUTION NO. 202-22 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	Days/Month (based on Record of Activities)	Pay Frequency	Not Submitted
Elected Officials						
Legislator	Ronald Ciotoli	6	1/1/22- 12/31/25	5.92	Monthly	
Appointed Officials						
Assistant Public Defender	Brad Helmetsie	7	1/1/22- 12/31/25	6.88	Biweekly	

I, Cathy 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 14th day of June, 2022 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 14th day of June, 2022.

Tioga County Legislative Clerk

Affidavit of Posting: I, Cathy Haskell, being duly sworn, depose and say that the posting of the resolution began on June 14, 2022 and continued for at least 30 days. That the resolution was available to the public on the

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

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:

ADMINISTRATIVE SERVICES COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 203-22

AMEND EMPLOYEE HANDBOOK:
ADD NEW POLICY TO SECTION XI. ENTITLED TIOGA
COUNTY RECORDS MANAGEMENT POLICY AND
PROCEDURES

WHEREAS: Tioga County established a Records Management Program via Resolution 36-90; and

WHEREAS: Outside the State's Retention and Disposition Schedule for New York Local Government Records (LGS-1), Tioga County does not have its own Records Management policy addressing the internal procedures encompassing all Tioga County records; and

WHEREAS: The Director of Assets and Records Management has written and proposed a new policy entitled Tioga County Records Management Policy and Procedures; therefore be it

RESOLVED: That the Employee Handbook is hereby amended to add a new policy to Section XI. entitled Tioga County Records Management Policy and Procedures.

Legislator Standinger spoke. "Our new Director of Assets and Records Management has put a lot of time and effort into this policy and I appreciate her diligence in doing so, as I am sure the County Clerk does as well."

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

SECTION XI – RECORDS MANAGEMENT POLICY AND PROCEDURES (NEW)

Tioga County Archives and Records Center Records Management Policy and Procedures

SECTION 1 – INTRODUCTION

SECTION 2 – CREATION AND CUSTODY OF RECORDS

SECTION 3 – INACTIVE STORAGE

SECTION 4 – RETENTION AND DISPOSITION OF RECORDS

SECTION 5 – ELECTRONIC RECORDS

SECTION 6 – IMAGING RECORDS

SECTION 7 – ACCESSING INACTIVE RECORDS

SECTION 8 – POLICY REVIEW

SECTION 9 – APPENDIXES A - E

SECTION 1 – INTRODUCTION

Records created by local governments in New York State must be safeguarded throughout their lifecycle for purposes of accessibility, security, preservation, and lawful destruction. The management of records provides a foundation for an open and transparent government and is essential to Tioga County's successful operation. Additional advantages of properly managed records include: upholding general public trust, saving taxpayer dollars by eliminating waste

associated with the storage of disorganized or obsolete records; and preserving the institutional memory of Tioga County by maintaining records of enduring value. The records management program falls under the jurisdiction of the Tioga County Clerk, and the Director of Assets and Records Management is responsible for the program's administration.

I. PURPOSE

This policy is designed to provide a framework of rules and guidelines for the systematic management of all Tioga county records in accordance with New York State's Local Government Records Law and Tioga County Resolution 36-90 mandating a comprehensive records management program.

II. SCOPE

This policy applies to all Tioga County records, regardless of format, and all persons responsible for creating, using, accessing, storing, retaining, and disposing of Tioga County records. Some departments may have additional guidelines that supplement, but do not supplant, this policy.

III. LEGISLATION AND OTHER KEY MANDATES

On August 5, 1988, New York State passed the New York Local Government Records Law, which mandated improved management of local government records. Beginning in 1989, Tioga County passed a series of resolutions to develop and enhance the County's records management program.

IV. DEFINITION OF TERMS

1. **Archival Records:** Records of enduring value that are worthy of permanent and special management because of the importance of the information they contain for continuing administrative, legal, or fiscal purposes or for historical or other research. These records will be available for public inspection, photocopying, and general research use subject to those constraints that may apply by virtue of statute, regulation, County policy or guideline.
2. **Confidential Records:** Records that have the highest level of confidentiality attached to them and that may only be used by a limited number of people in the originating office.
3. **Custody:** The control of, and responsibility for, records owned by the County, regardless of their location.
4. **Disposition:** The authorized destruction of a record.

5. **Electronic Records:** Records stored on electronic media that can be read or processed only by means of a computer.
6. **Inactive Records:** Records that have temporary value and, in consequence, may be destroyed at the conclusion of their retention period.
7. **Inventory Control Number:** Unique identifier used to mark boxes transferred to the Tioga County Archives and Records Center that consists of [year accessioned]-[sequential box number of year accessioned]-[department number]. Example: 2022-00005-3 (fifth box accessioned for the Historian's department in 2022).
8. **Official Records:** Records that are available to County staff members but that are not made available to the public.
9. **Public Records:** Publicly-distributed information that is available to anyone.
10. **Record:** information, in any format, that is created or received by an organization in the formal operation of its responsibilities. Any book, paper, map, plan, memoranda, correspondence, file, photograph, etc. that is made, produced, executed, or received by any County department or officer in connection with the transaction of public business is a record. Records illustrate how business is conducted, how decisions are made, and how work is carried out.
11. **Record Series:** Any group of related records that are normally used and filed as a unit and that permit evaluation as a unit for disposition purposes.
12. **Restricted Records:** Records that have a high level of confidentiality attached to them and where access is limited to the staffs of a small number of offices.
13. **Retention Period:** The period of time that must elapse before records are disposed.
14. **Retention Schedule:** A list indicating the length of time records must be retained.

V. ROLES AND RESPONSIBILITIES

1. Director of Assets and Records Management:

- a. Develops and maintains a comprehensive inactive and archival records management program in cooperation with local government officials and in accordance with local, state, and federal laws and guidelines;
- b. Coordinates the continuous legal destruction of obsolete records through adoption and use of the *Retention and Disposition Schedule*

- for New York Local Government Records (LGS-1) and other applicable retention schedules of County departments;*
- c. Establishes standards for proper records management;
 - d. Ensures the sound management and preservation of archival records and their availability for research;
 - e. Provides guidance to Records Stewards and County departments on the fundamentals of records management;
 - f. Manages grants received from state, federal, and other agencies;
 - g. Consults with state agencies involved with the supervision of records;
 - h. Prepares informational releases relevant to the records management program;
 - i. Performs reference services for County departments and the public;
 - j. Prepares reports on the records management program as requested;
 - k. Recommends changes to program procedures when appropriate.

2. Records Stewards:

Each County department or agency serviced by the Tioga County records management program shall designate a specific staff person as Records Steward to function as its department's liaison in all transactions and records management-related activities. Responsibilities include:

- a. Act as authorization figure when general public or other County staff asks to access records belonging to the department;
- b. Arrange the transfer of inactive records from the department to the Tioga County Records Center assuring all records management program procedures are followed;
- c. Co-authorize destruction of records together with Department Head and Director of Assets and Records Management;
- d. Notify the Director of Assets and Records Management whenever new record series are created or when record series become obsolete;
- e. Review department's records periodically to assure that they are properly coded, filed, and protected, and that all vital records are so classified;
- f. Conduct survey/inventory of the department's records with guidance from the Director of Assets and Records Management as required;

- g. Attend records management workshops given by the Director of Assets and Records Management.

SECTION 2 – CREATION AND CUSTODY OF RECORDS

I. OFFICIAL COPY

Each record made, produced, executed, or received is either the official copy or a duplicate copy. If it is the only copy you have, it is automatically the official copy. If duplicate copies exist, an official copy must be designated as such and retained throughout the duration of its retention period. Duplicate copies can and should be destroyed whenever they are no longer needed. The format of the official copy can be paper or digital.

(1) EMAIL

- a. Internal email: Official copy shall be the sender's copy. In cases of extended email conversation, the official copy shall be the concluding message that includes all of the related threads of the email exchange. If and when this is difficult to determine, all copies of emails relating to certain critical issues may be saved.
- b. External email: Official copy shall be the recipient's copy.

II. CUSTODY OF RECORDS

All records created or received in the ordinary course of business are the property of Tioga County and must be maintained, destroyed, or preserved in accordance with this policy. All active records shall be governed by and securely stored within their custodial department. All inactive records may be transferred to the Tioga County Archives and Records Center for physical storage and eventual disposition, if applicable, though legal custody shall remain with the department of origin.

SECTION 3 – INACTIVE STORAGE

I. TRANSFERRING INACTIVE RECORDS TO THE TIOGA COUNTY ARCHIVES AND RECORDS CENTER

Arrangements for the transfer of inactive or permanent records to the Tioga County Archives and Records Center located at 1062 State Route 38 may be made at any time. If the transfer is particularly large or heavy, the Buildings and Grounds department may assist.

(1) PREPARING RECORDS FOR TRANSFER:

To transfer records, the following guidelines must be followed:

- a. All records must be placed by the custodial department in standard (one cubic foot) records storage boxes and labeled with department-assigned box number in upper left corner. Other markings should not be made on the box.
- b. Paper records must be removed from binders, hanging file folders, or other cumbersome containers and placed in properly identified manila folders.
- c. A single box should contain a single record series. When this is not practical, a single box may hold more than one records series, but all records contained within must possess the same disposition date.
- d. Materials unsuitable for inactive storage include: catalogs, magazines, pamphlets, or other promotional material not considered an official County record; duplicate copies of official records; blank forms; and records insufficiently identified as "miscellaneous".
- e. A completed and signed *Records Transfer Form* must be sent in advance of the arrival of the records or be included with the transfer (see Appendix A). Records will not be accessioned without all required information.

(2) ACCESSIONING INACTIVE RECORDS

Once records have been received at the Tioga County Archives and Records Center, an inventory control number (see definition in *Definition of Terms* section above) and shelf location will be assigned to each box by the Director of Assets and Records Management, who will also fill out and sign an *Accession Record* form (see Appendix B). The completed *Accession Record* form will be sent to the custodial department for signature(s); after signing, the custodial department shall return the white copy of the form to the Tioga County Archives and Records Center and keep the yellow copy for their own records. When requesting access to these records in the future, please use the inventory control number(s) supplied (see Section 7).

(3) STORAGE OF INACTIVE RECORDS

Records that require extended periods of storage should be protected from fire, water, pests, and theft.

The records storage spaces at 1062 State Route 38 and 56 Main Street conform to all applicable fire codes and are equipped with working fire alarms, which are tied into an emergency response system. These spaces must also be locked against unauthorized entry at all times.

Ideally, both storage areas will also include temperature, humidity, and light controls to keep the space cool, dry, dark, and stable. Temperatures should range between 60 and 70 degrees Fahrenheit; humidity levels should range between 40 and 55%; and light levels should range between 10 and 50 lux. Records must be stored within boxes that are not over-packed, and the boxes should be stored on metal shelving raised several inches above floor level.

(4) MAINTAINING INTELLECTUAL CONTROL OF INACTIVE RECORDS

An up-to-date records management database is imperative to achieving and maintaining intellectual control of inactive records. This database, maintained in a SharePoint file (to be developed in 2022) includes the inventory control number, custodial department, record series title, description, inclusive dates, location, LGS-1 code, retention period, and date eligible for disposal for each box held by the Tioga County Archives and Records Center. New records shall be added to the records management database and obsolete, destroyed records shall be removed from the records management database continually.

Every three years, a complete inventory will take place of all inactive records stored at 1062 State Route 38 as well as inactive records stored at 56 Main Street. The inventory will record the same information found in the records management database and will be cross-checked against the database to ensure the database is up-to-date and accurate.

SECTION 4 – RETENTION AND DISPOSITION OF RECORDS

I. RETENTION SCHEDULES

Tioga County adopted the *Retention and Disposition Schedule for New York Local Government Records* (LGS-1) on November 10, 2020, which superseded the previously used *Records Retention and Disposition Schedule CO-2*. A department may elect to extend the LGS-1 minimum retention period of any designated record series but may not reduce it. If a department wishes to extend the retention period, the Department Head or Records Steward must explicitly communicate that to the Director of Assets and Records Management.

For any record series not explicitly listed on the LGS-1, or for one with no suitable equivalent, the Director of Assets and Records Management will contact the New York State Archives to establish a legal minimum retention period; the record series in question must be retained until an addendum or revised edition of the LGS-1 is issued.

(1) Certain records have additional stipulations:

- a. **Records Created before 1910** require specific written approval from the New York State Archives, as required by Section 185.6 (c) of 8NYCRR of the Regulations of the Commissioner of Education. Often these records have continuing historical or research value and should be kept permanently.
- b. **Birth, Death, and Marriage Records** are considered state government records even though they are generated by or filed in local government offices. Disposition of state government records is governed by the provisions of Section 57.05 (11) of the Arts and Cultural Affairs Law.
- c. **Canceled Obligations (including bonds and notes)** are disposable according to Section 63.10 of the Local Finance Law and Part 55 of Title 2 of the Official Compilation of Codes, Rules and Regulations of the State of New York.
- d. **County Board of Elections Records** are disposable according to the State Board of Elections. It is the responsibility of the County Board of Elections to adhere to these additional stipulations.
- e. **County Court Records** are disposable according to New York State's Office of Court Administration. It is the responsibility of the County Clerk's office and other applicable departments to adhere to these additional stipulations.
- f. **County District Attorney Records** are disposable according to Section 89.2 of the Judiciary Law. It is the responsibility of the County District Attorney's office to adhere to these additional stipulations.
- g. **County Motor Vehicle Records found in the County Clerk's Office** are state government records and are governed by the provisions of Section 57.05 (11) of the Arts and Cultural Affairs Law. It is the responsibility of the County Clerk's office to adhere to these additional stipulations.
- h. **Housing Authority Records** are disposable according to Section 59 of the Public Housing Law.

(2) Exceptions to applying retention periods indicated on the LGS-1:

- a. **Legal Actions:** Some records may be needed to defend the County in legal actions. Records that are being used in such actions must be retained for the entire period of the action even if their retention

period has passed. If the retention period has expired by the time the legal action ends, the record must be retained for at least one additional year to resolve any need for the record in an appeal. If the retention period has not expired, the record must be retained for the remainder of the retention period, but not less than one year after the legal action ends. Prior to disposing of records, consultation with the County Attorney is encouraged to verify that no legal actions have been initiated which would require longer retention of the records.

- b. **Audits:** Program and fiscal audits and other needs of state and federal agencies are taken into account when retention periods are established by the New York State Archives. However, in some instances agencies with audit responsibility and authority may formally request that certain records be kept beyond the retention periods. If such a request is made, these records must be retained beyond the retention periods until the County receives the audit report or until the need is satisfied.

(3) RECORDS OF DISPOSITION

When the legal minimum retention period of records in inactive storage has expired, the Director of Assets and Records Management will notify the custodial department via email for unofficial consent to destroy the records. At that point, the Director of Assets and Records Management shall complete and sign a Certificate of Records Disposal/Destruction form (see Appendix C) and send to the custodial department's Records Steward for required signatures. No record shall be destroyed without the signed authorization of the Department Head, Records Steward (if different), and Director of Assets and Records Management.

Once the signed Certificate of Records Disposal/Destruction form has been received back from the custodial department, the Director of Assets and Records Management will oversee the proper destruction of the records. Certificate of Records Disposal/Destruction forms shall be kept permanently for documentation of disposition for future research or litigation.

The forms can be requested directly from the Director of Assets and Records Management.

SECTION 5 – ELECTRONIC RECORDS

Electronic records are records made, produced, executed, received, stored, generated, or sent in a format only a computer can process. Electronic records are often more convenient for users to manage than their paper counterparts, but they present a unique set of challenges as well.

(1) RETENTION SCHEDULES

The Retention and Disposition Schedule for New York Local Government Records (LGS-1) is format-neutral; thus, the same rules generally apply to all records regardless of format. Exceptions may be found in the Building and Property Regulation, Environmental Health, Information Technology, Public Health, Public Safety, Taxation and Assessment, and Transportation and Engineering sections. For questions specific to electronic record retention and disposition, see Section 185.8 of the 8NYCRR of the Regulations of the Commissioner of Education.

(2) RECORDS DISPOSITION

The disposition of electronic records is coordinated by the Information Technology and Communications Services (ITCS) department, usually by enlisting the services of a certified third-party vendor. The Public Works department may also be utilized for electronic records destruction. Documentation of the disposition of electronic records is managed by the ITCS department.

(3) EMAIL

Email communications are considered to be records. As such, email is subject to all statutory and legal compliance, particularly in reference to the Retention and Disposition Schedule for New York Local Government Records (LGS-1). Email that qualifies as the official copy (see Section 2.1.1) should be stored in a permanent archive or other appropriate medium for the duration of its retention period (see Section 5.1), at which time it may be deleted, purged, or destroyed provided that it is not being used for legal action or audit. Email that is not considered to be the official copy can and should be deleted as soon as it is no longer needed.

(4) UNIQUE CHALLENGES OF MANAGING ELECTRONIC RECORDS

Just like a paper record, an electronic record must be maintained throughout the duration of its retention period. However, while paper is generally a reliable and stable format, maintaining the authenticity and

reliability of electronic records often presents challenges with new and ever-changing technologies that could potentially render an electronic record inaccessible. Thus, as hardware and software migrations and upgrades take place, electronic records must continue to remain accessible throughout their retention periods.

File naming is another unique challenge of managing electronic records. Often, electronic files are loosely named and maintained locally. Whenever possible, County-wide or department-specific file naming conventions should remain in place to facilitate access.

SECTION 6 – IMAGING RECORDS

Digital document imaging is the conversion, storage, and distribution of information displayed but not directly modified by a computer.

(1) MICROFILMING RECORDS

Microfilming is the process of recording images on photographic film and is still a practical and cost-effective method for preserving permanent records. Prior to the destruction of the paper originals (with the exception of those created before 1910, which must be retained permanently unless granted permission from the New York State Archives), all records must be verified to ensure all images have been properly captured. Microfilm should be placed inside archival-quality reel boxes and securely stored in metal microfilm storage cabinets.

(2) SCANNING RECORDS

Scanning is the process of converting pictures, text, or sound into a digital form that can be processed by a computer. Prior to the destruction of the paper originals (with the exception of those created before 1910, which must be retained permanently unless granted permission from the New York State Archives), all records must be verified to ensure all images have been properly captured and converted. Records should be scanned at a minimum of 300 dpi and retained in an accessible format for optimum long-term preservation.

SECTION 7 – ACCESSING INACTIVE RECORDS

I. ACCESS TO INACTIVE RECORDS BY TIOGA COUNTY STAFF

Individuals listed on the ***Tioga County Archives and Records Center Authorization Card (see Appendix D)*** may request and pick up records under

their department's custody by completing a **Records Request Form (see Appendix E)**.

Upon receipt of the Records Request Form, the Director of Assets and Records Management will pull the record (or box) and put a properly documented out card in its place including name of authorized individual, date, and description of record (if single file is removed) or inventory control number (if entire box is removed). Upon pickup, the authorized individual will sign and date the Records Request Form, which will be held in the Tioga County Archives and Records Center until the record (or box) is returned. Upon return of the record (or box), the Director of Assets and Records Management will sign the form documenting its return, return the record (or box) to its proper location, and pull the out card. Records Requests Forms shall be retained for at least three (3) years to comply with LGS-1 schedule item 91.

II. ACCESS TO INACTIVE RECORDS BY RESEARCHERS AND COMMUNITY MEMBERS

Public access to unrestricted inactive records held at the Tioga County Archives and Records Center is welcome.

III. FREEDOM OF INFORMATION LAW (FOIL REQUESTS)

FOIL requests are not managed by the Tioga County Archives and Records Center. Instead, FOIL requests are managed by Tioga County's two records access officers: the County Attorney (for email and all non-Sheriff's records) and the Sheriff's Office.

SECTION 8 – POLICY REVIEW

This policy will be reviewed annually by the Director of Assets and Records Management. Revisions will be proposed when:

- a. The policy is no longer adequate.
- b. Professional standards have changed or new ones have been incorporated.
- c. The mission of the Tioga County Archives and Records Center changes.
- d. New policy issues are needed to address new programs or needs.

APPENDIX A –

TIOGA COUNTY ARCHIVES & RECORDS CENTER RECORDS TRANSFER FORM

Please note this form is for reference purposes only. You can obtain **Records Transfer Forms** by emailing SavardT@tiogacountyny.gov.

Tioga County Archives & Records Center Records Transfer Form					
Department:			Date:		
Box #	Records Series Title	Inclusive dates	LGS-1 code	Retention Period	Disposition Date
Example: 3	<i>Retrieval requests</i>	<i>2020-2021</i>	<i>91</i>	<i>3 years</i>	<i>2024</i>
Records Steward:			Records Steward Signature:		
Records Received by:			Records Manager Signature:		

APPENDIX B -

TIOGA COUNTY ARCHIVES & RECORDS CENTER ACCESSION RECORD

Please note this form is for reference purposes only. You can obtain **Accession Record Forms** by emailing SavardT@tiogacountyny.gov

ACCESSION RECORD	
BOX # 1)	DATE:
BOX # 2)	
BOX # 3)	
BOX # 4)	
DEPARTMENT	DEPT.#
RECORDS SERIES	
DESCRIPTION 1)	
2)	
3)	
4)	
START DATE	END DATE
CO-2 RETENTION SCHEDULE #	
CO-2 MIN. RETENTION (YRS)	
TC RETENTION (YRS)	DESTRUCTION DATE
STORAGE LOCATION	VOLUME
RECORDS STEWARD	DATE
DEPARTMENT HEAD	DATE
PROCESSED BY:	DATE

APPENDIX D -

TIOGA COUNTY ARCHIVES & RECORDS CENTER AUTHORIZATION CARD

Please note this form is for reference purposes only. You can obtain an **Authorization Card** by emailing SavardT@tiogacountyny.gov

TIOGA COUNTY ARCHIVES AND RECORDS CENTER		
AUTHORIZATION CARD		
DEPARTMENT/AGENCY:	DATE:	
DEPARTMENT HEAD:		
Name	Title	
SIGNATURE:		
RECORDS STEWARD:		
Name	Title	
SIGNATURE:		
AUTHORIZED SIGNATURES:		
Name	Title	Signature
Name	Title	Signature
Name	Title	Signature

(11/90)

WHEREAS: Said Fund Balance Policy shall fall under Section III: Financial Rules; Subsection m. of the Tioga County Employee Handbook; therefore be it

RESOLVED: That the Employee Handbook is hereby amended to revise Section III: Financial Rules; Subsection m. entitled Tioga County Fund Balance as follows:

Tioga County Fund Balance Policy

Purpose

Tioga County government is responsible for the appropriate accounting of public funds, the sound management of municipal finances, and the adequate funding of services. The fund balance policy will help the County maintain a sound and stable level of financial resources to provide essential services, maintain sufficient cash flow, and manage unanticipated occurrences.

The fund balance policy should provide fluidity and flexibility for changing factors such as economic climate, tax base, volatility in revenue sources, and fiscal restraints placed on the county from state and federal budgets and regulatory mandates.

Background

The New York State Office of the State Comptroller and the New York State Government Finance Officers Association recommend that local governments establish a policy to maintain reasonable levels of unexpended surplus funds in their General Funds to hedge against unanticipated expenditures and/or revenue shortfalls, without withholding funds that could otherwise be put to productive use.

Definitions

The Governmental Accounting Standards Board (GASB) issued Statement No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions*, which is intended to enhance the usefulness of fund balance information by providing clearer fund balance classifications that can be more consistently applied.

Restricted Fund Balance consists of amounts that are subject to externally enforceable legal purpose restrictions imposed by creditors, grantors, contributors, or laws and regulations of other governments, or through constitutional provisions or enabling legislation.

Committed Fund Balance consists of amounts that are subject to a purpose constraint imposed by a formal action of the County Legislature before the end of the fiscal year, and that require the same level of formal action to remove the constraint. The New York State Office of the State Comptroller believes that in most cases, local governments in New York will not have committed fund balance to report.

Assigned Fund Balance consists of amounts that are subject to a purpose constraint that represents an intended use established by the government's highest level of decision-making authority, or by their designated body or official. The purpose of the assignment must be narrower than the purpose of the General Fund, and in funds other than the General Fund, assigned fund balance represents the residual amount of fund balance.

Policy

1. This policy shall apply to the County's General Fund, only.
2. The County Legislature will assess the current financial condition of the County and then determine the order of application of expenditures to which fund balance classification will be charged.
3. The County Legislature is the decision-making authority that can, by resolution, commit fund balance. The action to commit fund balance must occur prior to the fiscal year-end in order to report such commitments in the financial statements of the respective period. The commitment may only be modified by a new resolution authorized by the County Legislature.
4. The County Treasurer has the authority to assign unrestricted fund balance amounts where the County's intent is for those amounts to be used for specific purposes. This delegation of authority is for the sole purpose of reporting these amounts in the annual financial statements.
5. Unexpended Surplus Funds
 - a. For the purpose of this policy, unexpended surplus funds consist of unappropriated and unassigned Fund Balance.
 - b. The County shall strive to maintain unexpended surplus funds of not less than 12% and not more than 28% of General Fund adopted budget appropriations.
 - c. The County Treasurer shall report the amount and percentage of General Fund unexpended surplus funds to the Finance Committee upon completion of the Annual Update Document each year.

- d. In the event that unexpended surplus funds exceed 28% of adopted budget appropriations, the excess may be utilized for any lawful purpose approved by the Legislature. In order to minimize the long-term effect of such use, the excess should be appropriated to fund one-time expenditures which do not result in recurring operating costs, and/or be used to establish or increase reserves.
- e. In the event that unexpended surplus funds fall below 12% of adopted budget appropriations, the County Treasurer shall make a recommendation to the Finance Committee to restore the balance to a minimum level in the ensuing budgetary cycles.
- f. The County Legislature can, by resolution make changes to the established Fund Balance Policy as a direct result of periodic reviews of any financial reports, plans, economic predictors or tax implications to property taxpayers.

Review

This policy shall be reviewed by the Finance Committee on an annual basis. Periodic review and reporting shall be conducted and provided for Reserve Account Balances, Cash Flow Analysis, County 5 Year plans and Fund Balances to the County Legislature annually.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell made a motion to bring forth one late-file resolution for Legislature consideration, seconded by Legislator Roberts. Motion carried.

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

REFERRED TO:

ADMINISTRATIVE SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 205-22

*APPOINTMENT OF PART-TIME ELECTION WORKERS
(REPUBLICAN)*

WHEREAS: Legislative approval is required for any appointment to any position not covered by a collective bargaining agreement or part of the management/confidential listing; and

WHEREAS: The two positions of Election Worker (Part-Time, Republican) were vacated on May 25 and May 29, 2022 due to resignations; and

WHEREAS: The Republican Election Commissioner has selected candidates to fill said vacancies; therefore be it

RESOLVED: That Ashley Wright and Shenia F. Ford shall be appointed as Election Workers (PT) effective July 6, 2022, at the rate of \$13.85/hr.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:27 P.M.