



FINANCE, LEGAL & SAFETY COMMITTEE

January 10, 2023

10:30 a.m.

- APPROVAL OF MINUTES: December 13, 2022

- FINANCIAL
 - Safety
 - Law

- OLD BUSINESS
 - 2023 Insurance Renewal
 - Annual Safety Trainings

- NEW BUSINESS
 - Cyber insurance
 - New and amended policies

- PERSONNEL
 - Part Time Assistant County Attorney
 - Office Specialist III Public Defender's Office
 - Temporary Part-Time Paralegal District Attorney

- RESOLUTIONS
 - AMEND RESOLUTION 193-18; ADOPTION OF TIOGA COUNTY TITLE VI PLAN, ENVIRONMENTAL JUSTICE PLAN, LIMITED ENGLISH PROFICIENCY PLAN, DATA COLLECTION PLAN, ADA TRANSITION PLAN AND EMPLOYEE TRAINING PLAN AND AMEND EMPLOYEE HANDBOOK; SECTION IV: PERSONNEL RULES, SUBSECTION L. EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION/ADA POLICY
 - AMEND EMPLOYEE HANDBOOK: ADD NEW POLICY TO NEW SECTION XII. SUBSECTION A. ENTITLED SECTION 3 PLAN FOR TIOGA COUNTY
 - APPOINT TITLE VI COORDINATOR
 - AMEND RESOLUTION 277-06; APPOINT ADA COORDINATOR
 - 2023 STAFF CHANGES LAW DEPARTMENT
 - AUTHORIZE CONTRACT WITH SECURITAS SECURITY SERVICES FOR 56 MAIN STREET

- RECOGNITION OF JUDGE GERALD A. KEENE'S FORTY-ONE YEARS OF SERVICE TO TIOGA COUNTY
- ABOLISH TWO PART-TIME PARALEGAL POSITIONS AND CREATE ONE FULL TIME OFFICE SPECIALIST III PUBLIC DEFENDER'S OFFICE
- CREATE AND FILL TEMPORARY, PART-TIME PARALEGAL (SEASONAL) POSITION DISTRICT ATTORNEY'S OFFICE

- PROCLAMATIONS

- N/A

- EXECUTIVE SESSION

- ADJOURNMENT



FINANCE, LEGAL AND SAFETY COMMITTEE

December 13, 2022

10:30am

ATTENDANCE:

Legislators: Chair Sauerbrey, Mullen, Ciotoli, Monell, Roberts and Standinger, Brown

Staff: Legislative Clerk Haskell, County Attorney DeWind, Treasurer McFadden, Deputy Treasurer Chandler, Chief Accountant Jerzak, Accountant Schurter, Personnel Officer Parke, Treasurer McFadden, Public Defender Awad

APPROVAL OF THE MINUTES: Legislator Monell asked for a motion to approve the November 15, 2022, minutes. Legislator Mullen made the motion, seconded by Legislator Ciotoli, and was unanimously carried.

FINANCIAL: Legal and Safety's budgets are tracking well however some of Legal's lines are nearly expended but should hold for the year. Outside counsel continues to track on target.

OLD BUSINESS: The 2023 NYMIR insurance renewal proposal was briefly discussed. The cyber insurance quote is expected later this week however the premium is anticipated to be substantially higher than last year and may have to have higher deductibles.

There are only fifty-three (53) employees who have not completed their entire training. Reminders were sent to Department Heads and full compliance is expected by the end of the month.

NEW BUSINESS:

The Law department is currently handling all the workplace violence reports until a Safety Officer and/or a Part-time County Attorney is hired.

Security upgrades are progressing in a timely fashion. The glass divider has been removed on the first floor and the metal detector and wands are in the process of being ordered.

The Workplace Violence Advisory Team Meeting was held last week. The Workplace Violence policy was reviewed, and updates were made. The update

Office of the County Attorney

Ronald E. Dougherty County Office Building 56 Main Street Owego, NY 13827

Peter J. DeWind County Attorney ☎ 607 687 8253 📠 607 223 7003 🌐 www.TiogaCountyNY.com



policy will be presented to the Loss Control Committee for approval with an anticipated adoption date in January 2023. Departments have requested active shooter training for all employees and the CSEA Union Representative will be discussing with the County Attorney workplace violence incidents they are made aware of.

The 18b panel oversees payment for assigned counsel. There is currently ongoing discussion with the state pertaining to who will be paying assigned counsel fees: the county or the state. ILS monies can be used to cover these costs however this could have a detrimental impact on the budget.

County Attorney DeWind recently attended the CAASNY winter meeting. There were Legislative updates that could affect the County and if certain bills are signed the County will need to reevaluate what if any updates need to be made. Raise the Age was also topic of discussion. Starting in January juvenile delinquents cannot be charged under 12 years old. They will now be handled through a voluntary program with the Department of Social Services.

PERSONNEL: The need for a Part-time Assistant County Attorney and full-time Family Court Public Defender Secretary positions were briefly discussed with resolutions to be put forward in January 2023 for the creation of these positions.

RESOLUTIONS: AMEND EMPLOYEE HANDBOOK; ADD NEW POLICY TO SECTION IV. PERSONNEL RULES SUBSECTION U. ENTITLED RIGHTS OF NURSING EMPLOYEES TO EXPRESS BREAST MILK and AUTHORIZE SALARY INCREASE DISTRICT ATTORNEY'S OFFICE; these resolutions were moved into full Legislative session without further questions.

PROCLAMATIONS: None

EXECUTIVE SESSION: Legislator Mullen made the motion to enter into executive session to discuss a litigation matter and was seconded by Legislator Brown at 11:11AM. Legislator Mullen made the motion to exit out of executive session and was seconded by Legislator Brown at 11:29 AM.

ADJOURNMENT: Legislator Monell adjourned the Legal and Safety Committee meeting at 11:30AM.

Respectfully submitted,

Christine Freyvogel

Secretary to the County Attorney



TIOGA COUNTY, NEW YORK

Tioga County 2022 LEGAL BUDGET REPORT

FOR 2022 13

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	PCT USE/COI.
A General Fund							
A1420 Law							
A1420 412706 Shared Services-At	-50,079	0	-50,079	-23,051.94	.00	-27,027.06	46.0%*
A1420 510010 Full Time	196,606	0	196,606	188,213.14	.00	8,392.86	95.7%
A1420 510050 All other(On call,	0	0	0	4,500.00	.00	-4,500.00	100.0%*
A1420 520200 Office Equipment	200	0	200	190.02	.00	9.98	95.0%
A1420 520210 Other Furniture	250	0	250	249.45	.00	.55	99.8%
A1420 540010 Advertising	200	-200	0	.00	.00	.00	.0%
A1420 540040 Books	800	605	1,405	973.00	.00	432.00	69.3%
A1420 540180 Dues	1,100	-277	823	823.00	.00	.00	100.0%
A1420 540320 Leased/Service Equ	400	-400	0	.00	.00	.00	.0%
A1420 540330 Legal Fees	50,000	0	50,000	45,577.37	.00	4,422.63	91.2%
A1420 540390 Mileage Expense	100	8	108	107.50	.00	.00	100.0%
A1420 540420 Office Supplies	475	265	740	699.77	.00	39.73	94.6%
A1420 540480 Postage	200	0	200	187.90	.00	12.10	94.0%
A1420 540485 Printing/Paper	100	0	100	71.42	.00	28.58	71.4%
A1420 540731 Training/State Req	600	0	600	275.00	.00	325.00	45.8%
A1420 581088 State Retirement F	17,918	0	17,918	17,439.50	.00	478.92	97.3%
A1420 583088 Social Security Fr	15,182	0	15,182	14,445.25	.00	736.93	95.1%
A1420 584088 Workers Compensati	3,673	0	3,673	3,819.66	.00	-146.64	104.0%*
A1420 585588 Disability Insuran	204	0	204	203.58	.00	.00	100.0%
A1420 586088 Health Insurance F	49,507	0	49,507	61,222.72	.00	-11,715.34	123.7%*
A1420 588988 Eap Fringe	44	0	44	43.68	.00	.00	100.0%
TOTAL Law	287,480	0	287,480	315,990.02	.00	-28,509.76	109.9%
TOTAL General Fund	287,480	0	287,480	315,990.02	.00	-28,509.76	109.9%
TOTAL REVENUES	-50,079	0	-50,079	-23,051.94	.00	-27,027.06	
TOTAL EXPENSES	337,559	0	337,559	339,041.96	.00	-1,482.70	
GRAND TOTAL	287,480	0	287,480	315,990.02	.00	-28,509.76	109.9%

** END OF REPORT - Generated by Freyvogel, Christine **



TIOGA COUNTY, NEW YORK

Tioga County 2022 SAFETY BUDGET REPORT

FOR 2022 13

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	PCT USE/COL
CI Liability Insurance Fund							
CI8042 504 Coordinator/Safety							
CI8042 424010 Interest And Earn	0	0	0	-52.66	.00	52.66	100.0%
CI8042 510010 Fulltime	50,500	0	50,500	44,442.76	.00	6,057.24	88.0%
CI8042 540140 Contracting Servi	2,350	-284	2,066	1,650.00	.00	416.00	79.9%
CI8042 540320 Leased/Service Eq	175	-75	100	.00	.00	100.00	.0%
CI8042 540340 Literature	50	-50	0	.00	.00	.00	.0%
CI8042 540410 Nursing Supplies	1,000	552	1,552	970.98	.00	580.90	62.6%
CI8042 540420 Office Supplies	600	129	729	597.14	.00	131.70	81.9%
CI8042 540480 Postage	150	0	150	.57	.00	149.43	.4%
CI8042 540640 Supplies (Not Off	600	282	882	572.13	.00	309.99	64.9%
CI8042 540660 Telephone	75	-54	21	21.16	.00	.00	100.0%
CI8042 540733 Training/All Othe	3,500	-500	3,000	2,265.69	.00	734.31	75.5%
CI8042 581088 State Retirement	2,744	0	2,744	3,709.21	.00	-965.43	135.2%*
CI8042 583088 Social Security F	2,232	0	2,232	3,385.38	.00	-1,153.28	151.7%*
CI8042 584088 workers Compensat	1,224	0	1,224	1,126.31	.00	98.03	92.0%
CI8042 585588 Disability Insura	0	0	0	57.42	.00	-57.42	100.0%*
CI8042 586088 Health Insurance	0	0	0	9,065.76	.00	-9,065.76	100.0%*
CI8042 588988 Eap Fringe	15	0	15	12.88	.00	1.68	88.5%
TOTAL 504 Coordinator/Safety	65,215	0	65,215	67,824.73	.00	-2,609.95	104.0%
TOTAL Liability Insurance Fund	65,215	0	65,215	67,824.73	.00	-2,609.95	104.0%
TOTAL REVENUES	0	0	0	-52.66	.00	52.66	
TOTAL EXPENSES	65,215	0	65,215	67,877.39	.00	-2,662.61	
GRAND TOTAL	65,215	0	65,215	67,824.73	.00	-2,609.95	104.0%

** END OF REPORT - Generated by Freyvogel, Christine **



TIOGA COUNTY, NEW YORK

Tioga County 2023 SAFETY BUDGET REPORT

FOR 2023 01

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	PCT USE/COL
CI Liability Insurance Fund							
CI8042 504 Coordinator/Safety							
CI8042 510010 Fulltime	57,523	0	57,523	.00	.00	57,523.00	.0%
CI8042 540140 Contracting Servi	164,500	0	164,500	.00	.00	164,500.00	.0%
CI8042 540340 Literature	250	0	250	.00	.00	250.00	.0%
CI8042 540410 Nursing Supplies	2,000	0	2,000	.00	.00	2,000.00	.0%
CI8042 540420 Office Supplies	400	0	400	.00	.00	400.00	.0%
CI8042 540480 Postage	75	0	75	.00	.00	75.00	.0%
CI8042 540640 Supplies (Not Off	600	0	600	.00	.00	600.00	.0%
CI8042 540733 Training/All Othe	3,500	0	3,500	.00	.00	3,500.00	.0%
CI8042 581088 State Retirement	2,744	0	2,744	.00	.00	2,743.78	.0%
CI8042 583088 Social Security F	2,232	0	2,232	.00	.00	2,232.10	.0%
CI8042 584088 workers Compensat	1,224	0	1,224	.00	.00	1,224.34	.0%
CI8042 588988 Eap Fringe	15	0	15	.00	.00	14.56	.0%
TOTAL 504 Coordinator/Safety	235,063	0	235,063	.00	.00	235,062.78	.0%
TOTAL Liability Insurance Fund	235,063	0	235,063	.00	.00	235,062.78	.0%
TOTAL EXPENSES	235,063	0	235,063	.00	.00	235,062.78	
GRAND TOTAL	235,063	0	235,063	.00	.00	235,062.78	.0%

** END OF REPORT - Generated by Freyvogel, Christine **



TIOGA COUNTY, NEW YORK

Tioga County 2023 LEGAL BUDGET REPORT

FOR 2023 01

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	PCT USE/COL
A General Fund							
A1420 Law							
A1420 412706	Shared Services-At	-50,079	0	-50,079	.00	.00	-50,079.00 .0%
A1420 510010	Full Time	212,439	0	212,439	.00	.00	212,439.00 .0%
A1420 510020	Part Time/Temporar	45,000	0	45,000	.00	.00	45,000.00 .0%
A1420 510050	All other(On call,	2,000	0	2,000	.00	.00	2,000.00 .0%
A1420 520200	Office Equipment	450	0	450	.00	.00	450.00 .0%
A1420 540010	Advertising	100	0	100	.00	.00	100.00 .0%
A1420 540040	Books	500	0	500	.00	.00	500.00 .0%
A1420 540180	Dues	1,200	0	1,200	.00	.00	1,200.00 .0%
A1420 540330	Legal Fees	65,000	0	65,000	.00	.00	65,000.00 .0%
A1420 540390	Mileage Expense	100	0	100	.00	.00	100.00 .0%
A1420 540420	Office Supplies	825	0	825	.00	.00	825.00 .0%
A1420 540480	Postage	150	0	150	.00	.00	150.00 .0%
A1420 540485	Printing/Paper	400	0	400	.00	.00	400.00 .0%
A1420 540731	Training/State Req	200	0	200	.00	.00	200.00 .0%
A1420 581088	State Retirement F	17,918	0	17,918	.00	.00	17,918.42 .0%
A1420 583088	Social Security Fr	15,182	0	15,182	.00	.00	15,182.18 .0%
A1420 584088	Workers Compensati	3,673	0	3,673	.00	.00	3,673.02 .0%
A1420 585588	Disability Insuran	204	0	204	.00	.00	203.58 .0%
A1420 586088	Health Insurance F	49,507	0	49,507	.00	.00	49,507.38 .0%
A1420 588988	Eap Fringe	44	0	44	.00	.00	43.68 .0%
TOTAL Law		364,813	0	364,813	.00	.00	364,813.26 .0%
TOTAL General Fund		364,813	0	364,813	.00	.00	364,813.26 .0%
TOTAL REVENUES		-50,079	0	-50,079	.00	.00	-50,079.00
TOTAL EXPENSES		414,892	0	414,892	.00	.00	414,892.26
GRAND TOTAL		364,813	0	364,813	.00	.00	364,813.26 .0%

** END OF REPORT - Generated by Freyvogel, Christine **

REFERRED TO: PERSONNEL COMMITTEE
LEGISLATIVE WORKSESSION
FINANCE, LEGAL & SAFETY COMMITTEE

RESOLUTION NO. -23 AMEND RESOLUTION 193-18;
ADOPTION OF TIOGA COUNTY TITLE VI PLAN,
ENVIRONMENTAL JUSTICE PLAN, LIMITED ENGLISH
PROFICIENCY PLAN, DATA COLLECTION PLAN, ADA
TRANSITION PLAN AND EMPLOYEE TRAINING PLAN

WHEREAS: The Tioga County Legislature adopted the Tioga County Title VI Plan, Environmental Justice Plan, Limited English Proficiency Plan, Data Collection Plan, ADA Transition Plan, and Employee Training Plan by way of Resolution 193-18 on August 17, 2018; and

WHEREAS: The County's Equal Employment Opportunity/Affirmative Action/ADA Policy in the Employee Handbook is incorporated in the adopted Tioga County Title VI Plan; and

WHEREAS: Tioga County's Title VI Plan requires an annual review of Title VI for necessary updated data, documentation, including demographic data mapping of ethnicity by area; and

WHEREAS: The Title VI Plan, the Environmental Justice Plan, the Limited English Proficiency (LEP) Plan, and the Equal Employment Opportunity/Affirmative Action/ADA Policy warrants revisions in several areas and updated environmental information; therefore be it

RESOLVED: That Resolution 193-18, the Tioga County Title VI Plan, is hereby amended as follows:

- Updated Tioga County Title VI Plan Content Page
- Updated Tioga County Title VI Plan/Nondiscrimination Policy Statement, attachments, and appendixes to reflect nondiscriminatory language.
- Updated Tioga County Title VI Reporting Page and forms with the removal of retired Personnel Officer Bethany O'Rourke's name and email and replaced with current Personnel Officer Linda Parke's name and email address and the removal of retired Safety Officer William Kenville's name and replaced with Safety Officer.
- Updated Tioga County Title VI Plan Complaint Form
- Updated Tioga County Title VI Plan Attachment 4 "Tioga County Title VI Nondiscrimination Policy Statement" to include related policy and authoritative sources, New York executive orders, and federal laws and executive orders

- Updated Tioga County Title VI Plan Environmental Justice Plan Introduction to include nondiscriminatory language and "Identification of Minority, Low Income and Handicapped Populations" section, which now includes the statement "This data can be found in the Tioga County 2020 Strategic Plan."
- Updated Tioga County Title VI Plan Limited English Proficiency (LEP) Plan to now include updated data for individuals who have limited English proficiency, and the addition of two forms; "LEP Tracking Form A: Use of Free Interpreter/Translator Services" and "LEP Form B: Waiver of Rights to Free Interpreter/Translator Services"
- Remove Section 50: Workplace Violence Prevention Policy and Discriminatory Harassment Policy from the original Tioga County Title VI Plan;

And be it further

RESOLVED: That the remainder of the Tioga County Title VI Plan remains unchanged.

REFERRED TO:

LEGISLATIVE WORKSESSION
FINANCE/LEGAL/SAFETY COMMITTEE

RESOLUTION NO. -23

AMEND EMPLOYEE HANDBOOK:
ADD NEW POLICY TO NEW SECTION XII.
SUBSECTION A. ENTITLED SECTION 3 PLAN
FOR TIOGA COUNTY

WHEREAS: The United States Congress passed Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) (Section 3) to further the goal of ensuring that federal funds benefit the residents of projects funded wholly or in part by those funds; and

WHEREAS: Part 135 of Section 3 is to establish the standards and procedures to be followed to ensure that the objectives of Section 3 are met; and

WHEREAS: The County Attorney has developed a Section 3 Plan in adherence to 24 CFR, Part 135 that comprehensively addresses the standards and procedures prescribed in the Act; therefore be it

RESOLVED: That the Tioga County Legislature authorizes adoption and implementation of the Section 3 Plan for Tioga County to ensure compliance with Federal Law; and be it further

RESOLVED: That the Employee Handbook is hereby amended to add a new policy to new Section XII., subsection A. entitled Section 3 Plan for Tioga County.

REFERRED TO:

LEGISLATIVE WORKSESSION
FINANCE/LEGAL/SAFETY COMMITTEE

RESOLUTION NO. -23

AMEND EMPLOYEE HANDBOOK:
ADD NEW POLICY TO NEW SECTION XII.
ENTITLED SECTION 3 PLAN FOR TIOGA COUNTY

WHEREAS: The United States Congress passed Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) (Section 3) to further the goal of ensuring that federal funds benefit the residents of projects funded wholly or in part by those funds; and

WHEREAS: Part 135 of Section 3 is to establish the standards and procedures to be followed to ensure that the objectives of Section 3 are met; and

WHEREAS: The County Attorney has developed a Section 3 Plan in adherence to 24 CFR, Part 135 that comprehensively addresses the standards and procedures prescribed in the Act; therefore be it

RESOLVED: That the Tioga County Legislature authorizes adoption and implementation of the Section 3 Plan for Tioga County to ensure compliance with Federal Law; and be it further

RESOLVED: That the Employee Handbook is hereby amended to add a new policy to new Section XII., subsection A. entitled Section 3 Plan for Tioga County.

Section 3 Plan Tioga County



Version Number	Date Updated	Summary of Changes
1.0	12/2022	Initial Plan

Section 3 Plan

- Overview of Section 3 Requirements

 - What is Section 3?
 - Purpose of this document
 - Applicability

- Section 3 Coordinator
- Employment, Training and Contracting Goals

 - Safe Harbour Compliance
 - Safe Harbour Benchmarks
 - Certification of Prioritization of Effort for Employment, Training and Contracting

- Section 3 Eligibility and Certifications

 - Section 3 Worker and Targeted Section 3 Worker Certification
 - Section 3 Business Concern Certification

- Assisting Contractors with Achieving Section 3 Goals
- Section 3 Outreach

 - Outreach Efforts for Employment and Training
 - Outreach Efforts for Contracting

- Section 3 Contracting Policy and Procedure
- Section 3 Provisions/Contract Language
- Reporting Requirements

 - Monthly Reporting
 - Annual Reporting
 - Reporting on Projects with Multiple Funding Sources

- Internal Section 3 Complaint Procedure
- Appendices

Overview of Section 3 Requirements

WHAT IS SECTION 3?

Section 3 is a provision of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) that is regulated by the provisions of 24 CFR 75. Section 3 regulations ensure that employment and other economic opportunities generated by certain HUD financial assistance shall, to the greatest extent feasible, and consistent with existing Federal, State and local laws and regulations, be directed to low- and very low-income persons, particularly those who are recipients of government assistance for housing, and to business concerns which provide economic opportunities to low- and very low-income persons.

PURPOSE OF THIS DOCUMENT

This plan outlines how Tioga County and its subrecipients, contractors and subcontractors will comply with HUD's Section 3 requirements in implementing Tioga County's HUD funded programs. Tioga County will, to the greatest extent feasible, ensure that employment and other economic opportunities are directed to low- and very low-income persons (Section 3 workers and Targeted Section 3 workers) and to eligible businesses (Section 3 Businesses) and requires the same of its contractors.

Tioga County may amend its Section 3 Policies and Procedures document as necessary to ensure continued compliance with HUD's requirements and/or to reflect updated Section 3 guidance and outreach strategies.

APPLICABILITY

For public housing financial assistance, all funding is covered, regardless of the amount of expenditure or size of a contract. This plan applies to development assistance, operating funds, capital funds, and all mixed-finance development.

For housing and community development financial assistance, this plan applies to housing rehabilitation, housing construction, and other public construction projects that exceed \$200,000 or more of housing and community development financial assistance from one or more HUD programs. Applicability is determined at the project level.

For projects funded with Lead and Hazard Control and Healthy Homes Programs, this plan applies to projects that exceed \$100,000.

This plan also applies to projects that include multiple funding sources. Multiple funding source projects include projects that include public housing financial assistance, housing and community development financial assistance for single or multiple recipients, and the Lead Hazard Control and Healthy Homes Program.

Section 3 requirements **do not** apply to: 1) Material Supply Contracts - § 75.3(b), 2) Indian and Tribal Preferences - § 75.3(c), and 3) Other HUD assistance and other Federal assistance not subject to Section 3 §75.3 (d). However, for financial assistance that is not subject to Section 3, recipients are encouraged to consider ways to support the purpose of Section 3.

Section 3 Coordinator

Tioga County's Section 3 Coordinator serves as the central point of contact for Section 3 compliance for Tioga County's and its subrecipients, contractors and subcontractors supporting the program. Subrecipients, contractors, subcontractors and others are encouraged to reach out to Tioga County's Section 3 Coordinator with questions regarding Section 3 compliance.

Employment, Training, and Contracting Goals

SAFE HARBOUR COMPLIANCE

Tioga County will be considered to have complied with the Section 3 requirements and met safe harbour, if they certify that they followed the required prioritization of effort and met or exceeded the Section 3 benchmarks, absent evidence of the contrary.

Prior to the beginning of work, contractors and subcontractors will be required to certify that they will follow the required prioritization of effort for Section 3 workers, Targeted Section 3 workers, and Section 3 business concerns as outlined below in section C. After completion of the project, on the Section 3 Cumulative Report, contractors and subcontractors will be required to certify that they followed the prioritization of effort requirements.

If the contractor and subcontractor does not meet the safe harbour requirements, they must provide evidence that they have made qualitative efforts to assist low- and very low-income persons with employment and training opportunities.

SAFE HARBOUR BENCHMARKS

Tioga County has established employment and training goals that subrecipients, contractors, and subcontractors should meet in order to comply with Section 3 requirements outlined in 24 CFR Part 75.9 - for public housing financial assistance or 24 CFR Part 75.19 - for housing and community development financial assistance. The safe harbour benchmark goals are as follows:

(for public housing financial assistance)

- 1) Twenty-five (25) percent or more of the total number of labor hours worked by all workers employed with public housing financial assistance in the PHA's fiscal year are Section 3 workers;

Section 3 Labor Hours/Total Labor Hours = 25%

And

- 2) Five (5) percent or more of the total number of labor hours worked by all workers employed with public housing financial assistance in the PHA's fiscal year are Targeted Section 3 workers, as defined at 24 CFR Part 75.11.

Targeted Section 3 Labor Hours/Total Labor Hours = 5%

(for housing and community development financial assistance)

- 1) Twenty-five (25) percent or more of the total number of labor hours worked by all workers on a Section 3 project are Section 3 workers;

Section 3 Labor Hours/Total Labor Hours = 25%

And

- 2) Five (5) percent or more of the total number of labor hours worked by all workers on a Section 3 project are Targeted Section 3 workers, as defined at 24 CFR Part 75.21.

Targeted Section 3 Labor Hours/Total Labor Hours = 5%

HUD establishes and updates Section 3 benchmarks for Section 3 workers and/or Targeted Section 3 workers through a document published in the Federal Register, not less frequently than once every 3 years. Given that the Section 3 benchmarks are subject to change every three years or sooner, Tioga County will review and update the Section 3 Plan every 3 years or as needed.

It is the responsibility of contractors to implement efforts to achieve Section 3 compliance. Any contractor that does not meet the Section 3 benchmarks must demonstrate why meeting the benchmarks were not feasible. All contractors submitting bids or proposals to Tioga County are required to certify that they will comply with the requirements of Section 3.

CERTIFICATION OF PRIORITIZATION OF EFFORT FOR EMPLOYMENT, TRAINING, AND CONTRACTING

EMPLOYMENT AND TRAINING

Under the Tioga County's Section 3 Program, contractors and subcontractors should make best efforts to provide employment and training opportunities to Section 3 workers in the priority order listed below:

(for public housing financial assistance)

- 1) To residents of the public housing projects for which the public housing financial assistance is expended;
- 2) To residents of other public housing projects managed by the PHA that is providing the assistance or for residents of Section 8-assisted housing managed by the PHA;
- 3) To participants in YouthBuild programs; and
- 4) To low- and very low-income persons residing within the metropolitan area (or non-metropolitan county) in which the assistance is expended.

(for housing and community development financial assistance)

Provide employment and training opportunities to Section 3 workers within the metropolitan area (or non-metropolitan county) in which the project is located in the priority order listed below:

- 1) Section 3 workers residing within the service area or the neighborhood of the project, and
- 2) Participants in YouthBuild programs.

Contractors and subcontractors will be required to certify that they will and have made best efforts to follow the prioritization of effort requirements prior to the beginning work and after work is completed.

CONTRACTING

Under the Tioga County's Section 3 Program, contractors and subcontractors must make their best efforts to award contracts and subcontracts to business concerns that provide economic opportunities to Section 3 workers in the following order or priority:

(for public housing financial assistance)

- 1) Section 3 business concerns that provide economic opportunities for residents of public housing projects for which the assistance is provided;
- 2) Section 3 business concerns that provide economic opportunities for residents of other public housing projects or Section-8 assisted housing managed by the PHA that is providing assistance;
- 3) YouthBuild programs; and
- 4) Section 3 business concerns that provide economic opportunities to Section 3 workers residing within the metropolitan area (or non-metropolitan county) in which the assistance is provided.

(for housing and community development financial assistance)

- 1) Business concerns that provide economic opportunities to Section 3 workers residing within the metropolitan area (or non-metropolitan county) in which assistance is located in the following order of priority (where feasible):
 - a) Section 3 business concerns that provide economic opportunities to Section 3 workers residing within the service area or the neighborhood of the project; and
 - b) YouthBuild programs.

Contractors and subcontractors will be required to certify that they will and have made best efforts to follow the prioritization of effort requirements prior to the beginning work and after work is completed.

Section 3 Eligibility and Certifications

Individuals and businesses that meet Section 3 criteria may seek Section 3 preference from Tioga County or its contractors/subcontractors for training, employment, or contracting opportunities generated by public housing financial assistance or housing and community development financial assistance. To qualify as a Section 3 worker, Targeted Section 3 worker or a Section 3 business concern, each must self-certify that they meet the applicable criteria.

Businesses who misrepresent themselves as Section 3 business concerns and report false information to Tioga County may have their contracts terminated as default and be barred from ongoing and future considerations for contracting opportunities.

SECTION 3 WORKER AND TARGETED SECTION 3 WORKER CERTIFICATION

A Section 3 worker seeking certification shall submit self-certification documentation to the recipient contractor or subcontractor, that the person is a Section 3 worker or Targeted Section 3 worker as defined in 24 CFR Part 75. For the purposes of Section 3 worker eligibility, Tioga County will use individual income rather than family/household income to determine eligibility. The income limits will be determined annually using the guidelines published at <https://www.huduser.org/portal/datasets/il.html>.

Persons seeking the Section 3 worker preference shall demonstrate that it meets one or more of the following criteria currently or when hired within the past five years, as documented:

- 1) A low- or very low-income resident (the worker's income for the previous or annualized calendar year is below the income limit established by HUD); or
- 2) Employed by a Section 3 business concern; or
- 3) A YouthBuild participant.

Persons seeking the Targeted Section 3 worker preference shall demonstrate that it meets one or more of the following criteria:

(for public housing financial assistance)

- 1) Employed by a Section 3 business concern or
- 2) Currently meets or when hired met at least one of the following categories as documented within the past five years:
 - a) A resident of public housing; or
 - b) A resident of other public housing projects or Section 8-assisted housing; or
 - c) A YouthBuild participant.

(for housing and community development assistance)

- 1) Employed by a Section 3 business concern; or
- 2) Currently meets or when hired met at least one of the following categories as documented within the past five years:
 - a) Living within the service area or the neighborhood of the project, as defined in 24 CFR Part 75.5; or
 - b) A YouthBuild participant.

Section 3 workers and Targeted Section 3 workers who are seeking preference in training and employment must submit the Section 3 Worker and Targeted Section 3 Worker Certification Form. The certification procedure will consist of the following:

PROJECTS INVOLVING MULTIPLE SOURCES OF FUNDING

In cases where Section 3 covered projects include multiple sources of funds, including public housing financial assistance and housing and community development assistance, Public Housing Authorities must follow the definition of Targeted Section 3 worker and priorities as outlined in subpart B of Part 75. For housing and community development financial assistance, Tioga County may follow either subpart B or subpart C of Part 75.

In cases where Section 3 covered projects include multiple housing and development funding sources (financial assistance) from single or multiple recipients, Tioga County will follow subpart C of Part 75. Refer to chart in [Appendix B](#).

SECTION 3 BUSINESS CONCERN CERTIFICATION

Tioga County, should encourage contractors and subcontractors to make best efforts to award contracts and subcontracts to Section 3 business concerns.

Businesses that believe they meet the Section 3 Business requirements may self-register in the HUD Business registry, here: <http://www.hud.gov/Sec3Biz>. Businesses may seek Section 3 Business Concern preference by demonstrating that it meets one or more of the following criteria:

- 1) At least 51 percent of the business is owned and controlled by low- or very low-income persons; or
- 2) At least 51 percent of the business is owned and controlled by current public housing residents or residents who currently live in Section 8-assisted housing; or
- 3) Over 75 percent of the labor hours performed for the business over the prior three-month period are performed by Section 3 workers.

Businesses that seek Section 3 preference shall certify, or demonstrate to Tioga County, contractors or subcontractors, that they meet the definitions provided in the above. Businesses may demonstrate eligibility by submitting the Section 3 Business Concern Certification Form.

Section 3 Business Concern Certification Forms must be submitted at the time of bid/proposal. If Tioga County previously approved the business concern to be Section 3 certified, then the certification can be submitted along with the bid, as long as the form is submitted within the prescribed expiration date. The Section 3 Business Concern Certification Form will expire after 12

months. Establishing a 12 month certification of eligibility period allows Tioga County the ability to assess contractor performance to ensure the business is striving to meet the required goals.

Assisting Contractors with Achieving Section 3 Goals

In an effort to assist contractors with meeting or exceeding the Section 3 goals, Tioga County will do the following:

- 1) Share Section 3 Plan with contractors and subcontractors and explain policies and procedures.
- 2) Require contractors wishing to submit a bid/offer/proposal to attend pre-bid meeting.
- 3) Require contractor to sign the Section 3 Plan at pre-construction conference.
- 4) Review Section 3 benchmarks and prioritization of effort with contractors and subcontractors to ensure that the goals are understood. It is not intended for contractors and subcontractors to terminate existing employees, but to make every effort feasible to meet Section 3 benchmark goals by utilizing existing qualified workforce and by considering qualified eligible Section 3 workers and Targeted Section 3 workers (per the prioritization of effort outlined in Section #3) before any other person, when hiring additional employees is needed to complete proposed work to be performed with a HUD program.
- 5) At the time of bid, require the contractor to present a list, of the number of total labor hours, Section 3 worker labor hours, and Targeted Section 3 worker labor hours expected to be generated from the initial contract and a list of projected number of available positions, to include job descriptions and wage rates.
- 6) Maintain a local Section 3 worker/Targeted Section 3 worker database and provide the contractor with a list of interested and qualified Section 3 workers and Targeted Section 3 workers and contact information.
- 7) Inform contractors about the HUD Section 3 Opportunity Portal <https://hudapps.hud.gov/OpportunityPortal/>
- 8) Require contractors to notify Section 3 Coordinator of their interests regarding employment of Section 3 workers prior to hiring.
- 9) Encourage local business to register on the HUD Business Registry and direct contractors to the HUD Section 3 Business Registry <https://www.hud.gov/section3businessregistry>
- 10) Leverage Tioga County's communication outlets (social media, website, etc.) to effectively communicate employment and contracting opportunities that arise.
- 11) Require contractors to submit a list of core employees (including administrative, clerical, planning and other positions pertinent to the construction trades) at the time of contact award.

Section 3 Outreach

OUTREACH EFFORTS FOR EMPLOYMENT AND TRAINING

In order to educate and inform workers and contractors, Tioga County's Section 3 Coordinator will be prepared to provide training and technical assistance on a regular basis per program guidelines. When training opportunities are available, contractors and subcontractors should, to the greatest extent feasible:

- 1) Notify the Section 3 Coordinator when training opportunities are available.
- 2) Provide information/handouts about Section 3 training opportunities to potential Section 3 workers and Targeted Section 3 workers.
- 3) Conduct an annual training for Section 3 workers and Section 3 businesses.

Contractors and subcontractors should employ several active strategies to notify Section 3 workers and Targeted Section 3 workers of Section 3 job opportunities, including:

- 1) Clearly indicating Section 3 eligibility on all job postings with the following statement: "This job is a Section 3 eligible job opportunity. We encourage applications from individuals that are low income and/or live in Public Housing and/or receive a Section 8 voucher";
- 2) Including the Section 3 Worker and Targeted Section 3 Worker Self-Certification Form in all job postings
- 3) Working with the Section 3 Coordinator to connect Section 3 worker and Targeted Section 3 workers in Tioga County's database with opportunities and/or utilize the Section 3 Opportunity Portal to find qualified candidates
- 4) Establishing a current list of Section 3 eligible applicants
- 5) Contacting local community organizations and provide them with job postings for Section 3 eligible applicants
- 6) Coordinating a programmatic ad campaign, which results in widespread job posting across diverse ad networks including:
 - a) Advertising job opportunities via social media, including LinkedIn and Facebook;
 - b) Advertising job opportunities via flyer distributions and mass mailings and posting ad in common areas of housing developments and all public housing management offices; and
 - c) Contacting resident councils, resident management corporations, and neighborhood community organizations to request their assistance in notifying residents of available training and employment opportunities.

OUTREACH EFFORTS FOR CONTRACTING

When contracting opportunities arise in connection with the HUD program, Tioga County will employ the following strategies to notify Section 3 Business Concerns of Section 3 contracting opportunities, including but not limited to:

- 1) Adding Section 3 language to all RFPs, procurement documents, bid offerings and contracts.
- 2) Coordinating mandatory pre-bid meetings to inform Section 3 Business Concerns of upcoming contracting opportunities. The Section 3 Coordinator will participate in these meetings to explain and answer questions related to Section 3 policy.
- 3) Advertising contracting opportunities in local community papers and notices that provide general information about the work to be contracted and where to obtain additional information.
- 4) Providing written notice of contracting opportunities to all known Section 3 Business Concerns. The written notice will be provided in sufficient time to enable business concerns the opportunity to respond to bid invitations.
- 5) Coordinating with the prime contractor to publicize contracting opportunities for small businesses.
- 6) Coordinating with Tioga County Departments and all other business assistance agencies and contractor associations to inform them of contracting opportunities and request their assistance in identifying Section 3 business concerns. Could include local community development organizations, business development agencies (Chamber of Commerce), and minority contracting associations.
- 7) Connecting Section 3 business concerns with resources to support business development to assist in obtaining contracting opportunities (e.g., bonding and insurance assistance, etc.). Contractors will also be encouraged to collaborate with Tioga County as subcontracted opportunities arise in an effort to notify eligible Section 3 business concerns about the contracting opportunities.

Section 3 Contracting Policy and Procedure

Tioga County will incorporate Section 3 in its existing Procurement Policy and adopt a Section 3 Contracting Policy and Procedure to be included in all procurements generated for use with HUD funding. This policy and procedure contain requirements for making efforts to award contracts to Section 3 Business Concerns.

All contractors/businesses seeking Section 3 preference must, before submitting bids/proposals to Tioga County will be required to complete certifications, as appropriate. Such certifications shall be adequately supported with appropriate documentation as referenced in the Section 3 Business Concern Certification Form.

Section 3 Provisions/Contract Language

Tioga County will include standard Section 3 language in all of its contracts to ensure compliance with regulations in 24 CFR Part 75. Tioga County will take appropriate actions upon finding that a contractor is in violation of 24 CFR Part 75 and does not knowingly contract with any contractor that has been found in violation of the Section 3 regulations. On a periodic basis the Section 3

Coordinator will audit Tioga County contractors for compliance with the minimum Section 3 requirements outlined in the Section 3 Plan.

In addition, contractors and subrecipients are required to include language in all Section 3 covered contracts or agreements for subcontractors to meet the requirements of 24 CFR Part 75.9 (for public housing financial assistance) or 24 CFR Part 75.19 (for housing and community development financial assistance).

For businesses, non-compliance with HUD's regulations in 24 CFR part 75 may result in sanctions, termination of this contract for default, and debarment or suspension from future HUD assisted contracts.

Reporting Requirements

For Section 3 covered contracts, contractors must submit the Section 3 Performance and Summary Report to Tioga County's Section 3 Coordinator on a monthly basis, and the annual reporting requirement set forth in that form's instructions.

MONTHLY REPORTING

- 1) Contractors are required to submit monthly activity reports to Tioga County's Section 3 Coordinator by the 25 day of each month.

ANNUAL REPORTING

- 1) Once a project is completed, contractors must submit a final Section 3 cumulative report for the program year.
- 2) Upon the completion of a project, Tioga County's Section 3 Coordinator will conduct a final review of the project's overall performance and compliance.
- 3) Tioga County's Section 3 Coordinator will submit the Section 3 data into the Section 3 reporting portal to HUD at the required reporting period.

REPORTING ON PROJECTS WITH MULTIPLE FUNDING SOURCES

- 1) For Section 3 projects that include public housing financial assistance and housing and community development financial assistance, Tioga County and its subrecipients, contractors and subcontractors will report on the project as a whole and will identify the multiple associated recipients.
- 2) For projects assisted with funding from multiple sources of housing and community development assistance that exceed the thresholds of \$200,000 and \$100,000 for Lead Hazard Control and Healthy Homes Programs (LHCHH), Tioga County will follow subpart C of Part 75 and will report to the applicable HUD program office, as prescribed by HUD. Note: LHCHH assistance is not included in calculating whether the assistance exceeds the \$200,000 threshold. HUD public housing financial assistance and HUD housing and community development financial assistance is not included in calculating whether the assistance exceeds the LHCHH \$100,000 threshold. Refer to chart in [Appendix B](#).

Internal Section 3 Complaint Procedure

In an effort to resolve complaints generated due to non-compliance through an internal process, Tioga County encourages submittal of such complaints to its Section 3 Coordinator as follows:

- 1) Complaints of non-compliance should be filed in writing and must contain the name of the complainant and brief description of the alleged violation of 24 CFR Part 75.
- 2) Complaints must be filed within 180 calendar days after the complainant becomes aware of the alleged violation.
- 3) An investigation will be conducted if complaint is found to be valid. Tioga County will conduct an informal, but thorough investigation affording all interested parties, if any, an opportunity to submit testimony and/or evidence pertinent to the complaint.
- 4) Tioga County's Section 3 Coordinator will provide written documentation detailing the findings of the investigation. The County Attorney will review the findings for accuracy and completeness before it is released to complainants. The findings will be made available no later than 30 days after the filing of complaint. If complainants wish to have their concerns considered outside of Tioga County a complaint may be filed with:

The HUD program office responsible for the public housing financial assistance or the Section 3 project, or to the local HUD field office. These offices can be found through the HUD website, www.hud.gov/.

Complainants may be eligible to bring complaints under other federal laws. The U.S. Equal Employment Opportunity Commission (EEOC) is responsible for enforcing federal laws that make it illegal to discriminate against a job applicant or an employee because of the person's race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability or genetic information (medical history or predisposition to disease). For more information about complainant rights, please contact EEOC at: www.EEOC.gov.

The Department of Labor Office of Federal Contract Compliance Programs (OFCCP) enforces, for the benefit of job seekers and wage earners, the contractual promise of affirmative action and equal employment opportunity required of those who do business with the Federal government. More information about the services they provide can be obtained at: <http://www.dol.gov/ofccp/>.

Appendices

APPENDIX A: DEFINITIONS

The terms *HUD*, *Public housing*, and *Public Housing Agency (PHA)* are defined in 24 CFR Part 5.

The following definitions also apply to 24 CFR Part 75 HUD's Economic Opportunities for Low-and Very Low-Income Persons:

1937 Act means the United States Housing Act of 1937, 42 U.S.C. 1437 *et seq.* activities related to *Public Housing*

Contractor means any entity entering into a contract with:

- (1) A recipient to perform work in connection with the expenditure of public housing financial assistance or for work in connection with a Section 3 project; or
- (2) A subrecipient for work in connection with a Section 3 project.

Labor hours means the number of paid hours worked by persons on a Section 3 project or by persons employed with funds that include public housing financial assistance.

Low-income person means a person as defined in Section 3(b)(2) of the 1937 Act, at or below 80% AMI. Note that Section 3 worker eligibility uses individual income rather than family/household income.

Material supply contracts means contracts for the purchase of products and materials, including, but not limited to, lumber, drywall, wiring, concrete, pipes, toilets, sinks, carpets, and office supplies.

Professional services means non-construction services that require an advanced degree or professional licensing, including, but not limited to, contracts for legal services, financial consulting, accounting services, environmental assessment, architectural services, and civil engineering services.

Public housing financial assistance means assistance as defined in 24 CFR Part 75.3(a)(1).

Public housing project is defined in 24 CFR 905.108.

Recipient means any entity that receives directly from HUD public housing financial assistance or housing and community development assistance that funds Section 3 projects, including, but not limited to, any State, local government, instrumentality, PHA, or other public agency, public or private nonprofit organization.

Section 3 means Section 3 of the Housing and Urban Development Act of 1968, as amended (12 U.S.C. 1701u).

Section 3 business concern means:

- (1) A business concern meeting at least one of the following criteria, documented within the last six-month period:

- (i) It is at least 51 percent owned and controlled by low- or very low-income persons;
 - (ii) Over 75 percent of the labor hours performed for the business over the prior three-month period are performed by Section 3 workers; or
 - (iii) It is a business at least 51 percent owned and controlled by current public housing residents or residents who currently live in Section 8-assisted housing.
- (2) The status of a Section 3 business concern shall not be negatively affected by a prior arrest or conviction of its owner(s) or employees.
- (3) Nothing in this part shall be construed to require the contracting or subcontracting of a Section 3 business concern. Section 3 business concerns are not exempt from meeting the specifications of the contract.

Section 3 Coordinator is person tasked with overseeing all Section 3 responsibilities for the PHA/CD office.

Section 3 project means a project defined in 24 CFR Part 75.3(a)(2).

Section 3 worker means:

(1) Any worker who currently fits or when hired within the past five years fit at least one of the following categories, as documented:

- (i) The worker's income for the previous or annualized calendar year is below the income limit established by HUD.
- (ii) The worker is employed by a Section 3 business concern.
- (iii) The worker is a YouthBuild participant.

(2) The status of a Section 3 worker shall not be negatively affected by a prior arrest or conviction.

(3) Nothing in this part shall be construed to require the employment of someone who meets this definition of a Section 3 worker. Section 3 workers are not exempt from meeting the qualifications of the position to be filled.

Section 8-assisted housing refers to housing receiving project-based rental assistance or tenant-based assistance under Section 8 of the 1937 Act.

Service area or the neighborhood of the project means an area within one mile of the Section 3 project or, if fewer than 5,000 people live within one mile of a Section 3 project, within a circle centered on the Section 3 project that is sufficient to encompass a population of 5,000 people according to the most recent U.S. Census.

Small PHA means a public housing authority that manages or operates fewer than 250 public housing units.

Subcontractor means any entity that has a contract with a contractor to undertake a portion of the contractor's obligation to perform work in connection with the expenditure of public housing financial assistance or for a Section 3 project.

Subrecipient has the meaning provided in the applicable program regulations or in 2 CFR 200.93.

Targeted Section 3 worker has the meanings provided in 24 CFR Part 75.11, 75.21, or 75.29, and does not exclude an individual that has a prior arrest or conviction.

Very low-income person means the definition for this term set forth in section 3(b)(2) of the 1937 Act (at or below 50% AMI).

YouthBuild programs refers to YouthBuild programs receiving assistance under the Workforce Innovation and Opportunity Act (29 U.S.C. 3226).

APPENDIX B: MULTIPLE FUNDING SOURCES - CHART

TYPE OF FINANCIAL ASSISTANCE	DEFINITIONS *TARGETED SECTION 3 WORKER	THRESHOLDS	PRIORITIZATION	REPORTING
Public Housing and Housing and Community Development	<p>PHA – must follow subpart B of Part 75</p> <p>HCD – may follow subpart B or C of Part 75</p>	<p>None</p> <p>*Any amount of PH assistance triggers Section 3</p>	<p>PHA – must follow subpart B of Part 75</p> <p>HCD – may follow subpart B or C of Part 75</p>	<p>PHA – must follow subpart B of Part 75</p> <p>HCD – may follow subpart B or C of Part 75</p> <p>Both - Must report on project as a whole and identify the multiple associated recipients</p>
Multiple Sources of Housing and Community Development <i>(single or multiple recipients)</i>	<p>Must follow subpart C of Part 75</p>	<p>Exceeds \$200,000 for Section 3 projects</p> <p>*LHCHHP exceeds \$100,000</p>	<p>Must follow subpart C of Part 75</p>	<p>Must follow subpart C of Part 75</p> <p>Must report on project as a whole and identify the multiple associated recipients</p> <p>Must report to the applicable HUD program office, as prescribed by HUD</p>

REFERRED TO:

FINANCE, LEGAL AND SAFETY COMMITTEE
PERSONNEL/ADA

RESOLUTION NO. -23

APPOINT TITLE VI COORDINATOR

WHEREAS: Upon the retirement of Bethany O'Rourke, Tioga County Personnel Officer, who also served as the Title VI Coordinator, a new Title VI Coordinator must be appointed; and

WHEREAS: Linda Parke has been appointed the Tioga County Personnel Officer; therefore be it

RESOLVED: That Linda Parke be and hereby is appointed Title VI Coordinator for Tioga County.

REFERRED TO: FINANCE, LEGAL AND SAFETY COMMITTEE
PERSONNEL/ADA COMMITTEE

RESOLUTION NO. -23 AMEND RESOLUTION 277-06;
APPOINT ADA COORDINATOR

WHEREAS: Resolution 277-06 was adopted on December 12, 2006 naming the Safety Officer and the Personnel Officer to serve as the County's ADA Coordinators; and

WHEREAS: Upon the resignation of Dawn Thorpe, Safety Officer, and the retirement of Bethany O'Rourke, Personnel Officer, a new ADA Coordinator must be appointed; therefore be it

RESOLVED: That Kevin Humes, Paralegal with the Law Department, be and hereby is appointed ADA Coordinator for Tioga County; and be it further

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

RESOLVED: That upon the hiring of a Safety Officer that person will be appointed as the second ADA Coordinator.

REFERRED TO:

PERSONNEL COMMITTEE
LEGISLATIVE WORKSESSION
LEGAL/FINANCE COMMITTEE

RESOLUTION NO. -23

2023 STAFF CHANGES
LAW DEPARTMENT

WHEREAS: Legislative approval is required to create and fill any position within Tioga County; and

WHEREAS: The Law Department has identified the need for an additional part-time Assistant County Attorney position to handle the increase in juvenile cases and has requested staffing changes as part of the 2023 Budget process; therefore be it

RESOLVED: That the part-time position of 4th Assistant County Attorney is hereby created effective January 1, 2023; and be it further

RESOLVED: That the County Attorney is authorized to appoint Ronald Lanouette, Jr. at an annual salary of \$38,500 per year effective January 17, 2023; and be it further

RESOLVED: That the Law Department's authorized part-time headcount is increased from one (1) to two (2).

REFERRED TO: FINANCE, LEGAL AND SAFETY COMMITTEE

RESOLUTION NO. -23 AUTHORIZE CONTRACT WITH
SECURITAS SECURITY SERVICES FOR
56 MAIN STREET

WHEREAS: The 56 Main Street Safety and Security Committee has identified a need for security services at the Ronald E. Dougherty County Office Building located at 56 Main Street; and

WHEREAS: Tioga County has obtained three quotes for unarmed security services; and

WHEREAS: The proposal from Securitas Security Services USA, Inc, to perform this service, is the most cost effective; and

WHEREAS: American Rescue Plan Act "ARPA" funds have been budgeted in the Tioga County 2023 Capital Budget for use specifically as designated by the Tioga County Legislature for unarmed security services at the Ronald E. Dougherty County Office Building located at 56 Main Street; and

WHEREAS: Upon the successful receipt and review of the ARPA One Time Funding Request Form, both the Legislative Chair and the ARPA Fund Administrator have granted their approval of the form, and have submitted the request to the Tioga County Legislature for final review and approval; and

WHEREAS: The Tioga County Legislature shall oversee and authorize all ARPA expenditures whether budgeted or not; therefore be it

RESOLVED: That the County Attorney is authorized to contract with Securitas Security Services USA, Inc to provide unarmed security services at 56 Main Street effective as of February 10, 2023; and be it further

RESOLVED: That invoices related to the Securitas Contract for 56 Main Street, Owego, New York to be paid with ARPA funds are to be appropriated from the following account for no more than the amount requested:

From: CI8042 540140 M7674	Contracted Services	\$160,000.00
----------------------------------	----------------------------	---------------------

REFERRED TO: FINANCE, LEGAL AND SAFETY COMMITTEE

RESOLUTION NO. -23 RECOGNITION OF THE
HONORABLE GERALD A. KEENE'S
41 YEARS OF DEDICATED SERVICE TO
TIOGA COUNTY

WHEREAS: The Honorable Gerald A. Keene began his career as Assistant Public Defender in the Public Defender's Office on January 1, 1981 and on January 1, 1983 was appointed 2nd Assistant Public Defender; and

WHEREAS: On November 15, 1985, the Honorable Gerald A. Keene was appointed 3rd Assistant District Attorney in the District Attorney's Office, was appointed 2nd Assistant District Attorney on August 24, 1992, and on January 1, 1998 was appointed 1st Assistant District Attorney. He was appointed Acting District Attorney on September 1, 1999; and on January 1, 2000 was elected District Attorney for Tioga County where he proudly served the citizens of Tioga County and was instrumental in prosecuting several high-profile cases; and

WHEREAS: The Honorable Gerald A. Keene was then elected to the Tioga County Court Multi-Bench presiding over County, Family and Surrogate Court matters in the Sixth Judicial District of New York January 1, 2013, where he continued his service to the County until his retirement December 31, 2022; and

WHEREAS: The Honorable Gerald A. Keene has been extremely dedicated and loyal in the performance of his duties and responsibilities during the past 41 years both as an attorney and judge earning the respect of all who have had the privilege to work with or appear in front of him; and

WHEREAS: The Honorable Gerald A. Keene retired December 31, 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 the Honorable Gerald A. Keene for his 41 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 outstanding person, the Honorable Gerald A. Keene.

REFERRED TO: LEGAL/FINANCE COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. -23 ABOLISH TWO PART-TIME PARALEGAL POSITIONS
AND CREATE ONE FULL-TIME OFFICE SPECIALIST III
PUBLIC DEFENDER'S OFFICE

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

WHEREAS: The Public Defender has determined that he can better address staffing needs and workload by abolishing two (2) current part-time Paralegal positions; therefore be it

RESOLVED: That the current two (2) part-time Paralegal positions (\$18.02/hr) be abolished effective January 30, 2023; and be it further

RESOLVED: That one (1) full-time Office Specialist III position (\$39,041-\$40,041 CSEA SG VII) shall be created effective January 30, 2023; and be it further

RESOLVED: That the Public Defender is authorized to provisionally appoint Amanda Pullano to the full-time Office Specialist III at an annual salary of \$39,041 effective January 30, 2023, pending successful completion of civil service examination requirements; and be it further

RESOLVED: That the Public Defender's 2023 authorized full-time headcount shall increase to 6 and his part-time headcount shall decrease to 4.

REFERRED TO: FINANCE/LEGAL COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. -23 CREATE AND FILL TEMPORARY, PART-TIME
PARALEGAL (SEASONAL) POSITION
DISTRICT ATTORNEY'S OFFICE

WHEREAS: Legislative approval is required for the creation of any new positions within Tioga County; and

WHEREAS: The District Attorney's Office has a need to hire a temporary, part-time Paralegal to work during the first eight months of the year to provide paralegal support within the office; and

WHEREAS: The District Attorney's Office has budgeted for a part-time Confidential Assistant position in the approved 2023 budget that remains unfilled; therefore be it

RESOLVED: That one temporary, part-time Paralegal (Seasonal) position be created with authorization to fill effective January 1, 2023 – August 31, 2023; and be it further

RESOLVED: That the wage for this temporary position shall be \$18.83/hour.