

*Ninth Regular Meeting*  
September 10, 2019

The Ninth Regular Meeting of 2019 was held on September 10, 2019 and was called to order by the Chair at 6:02 P.M. Eight Legislative members were present with Legislator Monell being absent.

Chair Sauerbrey asked Legislator Standinger to have a moment of prayer. "Lord, we ask for your guidance as we conduct the business of the citizens of this county. We thank you for the blessing to be born in a free country."

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

There were 13 people in attendance.

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

Legislator Standinger read and presented the following recognition resolution to Maureen Dougherty, Clerk of the Tioga County Legislature.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 239-19      *RECOGNITION OF  
MAUREEN DOUGHERTY'S  
33 YEARS OF DEDICATED SERVICE  
TO THE TIOGA COUNTY LEGISLATURE*

WHEREAS: Maureen Dougherty was appointed to the position of Deputy Legislative Clerk in the Legislative Office on September 2, 1986 and appointed Legislative Clerk on January 4, 1988, the position she has continuously held for the past 31+ years; and

WHEREAS: Maureen has worked with and served under 10 Chairs and 29 Legislators during her time as Legislative Clerk; and

WHEREAS: Maureen was instrumental in working and setting up the first financial system on the AS400 and the establishment of an office of County Auditor in March of 1989 and was appointed Tioga County's first Auditor effective March 13, 1989, the position she has continuously held for the past 30+ years; and

WHEREAS: In 2014 the County undertook a major upgrade to the County's financial system with Maureen being the Project Manager and very instrumental in securing and implementing yet another new financial system from Tyler Technologies (MUNIS), which went live in 2015. This was a tedious project and took many many hours of time, which involved early mornings, late nights and weekends to see this project through; and

WHEREAS: Maureen worked very closely with the Towns and Villages on many projects including a financial system for the Village of Owego that the County installed; and

WHEREAS: Maureen has been dedicated and loyal in the performance of her duties and responsibilities in the Legislative Office. She has earned the respect of her colleagues and peers throughout Tioga County, as well as State and Local officials; and

WHEREAS: Maureen will retire on September 14, 2019; 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 Maureen Dougherty for her 33 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 employee, Maureen Dougherty.

#### ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Standinger spoke. "Maureen has been an excellent asset to the Legislature. When I came on the Legislature seven years ago, she was the go to person because she knows everything about what is going on. She can be grumpy at times, but she makes up for it. She has a heart of gold. We are going to miss you."

Legislator Weston spoke. "Thank you very much for a job well done. We certainly appreciate it. We will probably see you in the future, as I am sure the County will still know that you are representing them."

Maureen Dougherty spoke. "Thank you very much for the recognition resolution and for the kind words from Bill and Dale. Much appreciated.

"First and foremost, I am thankful to God for giving me the opportunity and pleasure to serve the Tioga County Legislature for 33 years. I am thankful for my sons and grandchildren who have been there for me and supported me through the years. I am grateful to Craig who has been there for me to support me.

"I would like to posthumously recognize those who made this endeavor possible for me and that is General Lyon who had the forethought to approach me and ask me to work in the Legislative Office back in 1986 as a Deputy Legislative Clerk. I would also like to recognize Leon Thomas who was very instrumental in helping me get my career with the Legislature off the ground and running. There are many other Legislators, who have come and gone over the past 33 years, who have made an indelible impression on me and I am grateful for their support of me.

"To the current Legislature, I am humbled and honored to have served you over the past several years and I am very grateful for the opportunity you have given me.

"To my fellow Department Heads, I have been honored to serve alongside each of you over the years and work as a team together on many projects throughout the County. The most recent one in the last few years being the new financial system that Tioga County has embarked on.

"To the employees of Tioga County, I am grateful to have worked with many of you. We have a great employee base here in Tioga County and there are so many wonderful people, who have worked and are working for Tioga County.

"I would like to recognize and thank the following employees who have made a huge influence on me for both their work ethics and for being exceptionally wonderful people who have worked with me over the years.

"First and foremost, Amy Poff, who I just cannot say enough about. Amy is a truly wonderful person.

"To Rita Hollenbeck, who just completely amazes me with her expertise and knowledge on finances and for also being a truly great friend.

"To the Buildings and Grounds crew; Mike, Dave, Josh, Tom and others. They are incredible at what they do and have done for the County for keeping

the grounds and buildings functioning. They have rescued me several times and are some of the most wonderful people I have ever dealt with.

“To Judy Quigley, former County Attorney, who made a great impression on me with her knowledge and wit and who helped me in so many ways with legal issues and grounding me when I felt I was sinking.

“As the resolution stated, I have worked under 10 Chairs and 29 Legislators during my tenure as Legislative Clerk. Some of which has been challenging to say the least. Legislator Bud Oliver was instrumental in helping me set up the first financial system on the AS400 back in the late 80’s and helped establish the County Auditor position for Tioga County, which I was the first officially appointed County Auditor for Tioga County. And, then of course, the new MUNIS financial system that we switched over to and that I was the Project Manager for.

“I have worked with towns and villages over the years and at the State level on many issues.

“I took the policy handbook as part of the County and made that into an Employee Handbook that is more user-friendly.

“I spent many early mornings during the winters making phone calls to Departments regarding closing of the County due to snow until we went to a robocall system. It was a wonderful thing waking up to Mike Jackson at 5:30 or so in the morning to help me get the phone tree going.

“There are so many things that happened over 33 years, but know that I am grateful for my years of service to Tioga County. It has not only been a job, it has been my every waking moment for the past 33 years. It has been like a family to me and I am not sure what I am going to do when I wake up next week and do not have to come here and walk the halls of 56 Main Street.

“I will truly miss working here and all the wonderful people that have etched some incredible memories for me.

“Thank you again to the Legislature for their faith in appointing me to serve the County and relying on me to run the ship for as long as I have. Thanks”.

Chair Sauerbrey noted the following three proclamations on National Preparedness Month, National Alcohol Substance Abuse Recovery Month in Tioga County, and National Suicide Prevention Awareness Month in Tioga County

**COUNTY OF TIOGA  
EXECUTIVE PROCLAMATION**

WHEREAS: September is nationally recognized as National Preparedness Month; and

WHEREAS: In 2011, Tioga County experienced significant damage as a result of Hurricane Irene and Tropical Storm Lee moving through the Southern Tier. Recent local and national events also highlight the devastation natural disasters can cause; and

WHEREAS: Threats can come in many forms including natural disasters, terrorist attacks and pandemic disease outbreaks; and

WHEREAS: Community preparedness improves the ability of municipalities and emergency agencies to respond to disasters, secure necessary resources and quickly recover; and

WHEREAS: Trained Medical Reserve Corps volunteers are vital in events and can be called upon in hazards that pose a threat to the public's health; and

WHEREAS: Tioga County Public Health recommends citizens prepare well thought out plans for communications, sheltering in place and a strategy of escape; therefore

The TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the month of September 2019 as:

**NATIONAL PREPAREDNESS MONTH**

and urges all citizens of our County to become more involved in preparing together as a community. Disasters don't plan ahead, but you can.

**COUNTY OF TIOGA  
EXECUTIVE PROCLAMATION**

WHEREAS: Prevention, treatment and recovery efforts improve the community's welfare and provide renewed outlook on life for those who, along with their family and friends, struggle with substance use disorders; and

WHEREAS: 7.7 million adults have a co-occurring mental health and substance use disorder; and

WHEREAS: Of the 20.3 million adults in the United States with a substance use disorder, 37.9% also have a co-occurring mental health disorder; and

WHEREAS: Substance abuse negatively affects children, families and loved-ones and takes a great toll on our society economically and in terms of safety; and

WHEREAS: Studies have indicated that people who made an effort to get treatment, but did not receive it, were concerned that receiving treatment might cause neighbors and community members to have negative opinions of them; and

WHEREAS: Fear and stigma continue to be barriers to seeking help for an addiction; and

WHEREAS: CASA - Trinity provides prevention, education, advocacy, early intervention and referral services for individuals, friends or family members who are living with an addiction; and

WHEREAS: Tioga County Department of Mental Hygiene remains eager and prepared to provide treatment for Tioga County Citizens who choose to work toward recovery for a substance use disorder; and

WHEREAS: Such education and raising awareness is essential in overcoming misconceptions and achieving long-term recovery; and

WHEREAS: To help achieve this goal, the US Department of Health and Human Services, the Substance Abuse and Mental Health Services Administration, the White House Office of National Drug Control Policy, the New York State Office of Alcoholism and Substance Abuse Services, and the Tioga County Department of Mental Hygiene invite all Tioga County residents to participate in the 30<sup>th</sup> anniversary of National Alcohol and Drug Addiction Recovery Month; therefore

The TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the month of September 2019 as:

## **NATIONAL ALCOHOL SUBSTANCE ABUSE RECOVERY MONTH IN TIOGA COUNTY**

### **COUNTY OF TIOGA EXECUTIVE PROCLAMATION**

WHEREAS: The citizens of Tioga County value the overall health and well-being of all the residents of Tioga County and are proud to support the observance of National Suicide Prevention Awareness Month; and

WHEREAS: Suicide is the 12<sup>th</sup> leading cause of death in New York State; and

WHEREAS: Suicide is the second leading cause of death for ages 15-34 and fourth leading cause of death for ages 35-54; and

WHEREAS: Almost six times as many people died by suicide in New York in 2017 than in alcohol related motor vehicle accidents; and

WHEREAS: Suicide claims the lives of over 1,696 New Yorkers each year, or an average of one person dies of suicide every five hours in the state; and

WHEREAS: The total deaths to suicide reflect a total of 34,028 years of potential life lost before age 65; and

WHEREAS: Stigma works against Suicide Prevention by discouraging persons at risk from seeking lifesaving help; and

WHEREAS: Most suicides are preventable; and

WHEREAS: Tioga County Suicide Prevention Coalition's mission is to increase awareness, provide education, training, resources and coordinate community services to the public; and

WHEREAS: Tioga County is no different than any other community in the country, but chooses to publicly state and place our full support behind local educators, mental health professionals, and parents, as partners in supporting our community in simply being available to one another; therefore

The TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the month of September 2019 as:

### **NATIONAL SUICIDE PREVENTION AWARENESS MONTH IN TIOGA COUNTY**

Legislator Standinger spoke. "Out front of this building, there are 660 flags and those represent the 22 veterans a day that take their own life. That is one year's worth of veterans. Each flag represents the death of a veteran due to suicide. This was set up by Tioga County Veterans Officer Mike Middaugh and is going to be an annual thing. When you look at those flags, think about that; 660 people per year who have served our Country".

There was no privilege of the floor.

Legislator Sullivan made a motion to approve the minutes of August 13, 2019, seconded by Legislator Weston and carried.

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

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 240-19      *DESIGNATION OF TIOGA COUNTY LOCAL DEVELOPMENT CORPORATION, D.B.A. TIOGA COUNTY TOURISM, AS AUTHORIZED TOURISM PROMOTION AGENCY FOR 2020*

WHEREAS: The Tioga County Local Development Corporation, d.b.a. the Tioga County Tourism Office, is the not-for-profit corporation that develops and implements a tourism promotion and marketing program for the county; and

WHEREAS: The Tioga County Tourism Office coordinates with the state in its tourism grants program; and

WHEREAS: The New York State tourism grants program is designed to encourage tourism promotion throughout the regions of New York State; and

WHEREAS: The guidelines for this local assistance program require counties to appoint an official Tourism Promotion Agency (TPA); therefore be it

RESOLVED: That the Tioga County Tourism Office be and hereby is designated by the Tioga County Legislature as their Tourism Promotion Agency for the 2020 budget year and authorized to make application for and receive grants on behalf of the county pursuant to the New York State Tourism Promotion Act.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.



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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 241-19 ESTABLISH EQUALIZATION RATES

RESOLVED: That under the provisions of Section 804 of the Real Property Tax Law, equalization rates for the purpose of apportioning 2020 County taxes among the several Towns are hereby established as follows:

Town of Barton	84.00
Town of Berkshire	100.00
Town of Candor	97.00
Town of Newark Valley	68.00
Town of Nichols	26.00
Town of Owego	72.50
Town of Richford	98.00
Town of Spencer	90.00
Town of Tioga	6.40

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE  
LEGAL COMMITTEE

RESOLUTION NO. 242– 19 AUTHORIZING EXECUTION OF AN INDEMNITY AGREEMENT BETWEEN THE COUNTY OF GENESEE DEPARTMENT OF MENTAL HEALTH AND THE COUNTY OF TIOGA DEPARTMENT OF MENTAL HYGIENE

WHEREAS: The County of Genesee Department of Mental Health ("Genesee") is (i) acting as lead agency in the development of a behavioral health care cooperative ("BACC") under the New York State Delivery System Reform Incentive Payment Program ("DSRIP") known as Integrity Partners for Behavioral Health ("Integrity Partners"), (ii) acting as lead agency for receipt and disbursement of funds under a Value Based Payments Readiness Program Agreement ("VBPR"), and (iii) executing, delivering and performing the VBPR as its lead agency all of which exposes Genesee to bearing the primary financial risk associated with pursuing a state-sponsored initiative under DSRIP; and

WHEREAS: The County of Tioga Department of Mental Hygiene ("Tioga") wishes to provide for the indemnification of Genesee for Tioga's part in participating in Integrity Partners; and

WHEREAS: It is prudent, necessary, and in the public interest for Tioga to obligate itself contractually to indemnify, hold harmless Genesee in order to induce Genesee to serve and to continue to serve the interests of Tioga, as well as its own interests, in developing of Integrity Partners; the exemption, delivery and performance of the VBPR; and managing the receipt and disbursement of funds under the VBPR; therefore be it

RESOLVED: That the execution of an Indemnification Agreement as approved by the County Attorney between Genesee and Tioga is hereby authorized for the duration of its obligations as a participant in the Integrity Partners program.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC WORKS  
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 243-19

*AWARD CONTRACT FOR  
CLEANING SERVICES FOR  
COUNTY BUILDINGS*

WHEREAS: The Commissioner of Public Works received only one sealed bid for cleaning services for the County Buildings on Wednesday, August 14, 2019 at 11:00 AM and the bid was as follows:

**GDI Services**

Johnson City, NY

COB, B&G & DPW	HHS & PSB	Clerk's, CH, CHA	ALL BUILDINGS
*\$77,208.00	*\$149,400.00	*\$117,180.00	\$343,788.00

And

WHEREAS: The Commissioner of Public Works reviewed the bid; therefore be it

RESOLVED: That the Tioga County Legislature award the cleaning bid for all buildings to GDI Services in the amount of \$343,788.00 to be paid out of HHS Buildings Account A1621 540140 and all other buildings out of Buildings & Grounds Contracting Services account A1620 540140 for a term of two years commencing upon adoption of this resolution with price adjustment by the increase in prevailing wages at end of first year.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. 244-19

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

WHEREAS: A project for the Tioga County Bridge Preventative Maintenance Program (2018), PIN 9754.28 (the Project) is eligible for funding under Title 23 U.S. Code, as amended that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal Funds and 20% non-Federal Funds; and

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

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

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

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

RESOLVED: That the sum of \$212,300 is hereby appropriated from account D5110.540050 and made available to cover the costs of participation in the above phase of the Project; and it is further

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

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

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

RESOLVED: This Resolution shall take effect immediately.

## ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

## RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. 245-19

*AWARD INSPECTION SERVICES TO  
MCFARLAND JOHNSON FOR  
PHASE 4 OF BRIDGE PREVENTATIVE  
MAINTENANCE PROJECT PIN 9754.28*

WHEREAS: The Preventative Maintenance Bridge Program has been placed on the FHWA Program and will have several phases; and

WHEREAS: McFarland Johnson, Binghamton NY did the design for this project; and

WHEREAS: The Commissioner of Public Works received a Phase 4 proposal for inspection services for this project from McFarland Johnson, Binghamton NY; and

WHEREAS: The proposal for this bridge came in at \$19,684; therefore be it

RESOLVED: That the Tioga County Legislature award the inspection services contract for Phase 4 of the Preventative Maintenance Project to McFarland Johnson, Binghamton NY not to exceed \$19,684 to be paid out of the Bridge Projects Account D5110.540050.

## ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

## RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC WORKS

RESOLUTION NO. 246-19

*APPROVE SUPPLEMENTAL  
AGREEMENT FOR BRIDGE PREVENTATIVE  
MAINTENANCE  
PHASE 4 – DESIGN SERVICES*

WHEREAS: The Bridge Preventative Maintenance Project PIN: 9754.28 has been placed on the FHWA Program; and

WHEREAS: The project will be funded as follows:

FEDERAL: 80%  
STATE: 15%  
LOCAL: 5%

and

WHEREAS: McFarland Johnson was awarded the design services on Resolution 90-18; and

WHEREAS: A supplemental agreement was submitted to cover additional costs for additional preliminary design phase services in the amount of \$6,740; therefore be it

RESOLVED: That the Tioga County Legislature approves the Supplemental Agreement for McFarland Johnson, Binghamton, NY to provide additional design services not to exceed an extra \$6,740, for a new total of \$36,112 to be paid out of the Bridge Projects Account D5110.540050.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 247-19 SOLAR SUBSCRIPTION FOR DEMAND-ONLY  
BETWEEN TIOGA COUNTY AND RENOVUS

WHEREAS: Tioga County Department of Public Works is always trying to find ways to save Tioga County taxpayers; and

WHEREAS: Tioga County has become a popular area for solar development; and

WHEREAS: Since Tioga County has a fixed energy contract for most of our electric supply with Constellation until November 2020, we can only take advantage of the demand side of our energy costs; and

WHEREAS: Renovus Solar is one of these developers and they offer a Solar Subscription that gives a 10% discount on energy to offset demand charges; therefore be it

RESOLVED: That the Tioga County Legislature authorizes and directs the Chair of the Legislature or their designee to enter into Solar Subscription Demand-Only contract upon approval by the County Attorney.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE  
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 248-19 *AUTHORIZE COUNTY TREASURER'S OFFICE TO CREATE REVENUE ACCOUNTS WITHIN BOARD OF ELECTIONS BUDGET, IN ORDER TO RECEIVE GRANT FUNDING FROM THE STATE BOARD OF ELECTIONS AND AMEND BUDGET*

WHEREAS: Pursuant to the Chapter 53 Aid to Localities and Chapter 54 Capital Projects Laws of 2019, signed by Governor Cuomo on April 12, 2019, Tioga County has been allocated funds through the New York State Board of Elections for the respective purposes of implementing Early Voting and purchasing electronic poll books; and

WHEREAS: The Tioga County Board of Elections has no revenue lines in the 2019 operating budget designated to receive such funds; therefore be it

RESOLVED: That the Tioga County Treasurer's Office is authorized to create revenue accounts, amend 2019 budget and accept State Aid within the Board of Elections Capital Budget (Org. H1450) in order to receive grant funding from the State Board of Elections related to Early Voting and the procurement of electronic poll books as follows:

To: A1450 439060 EV19 State Aid Election-Early Voting Funds	\$15,000
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Legislator Sullivan spoke. "New York State is requiring early voting and it goes into effect this year. Based on Tioga County's population, we need to have at least one location open for early voting for a period of 10 days; including two weekends. The cost of this just in Tioga County for this year is roughly \$143,000. A big chunk of this is new software and devices that have to be purchased. I just want people to be aware that this is a costly undertaking and you can imagine what larger counties with larger populations have to do and the costs to them".

Legislator Standinger spoke. "This is yet another unfunded mandate from our equivalence in Albany".

ROLL CALL VOTE

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

No – None.



Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE  
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 249-19      *APPROVE ELECTRONIC POLL BOOKS CAPITAL GRANT TO REIMBURSE TIOGA COUNTY FOR ELECTRONIC POLL BOOK PURCHASE*

WHEREAS: As part of the State Fiscal Year (SFY) 2019/20 budget, Governor Cuomo signed into law Chapter 54 of the Laws of 2019 on April 12, 2019; and

WHEREAS: Such law implemented the Electronic Poll Book Capital Grant to reimburse \$14 million to County Boards for local dollars spent to further implement capital purchase of e-poll books and associated software, on-demand ballot printers and related cybersecurity software; and

WHEREAS: Counties are anticipated to receive \$15,000 of such funds per planned early voting site, with the remainder of the funds being distributed to counties based on number of registered voters as of February 1, 2019; and

WHEREAS: The reimbursement program requires each County Board of Elections to provide a capital projects grant program workplan / budget, which will require a narrative summary, description of expenditures and other metrics; and

WHEREAS: On August 8, 2019, a proposed grant contract from the New York State Board of Elections for \$42,108.51 was received by the Tioga County Board of Elections to be reviewed and signed by the Election Commissioners, Treasurer or other authorized county representative, and notarized; therefore be it

RESOLVED: That the Tioga County Board of Elections is approved to submit the signed paperwork to the NY State Board of Elections in order for Tioga County to be eligible for reimbursement of the aforesaid amount, after the purchase of electronic poll books.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE  
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 250-19      *AUTHORIZE FUNDING FOR TIOGA COUNTY BOARD OF ELECTIONS TO PURCHASE ELECTRONIC POLL BOOKS AND AMEND BUDGET*

WHEREAS: Governor Cuomo signed Chapter 6 of the Laws of 2019 on January 24, 2019, mandating the implementation of Early Voting in New York State starting with the 2019 general election, and Chapter 55 on April 12, 2019, authorizing the use of electronic poll books in New York State; and

WHEREAS: The NYS Board of Elections has certified electronic poll book systems from three vendors for use in New York State, and NYS Office of General Services has awarded or is in the process of awarding statewide contracts with said vendors; and

WHEREAS: Electronic poll books will be instrumental in implementing early voting due to the necessity of tracking and uploading voter history at the end of each day of early voting to prevent voter fraud; and

WHEREAS: On-demand ballot printers are a necessity for early voting to ensure that each early voter from anywhere in the county is issued the correct ballot for their district; and

WHEREAS: Tioga County has over 33,000 registered voters and it is recommended to have one electronic poll book per 500 voters plus spares, hence Tioga County requires 68 electronic poll books; and

WHEREAS: Election Commissioners anticipate the need for four (4) on-demand ballot printers (one redundant) in busy election years for our early voting center; and

WHEREAS: Tioga County will have one (1) early voting center and 18 Election Day poll sites, and will require a secure router to facilitate communication among e poll book devices for each of these sites; and

WHEREAS: The cost of 68 electronic poll book systems from the desired vendor, Robis, Inc., has been quoted at \$1,762 each (hardware and software) plus a \$5,000 implementation fee, for a total of \$124,816; and

WHEREAS: The cost of four on-demand ballot printers is quoted at \$595 each for a total of \$2,380; and

WHEREAS: The cost of 19 secure routers (Peplink Soho Pepwave Multi Homed Router) is quoted at \$200 each, for a total of \$3,800; and

WHEREAS: The Tioga County Board of Elections has \$7,000 available under computer and equipment budget lines to apply to aforesaid expenses; therefore be it

RESOLVED: That the Tioga County Board of Elections 2019 budget be amended to include an additional \$124,000 under the Election Expense line (A1450 – 540490) in order to procure electronic poll books and facilitate smooth election operations as follows:

From: A1450 520090 Computer	\$ 2,000.00
A1450 520130 Equipment	5,000.00
To: H1450 520490 EP19 Capital Election Expense	\$ 7,000.00
From: H1450 439060 EP19 State Aid Election Electronic	
Poll Books	\$ 42,109.00
H1450 440890 EP19 Federal Aid HAVA	88,891.00
To: H1450 520490 EP19 Capital Election Expense	
Electronic Poll Books	\$124,000.00

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGAL/FINANCE COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO: 251-19 *ABOLISH POSITION IN TREASURER'S OFFICE AND CREATE POSITION IN LAW DEPARTMENT; TRANSFER FUNDS FROM TREASURER BUDGET TO LAW BUDGET AND MODIFY BUDGETS*

WHEREAS: Legislative approval is required to abolish and create positions within Tioga County employment; and

WHEREAS: Budget modifications and transfer of funds require Legislative approval; now therefore be it

RESOLVED: That the position of Paralegal in the Treasurer's Office currently held by Kevin Humes be and hereby is abolished retroactive to August 31, 2019; and be it further

RESOLVED: That the position of Paralegal be created in the Law Department retroactive to August 31, 2019; and be it further

RESOLVED: That the position of Paralegal in the Law Department be filled by Kevin Humes at his current rate of pay of \$38,081 retroactive to August 31, 2019; and be it further

RESOLVED: That the following budget modification and transfer of funds be made:

FROM:	A1325-510010 - Treasurer's Full-time payroll	\$13,131.00
	A1325-581088 - Retirement	\$ 841.20
	A1325-583088 - Social Security	\$ 859.16
	A1325-584088 - Workers Comp	\$ 527.76
	A1325-585588 - Disability	\$ 34.80
	A1325-586088 - Health Insurance/HRA	\$ 2,895.04
	A1325-588988 - EAP	\$ 4.48
TO:	A1420-510010 - Law Full-time payroll	\$13,131.00
	A1420-581088 - Retirement	\$ 841.20
	A1420-583088 - Social Security	\$ 859.16
	A1420-584088 - Workers Comp	\$ 527.76
	A1420-585588 - Disability	\$ 34.80
	A1420-586088 - Health Insurance/HRA	\$ 2,895.04
	A1420-588988 - EAP	\$ 4.48

## ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

## RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH AND HUMAN SERVICES COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 252-19 ABOLISH/CREATE POSITION (MENTAL HYGIENE)

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

WHEREAS: Due to retirement, the position of Supervising Certified Alcohol & Drug Counselor (CSEA SG XV, \$54,288 - \$54,988) has been vacant within the Mental Hygiene Department since August 8, 2019; and

WHEREAS: Upon review of this vacancy against mandated state requirements, the Director of Community Services has determined that a new classification would better serve current program needs within her department; and

WHEREAS: The Personnel Officer has reviewed a new position duties statement submitted by the Director of Community Services and has determined a new classification is appropriate and would represent a cost savings; and

RESOLVED: That the vacant position of Supervising Certified Alcohol & Drug Counselor be abolished and the position of Peer Advocate (CSEA SG VI, \$31,346 – 32,046) be created and available to fill effective September 14, 2019.

## ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

## RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 253-19 *AUTHORIZE POSITION RECLASSIFICATIONS  
SOCIAL SERVICES*

WHEREAS: Legislative approval is required for any position reclassification; and

WHEREAS: As a result of a recent retirement, one Social Services Employment Specialist position (CSEA Grade VII) became vacant on August 24, 2019; and

WHEREAS: The Commissioner of Social Services has determined that a Caseworker position (CSEA grade XI) will better meet the needs of the agency in light of the significant growth in hotline activity and the resulting foster care work; and

WHEREAS: There is a vacant Office Specialist I position (CSEA grade III) in the Department of Social Services which the Commissioner would like to reclassify to Social Welfare Examiner (CSEA grade VI) in order to better serve the work demands; and

WHEREAS: The Personnel Officer is in agreement with the reclassifications; and

WHEREAS: The net budgetary impact for both changes will be approximately +\$788 which the existing departmental budget can cover; therefore be it

RESOLVED: That one vacant position of Social Services Employment Specialist be reclassified to Caseworker with permission to fill effective September 14, 2019; and be it further

RESOLVED: That one vacant Office Specialist I position be reclassified to Social Welfare Examiner with permission to fill effective September 14, 2019; and be it further

RESOLVED: That said changes do not impact headcount for the Department of Social Services.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Hollenbeck made a motion to have the following late-filed resolutions considered, seconded by Legislator Standinger and carried.

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

REFERRED TO: PERSONNEL COMMITTEE  
LEGAL/FINANCE COMMITTEE

RESOLUTION NO. 254-19 *CREATE POSITION AND BACKFILL; INCREASE HOURS OF TWO POSITIONS DISTRICT ATTORNEY'S OFFICE*

WHEREAS: Legislative approval is required for creation of any new positions and for Non-Union hires; and

WHEREAS: CAP Court regulations will require staff of the District Attorney's Office to appear at AM and PM Cap Court sessions when arraignments occur and also recent justice reforms will require District Attorney staff to prepare and present motions and discovery packets; and

WHEREAS: Current staffing level will not accommodate the additional workload resulting from the new regulations; and

WHEREAS: The District Attorney is compelled to comply with the Public Officers Law which requires the second in command within each District Attorney's Office to reside within the County; therefore be it

RESOLVED: That one part-time (2 days/week) position of Chief Assistant District Attorney (Non-Union salary range \$29,500 – \$30,238) shall be created effective September 30, 2019 and Palmer Pelella, a resident of Tioga County, shall be appointed at an annual salary of \$30,000; and be it further

RESOLVED: That the position of 2<sup>nd</sup> Assistant District Attorney shall increase from 4 days per week to full-time effective September 30, 2019 and Sandra Cardone shall be appointed to that position effective September 30, 2019 at an annual salary of \$65,000 to serve as the Office's compliance lawyer, preparing motions and discovery packets; and be it further

RESOLVED: That one part-time Typist position shall be reclassified to Confidential Assistant and increase in hours from 17 up to 29 per week at an hourly rate of \$12.94, and Joan Roberts shall be provisionally appointed to that position effective September 30, 2019; and be it further

RESOLVED: That the Chief Assistant District Attorney and all Assistant District Attorneys shall serve in rotation for evening CAP Court and after CAP Court has been in operation for at least three months, the District Attorney may then approach the County Legislature requesting additional compensation for all attorneys, if the additional evening CAP Court workload warrants it; and be it further

RESOLVED: That the District Attorney's Office authorized full-time headcount for 2019 shall increase from 4 to 5 and part-time headcount shall remain at 3.

Legislator Mullen spoke. "This is another example of the change in the criminal justice system in New York State where the burden is now upon the people and is costing the County over \$100,000 in the next couple of years and requiring more and more positions. Plus, establishing the CAP Court is another example of overreach from Albany. Unnecessary."

Legislator Standinger spoke. "This is to remedy a non-existent issue Upstate. This is to address issues in the Downstate area. Albany technically thinks one size fits all".

#### ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 255-19      *REQUEST FOR A TRANSFER OF CONTINGENCY FUNDS TO THE DISTRICT ATTORNEY AND AMEND BUDGET*

WHEREAS: The District Attorney's Office has a need for additional funds not in their 2019 budget to cover necessary expenses; and

WHEREAS: The District Attorney's budget historically had \$35,000.00 in their Trial Costs line item 540720 which was reduced by the budget officer in 2018 and 2019 and now does not have sufficient funds to cover Trial Costs; therefore be it



RESOLVED: That the following sums be transferred from contingency funds to the District Attorney's budget to cover the costs of the upcoming expenses for Grand Jury, Transcripts and Trial Costs:

From: A1990 540715 Contingency Account \$25,000.00

To: A1165 540720 Trial Costs \$25,000.00

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

The meeting was adjourned at 6:24 P.M.