

Sixth Regular Meeting
June 11, 2024

The Sixth Regular Meeting of 2024 was held on June 11, 2024 and was called to order by the Chair at 12:00 P.M. Legislators Brown, Ciotoli, Flesher, Monell, Roberts, Sauerbrey, and Standinger were present with Legislator Mullen being absent.

Chair Sauerbrey asked Legislator Monell to have a moment of prayer. "Lord, we thank you for this time that we are able to come together and discuss the business of our County. We pray that you would give us all wisdom as we make decisions regarding the things that need to be done for our citizenship. Lord, we pray that you would just bless this meeting now and keep us all under your care."

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

There were 10 people in attendance.

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

Legislator Standinger spoke. "Before I start, I just want to say that I have known Pete for a number of years. He was a true gentleman and an honorable man, which are good things in my opinion."

Legislator Standinger read and presented the following resolution to Gloria Ward and daughter, Christine VanOstrand, recognizing former District #7 Legislator, Peter L. Ward posthumously.

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

RESOLUTION NO. 190-24 *RECOGNITION RESOLUTION RECOGNIZING
PETER L. WARD POSTHUMOUSLY*

WHEREAS: Peter L. Ward passed away on May 8, 2024; and

WHEREAS: The Tioga County Legislature would like to posthumously recognize Peter L. Ward for his years of dedicated service as a Tioga County Legislator; and

WHEREAS: Peter L. Ward was elected to the position of Tioga County Legislator District #7 on January 1, 1996 and was successfully re-elected up until he left office on December 31, 2004; and

WHEREAS: During his tenure as a Tioga County Legislator, Peter served as the Chair of the Legislature from January 1, 2000 – December 31, 2002 and as Deputy Chair of the Legislature from January 1, 2003 – December 31, 2004; and

WHEREAS: Peter was recognized by his fellow Legislators at the December 14, 2004 Twelfth Regular Legislature Meeting by way of Resolution No. 316-04 for his nine years of dedicated service and leadership as a Tioga County Legislator; and

WHEREAS: Over the course of his Legislative career, Peter served with fourteen different Legislators and was Chair of the of the Mental Hygiene, Community Health, Health & Human Services, Personnel, Public Safety & Probation, and Economic Development & Planning, and served on the Legislative Standing Committees of Social Services, Public Works, Agriculture, and County Clerk; and

WHEREAS: Peter served on the Board of Health from January 1, 1998 – January 9, 2000, Community Services Board from January 1, 1999 - March 31, 2007, Tioga County Soil & Water Conservation District from January 2, 2002 – December 31, 2004, Tioga County Industrial Development Agency from April 13, 2004 – January 11, 2005, and the Tioga County Local Development Corporation from April 13, 2004 – October 31, 2009; and

WHEREAS: Peter L. Ward was extremely dedicated and loyal in the performance of his duties and responsibilities as a Tioga County Legislator; and

WHEREAS: In addition to his time served as a Tioga County Legislator, Peter served as the Candor Town Supervisor from 1987-1993 and was a founding member of the Candor Chamber of Commerce with his wife, Gloria; and

WHEREAS: Peter also worked as Tioga County's Director of Weights & Measures from January 3, 2005 through December 31, 2011 and returning on a temporary basis from January 11, 2012 – April 11, 2012 until a new director was appointed; and

WHEREAS: Peter L. Ward is survived by his wife of 73 years, Gloria Roberts Ward, their four children/spouses: Bradley and June Ward, Bryan and Nancy Ward, Christine and Jamie VanOstrand, Paula and Eric Coln, and 14 grandchildren and 21 great-grandchildren; 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 and recognize Peter L. Ward posthumously for his years of dedicated service to Tioga County as a Tioga County Legislator; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to the family of Peter L. Ward.

ROLL CALL VOTE

Unanimously Yes – Legislators Monell, Sauerbrey, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislators Mullen and Roberts.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Standinger spoke. “Before I present the resolution, I just want to add that I did not know that Pete was an Army veteran, which we have in common and some other things. I appreciate his service and time.”

Christine VanOstrand spoke. “I know Dad would always say a word, so I am going to follow in his footsteps. I am Christine, Peter’s daughter, third in line. Mom and I are very grateful to be here today, and we are so thankful that you are honoring Dad.

“Dad loved God first, then of course his wife of 73 years, then our family, and then he loved his Country. He loved it so much and was so impressed with how our Country was founded. We were going through some old things about 20 years ago and saw his salutatorian address from high school. What did he talk about? The founding of our Country. That has been so engrained in his mind and the United States of America being so important based on being founded on God. So, when he had a chance after he retired from dairy farming, he decided to go into public service. First, as town supervisor and at the urging of his sister, Bayonne Gowan, who is very instrumental here in the County and the Republican Party, he decided to run for Legislator. Mom was behind him, and we were just talking on our way here today that in campaigning Dad would say that he is known in Candor, but not in the rest of District #7 in Newark Valley, Berkshire, and Richford. So, he and Mom went door-to-door in Newark Valley, Berkshire, and Richford, up into the hills and people would answer the door and say I have never had a politician come to my door. You've got my vote. They had coffee at a coffee house in Newark Valley and got to know people and that was the start of his service here at the Legislature.

“I was at their house a lot and he would come home and say different Boards that he was on and there was the prospect of hiring a County Manager to take over a lot of what the Chairman of the Legislature would do. When I asked him why he was pushing for that as it would make his job less, he replied that he

wanted what is best for the County. That is the way he was. He was very good at listening to opposing views and really considering them rather than being set in his ways and then he would make a decision.

“I just want to end with a blast from the past, if I may. In 2004, they had a banquet and three outgoing retiring Legislators; John King, Fran Leavenworth, and Peter Ward were retiring, so we commissioned Ann Weber to do a song. This was sung by Ann and my son, Issac Weber.

“I am going to read the lyrics to the song called ‘They are Going to Miss You Peter’. What will you be doing when a new day has begun? Will you build a house or two or more? Just when you decide to drive that gravel truck for fun, Gloria will find for you another chore. Now that you are retiring, we know that you will be happy every morning to be sure no more breakfast, lunch, and dinner meetings, if you please. Say so long Tioga County Legislature. They are going to miss you Peter when you are gone. Who is going to take your place? Who is going to keep the people calm? Who will solve all their problems with style and grace? You have been reliable and competent. You hardly ever missed a day. Do they know that you were heaven sent? You even taught them how to pray. They are going to miss you Peter you can bet. They may be in a stew. How can you leave with no regret with the rest of them wondering what to do? And, when you are going on your merry way to eat ice cream and apple pie there is just one last thing that you can say, it’s time to kiss that job good-bye.

“He loved the job here and he did not retire from the Legislature as it said, he became Director of Weights and Measures at the age of 75. He would have told you that many of his siblings died at 75, his dad died at the age 75, but he did not retire from this job until he was 82. So, you are continuing on. Keep on keeping on.

“I was touched when you started the meeting today with a prayer because Peter Ward began that, so thank you very much for having that tradition. We really appreciate it. So, on behalf of our family; my mom and I and my brothers and sister, thank you so much for honoring Dad today. Thank you.”

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

**COUNTY OF TIOGA
EXECUTIVE PROCLAMATION**

WHEREAS: People who are elderly or have disabilities have contributed to the general welfare of Tioga County by helping to preserve customs, convictions, and traditions of many people from diverse backgrounds; and

WHEREAS: These residents are vital and integral members of our society and their wisdom and experience have enriched our lives; and

WHEREAS: The health and well-being of disabled and elderly people in our county should be one of our highest priorities and of concern to all Americans; and

WHEREAS: People who are elderly or have disabilities are among the most important resources of our county, and it is fitting that we recognize the need to protect their health, safety, and rights; and

WHEREAS: Abuse of the elderly and people with disabilities in domestic and institutional settings is a wide-spread problem, affecting hundreds of thousands of people across the country; and

WHEREAS: Elder abuse is underreported because the elderly who are being abused find it very difficult to tell anyone and are usually ashamed and sometimes afraid; and

WHEREAS: Elder abuse happens to men and women of all income levels, all cultural and ethnic groups, whether they are in good health or incapacitated in some way, in poor neighborhoods and in suburbia; and

WHEREAS: Many of the cases investigated by Adult Protective Services in New York involve self-neglect or financial exploitation and it is our duty as citizens to reach out to people in need; now therefore

THE TIOGA COUNTY LEGISLATURE does hereby proclaim the month of June 2024 as:

Elder Abuse Awareness Month

in Tioga County and urge all citizens to work together to help reduce abuse and neglect of people who are elderly or have disabilities.

Legislator Standinger spoke. "Being of that group myself and looking across the room, I see other people in that group. Be nice to the old people."

Ken Mantei, Apalachin, NY had privilege of the floor. "I pray that the words I say today are perceived by ears, eyes, mind, and soul and everything like that by everyone sitting in this room. I appreciate the time and effort that everybody

puts in here. I am hard of hearing, so if I walk away from you, it's because I did not hear you. It's not because I am ignoring you.

"I have been asked by our president not to speak anything about the business of the cemetery nor reveal any of the names of the trustees or other things, so I just want to set the stage for that, and I need to respect that. So, I can only talk about my main agenda, which is awareness. Most of the public cemeteries that are in the State are in poor shape. I can speak to this in more depth if anyone wants to speak to me privately, please email me, message me, and I can provide that information. The awareness about the state of the cemeteries is that they are financially heading for trouble, and it is more about liabilities and same way with the town and everything. Peter, you could probably agree with me on that. Most people are concerned about the mowing of the lawns and the physical eye appearance, but we need to objectively look at things. The litigation could be enormous as precedent has been set in a lot of law cases. I was informed by the NYS Board of Cemeteries today that as a volunteer you are an employee whether you get paid or not and you have to have a contract with the cemetery on when you are going to work, how you are going to work, and you just cannot walk in and do those things that we always traditionally did. More importantly, I work in the cemetery probably 80 hours a week and its volunteer. I am not here for my own recognition at all, but the idea is that we do not have any employees. However, if you go to Endicott, NY and just compare some of the notes that they have, they have several employees and they can afford to do it. But their services are much more expensive, and they get monies out of 30-40 different things we haven't even thought about. We need to change our ways somewhat but be informed more importantly about the area of communication and open up volunteers. We have zero volunteers right now. We have three or four board members that I know who they are, but I am not supposed to give that information out or the communications with them. My thing is just to become aware and know that our hands are tied with a lot of things. More importantly, before you come to someone like me or anyone on the Board, do a little research and do not just talk from your stomach or your gut. Be informed and research if you can. As our age increases, we become less communicative and most of our Board members only have a landline so you cannot even get information to them. Some are living with relatives. Every one of our Board members is over the age of 60 and some over the age of 70. Our communication skills have decreased over the years and getting the word out, I feel I am responsible for that. I was on the Board, and I am resigning as Vice-President, and I just cannot take the liabilities. I will still volunteer, but I would hate to have a contract with the town and that is the way it is. The flow of responsibility is going to go to towns after we go out of business and then it is going to the County. I know the County is aware of it. I worked with Abbey Ortu before she left, and the new person has to take over and he has not even looked at the files yet.

As a volunteer, good luck. Just become involved. Thank you very much. I appreciate it.

Legislator Monell made a motion to approve the minutes of May 14, 2024, seconded by Legislator Brown 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 Roberts moved for the adoption of the following resolution, seconded by Legislator Flesher.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 191-24 *SET PUBLIC HEARING FOR NYS CDBG
PUBLIC FACILITIES GRANT APPLICATION*

WHEREAS: Tioga County Economic Development & Planning intends to apply for a NYS CDBG Public Facilities Program Grant to support the purchase and use of a mobile food truck for grant subrecipient Catholic Charities Tompkins/Tioga to establish life skills café, community kitchen, and food rescue programs; and

WHEREAS: The Tioga County Legislature is required to hold a public hearing allowing for citizen feedback on the community and economic development needs of Tioga County and the proposed program; therefore be it

RESOLVED: That the Tioga County Legislature will hold a public hearing for community input regarding the current Community Development Block Grant project in the Legislative Conference Room of the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, New York 13827 on Thursday, June 20, 2024, at 10:00 A.M. All interested parties will be heard by the Tioga County Legislature at this hearing.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 192-24 *APPOINT MEMBER TO THE
TIOGA COUNTY PLANNING BOARD*

WHEREAS: The Town of Berkshire position on the Tioga County Planning Board has been vacant for a few years; and

WHEREAS: The Berkshire Town Board has found Sam Davison willing and able to serve in this position; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoints Sam Davison to the Tioga County Planning Board representing the Town of Berkshire for a term of 6/12/24 – 12/31/26.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

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

REFERRED TO: AGRICULTURE COMMITTEE

RESOLUTION NO. 193-24 *APPOINT MEMBER TO THE TIOGA COUNTY
AGRICULTURAL AND FARMLAND
PROTECTION BOARD*

WHEREAS: The Cooperative Extension Agent position on the Agricultural & Farmland Protection Board has been vacant since T Hanson left CCE Tioga employment; and

WHEREAS: The Agricultural and Farmland Protection Board is desirous of filling this position and Dr. Kristi Snyder, CCE Tioga's new Executive Director, is willing and able to serve in this capacity; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoints Dr. Kristi Snyder to the Agricultural and Farmland Protection Board in the Cooperative Extension Agent position, for the term of 6/12/24 – 12/31/27.

Legislator Roberts made a motion to amend the RESOLVED statement to accurately reflect the term of office, seconded by Legislator Flesher to read as follows:

RESOLVED: That the Tioga County Legislature hereby appoints Dr. Kristi Snyder to the Agricultural and Farmland Protection Board in the Cooperative Extension Agent position, for her term of office as CCE Tioga Executive Director.

ROLL CALL VOTE ON AMENDMENT

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

AMENDMENT ADOPTED.

ROLL CALL VOTE ON RESOLUTION AS AMENDED

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED AS AMENDED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 194-24 *APPOINT MEMBER TO THE TIOGA COUNTY
PROPERTY DEVELOPMENT CORPORATION BOARD*

WHEREAS: Patrick Ayres resigned from the Tioga County Property Development Corporation (TCPDC) as of April 1, 2023; and

WHEREAS: The TCPDC Board is looking to fill this vacant position that expired December 31, 2023; and

WHEREAS: Joan Case is willing and able to serve in this position on the TCPDC Board; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoints Joan Case to the Tioga County Property Development Corporation Board to fill the vacant position for the term of 6/12/24 – 12/31/25.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 195-24 *RESOLUTION CALLING ON MEMBERS OF THE
NEW YORK STATE SENATE AND ASSEMBLY TO
REFORM THE STATE'S COMPETENCY RESTORATION
PROCESS AND SUPPORT THE PASSAGE OF S.1874
(BROUK)/A.5063 (GUNTHER) IN THE 2024
LEGISLATIVE SESSION*

WHEREAS: Section §730 of the Criminal Procedure Law (CPL) provides that defendants charged with felonies who are mentally ill and/or developmentally disabled and who are determined by a court to be unable to understand the charges against them or participate in their own defense (often called "730's") are sent to New York State-operated forensic hospitals solely for the purpose of trying to restore them to competency so they can stand trial; and

WHEREAS: The origin of CPL §730 dates back over five decades to the laws of 1970, and parts of it have been declared to be unconstitutional; and

WHEREAS: Competency restoration provides necessary medications but primarily provides services such as courtroom training to familiarize the defendant with courtroom procedures so they can participate in their trial; and

WHEREAS: Many judges incorrectly believe that by ordering a 730 commitment, they are helping the mentally ill or developmentally disabled person to get treatment; and

WHEREAS: In the cases for which restoration is appropriate, most defendants can generally be restored within 90-150 days; and

WHEREAS: Unfortunately, there are numerous situations where defendants have been kept in restoration for periods of three, six, or even 10 years; and

WHEREAS: These lengthy confinements have been declared to be unconstitutional by the U.S. Supreme Court as shown in the case of Jackson v. Indiana (1972), which provides that states may not indefinitely confine criminal defendants solely on the basis of incompetence to stand trial; and

WHEREAS: The Office of Mental Health (OMH) has diverged from agreements with the county mental health commissioners/directors of community services to provide specific and timely information on the clients/defendants ordered to restoration; and

WHEREAS: The SFY 2020-2021 budget required counties to pay 100 percent of the OMH State Operations costs for individuals receiving court-ordered mental health competency restoration services at State-operated Forensic Psychiatric Centers; and

WHEREAS: As the full payors of these services, the commissioners must have timely access to any pertinent client information as deemed necessary to effectively manage their responsibilities under the Mental Hygiene Law; and

WHEREAS: The county cost of these services is over \$1,300 per day and current statute does not require a timeline be established for when a defendant is unable to be restored; and

WHEREAS: The county cost of restoration for one defendant can be upwards of \$400,000 per year; and

WHEREAS: In New York State, counties, through the county tax levy, already bear an overwhelming portion of the financial burden for supporting individuals suffering from serious mental illness, and the requirement to assume 100% of 730.20 competency restoration costs has taken away millions of dollars from critical behavioral health programming in the community; and

WHEREAS: Given the advances in the behavioral health and the modernization of the criminal justice system, it is time for the State to reform the statutory authority governing competency restoration to ensure that only individuals who are

appropriate subjects of the 730 court orders are sent for restoration in accordance with the current state of these two systems; and

WHEREAS: The NYS Legislature has introduced S.1874 (Brouk)/A.5063 (Gunther), which seeks to address the reforms necessary to update the archaic requirements of current statute, many which have been deemed unconstitutional and includes a critical requirement to reinvest any savings derived by the counties back into the local mental hygiene systems of care; therefore be it

RESOLVED: That CPL §730.10 shall be modified to make clear that restoration is not mental health treatment, so the judiciary is better informed that a 730 order does not treat underlying mental health conditions; and be it further

RESOLVED: That CPL §730.20 shall be reformed to establish specific criteria for 730 examiners, streamlining the process to establish equity across the system, and that the psychiatrist or psychologist conducting the psychiatric exam tell the court whether or not there is a reasonable chance of restoration, thereby granting the court an opportunity to allow diversion to mental health treatment; and be it further

RESOLVED: That OMH will consistently follow their agreements with the county mental health commissioners/directors of community services to provide specific and timely information on the clients/defendants ordered to restoration; and be it further

RESOLVED: That CPL §730.20 shall adjust the fee for reimbursing psychiatric examiners; and be it further

RESOLVED: That CPL §730.50 shall limit the time defendants are ordered for restoration services; and be it further

RESOLVED: That MHL §9.33 shall allow individuals to be transferred to Article 9 facilities if it is determined that a defendant is unable to be restored; and be it further

RESOLVED: That MHL §43.03 shall require Local Government Units (counties) to reinvest savings from these reforms into community mental health services; and be it further

RESOLVED: That the Tioga County Legislature calls on the State to support all provisions outlined in S.1874 (Brouk)/A.5063 (Gunther); and be it further

RESOLVED: That the Clerk of the Legislature shall forward certified copies of this resolution to Governor Kathy Hochul, Senator Thomas F. O'Mara, Assemblyman Christopher S. Friend, Senator Samara Brouk, Chair of Committee on Mental Health, Assemblywoman Aileen M. Gunther, New York State Association of Counties (NYSAC) and all others deemed necessary and proper.

Legislator Standinger spoke. "This is an unfunded mandate that we really have no control over except we have to pay it. I think we have to send a message because these facilities are operated by the State, and they have incentive to keep the individuals as patients in order to pay their staff and they are passing that cost on to us without our say so. I think it is about time that we let them know that we are not really liking what they are doing, and we figured out what they are doing, so I am in favor of that."

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 196-24 *ADVOCATING AGAINST OSHA REFORMS IN
NEW YORK STATE FOR FIREFIGHTERS*

WHEREAS: Tioga County, nestled in the heart of the Southern Tier of New York State, is a rural county with a population of 47,772 individuals spread across 523 square miles, relying heavily on the essential services provided by its fifteen (15) volunteer fire departments; and

WHEREAS: These fifteen (15) fire departments, comprised of entirely volunteer organizations, serve as the lifeblood of our community, dutifully responding to hundreds of emergency calls each year, embodying the spirit of selflessness and dedication that defines Tioga County; and

WHEREAS: The personnel of these departments, comprised of all volunteers, form the backbone of our emergency response apparatus, tirelessly working to ensure the safety, security, and well-being of our residents, often at great personal sacrifice; and

WHEREAS: Tioga County acknowledges, with gratitude, the commendable efforts of the Occupational Safety and Health Administration (OSHA) in initiating

measures aimed at enhancing the safety and welfare of our invaluable emergency responders; and

WHEREAS: Notwithstanding the strides made in bolstering emergency responder safety, Tioga County harbors legitimate concerns regarding the future accessibility, affordability, and efficacy of emergency services within our jurisdiction; therefore be it

RESOLVED: That the Tioga County Legislature, mindful of its responsibility to safeguard the interests and welfare of its constituents, hereby expresses its reservations and respectfully requests that OSHA, in conjunction with our esteemed state and national officials, give due consideration to the following points of contention and areas of improvement pertaining to the current proposed OSHA 1910.156 document:

1. Extending the public comment period beyond the prescribed deadline of June 21, 2024 by a minimum of 45 days, thereby affording our officials adequate time to meticulously review the voluminous 608-page document and formulate comprehensive, fact-based comments reflective of our community's unique needs and circumstances.
2. Facilitating the organization and conduct of in-person public comment sessions to provide a platform for stakeholders to voice their concerns, insights, and recommendations in a transparent and inclusive manner.
3. Ensuring equitable and substantive representation of volunteer firefighters in the proposal process, proportionate to their significant contribution to emergency services nationwide, thereby fostering a balanced and representative discourse that accounts for the diverse perspectives and interests at play.
4. Simplifying and expediting the incorporation of referenced standards (22 in total) into the proposed standard to enhance clarity, accessibility, and comprehension, thereby facilitating widespread dissemination and implementation across our diverse emergency response landscape.
5. Re-evaluating the intended audience and scope of the standard to accommodate the varying regulatory frameworks and classifications of volunteer firefighters across different states, ensuring equitable treatment and compliance with applicable laws and regulations.
6. Transforming the proposed standard into a dynamic, adaptive "living document" capable of evolving in tandem with emerging national needs, technological advancements, and best practices, thereby obviating the need for periodic overhauls and updates to address obsolescence and inefficiency.
7. Identifying and prioritizing additional safety measures and protocols that can be expeditiously implemented with minimal resource expenditure and

manpower requirements, thereby augmenting the resilience and effectiveness of our emergency response infrastructure.

8. Collaborating closely with stakeholders to develop a standardized framework that strikes a judicious balance between economic feasibility and technical efficacy, thereby ensuring the sustainability and viability of our emergency response initiatives in the long run.
9. Instituting a formal, structured negotiation process characterized by transparency, accountability, and active engagement, thereby fostering a culture of collaboration, consensus-building, and mutual respect among all parties involved.
10. Embracing these recommendations and initiatives in a concerted effort to uphold the safety, well-being, and resilience of our dedicated emergency responders, while concurrently safeguarding the interests and resources of our taxpaying constituents.

And be it further

RESOLVED: That in adopting this resolution, the Tioga County Legislature reaffirms its unwavering commitment to the principles of safety, equity, and inclusivity, and pledges to work collaboratively with all relevant stakeholders to address the pressing concerns and challenges confronting our emergency response infrastructure in the pursuit of a safer, more resilient, and prosperous future for all; and be it further

RESOLVED: That a copy of this resolution shall be transmitted to OSHA, the Governor of New York State, the New York State Legislature, the National Advisory Committee on Occupational Safety and Health, and other relevant stakeholders to express the opposition of the Tioga County Legislature to any OSHA reforms that do not adequately consider the concerns outlined herein.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 197-24 ERRONEOUS ASSESSMENT
TOWN OF TIOGA

WHEREAS: An application for Corrected Tax Roll for the tax years 2023 and 2024 indicates that parcel #128.00-2-21 acct#2018 in the Town of Tioga assessed to Ronald and Rhonda Pasto on the 2023 and 2024 tax rolls of the Town of Tioga is erroneous in the fact that the owner's purchased the property in August of 2021 and they each applied and were both found qualified for Veteran's exemptions to be applied to the 2022 and 2023 assessment, however, the 2023 and 2024 tax bills did not include the Veteran's exemptions; and

WHEREAS: An Application for Refund or Credit of Real Property Taxes for the years 2023 and 2024 were filed requesting a refund of property taxes levied by Tioga County and Town of Tioga for the tax years 2023 and 2024; and

WHEREAS: The 2023 and 2024 tax bills were paid to the Tioga Tax Collector in the Town of Tioga on 01/13/2023 and 01/10/2024; therefore be it

RESOLVED: That a refund be issued to Ronald and Rhonda Pasto by the Town of Tioga in the amount of \$489.55 and the bills be corrected as follows:

128.00-2-21 (2023)	Original Bill #	Corrected Bill #
County	\$1,809.13	\$1,626.70
Town Wide	\$687.37	\$618.05
Fire	\$235.99	\$235.99
Total	\$2,732.49	\$2,480.74
Refund		\$251.75

128.00-2-21 (2024)	Original Bill #	Corrected Bill #
County	\$1,889.00	\$1,715.84
Town Wide	\$705.13	\$640.49
Fire	\$238.09	\$238.09
Total	\$2,832.22	\$2,594.42
Refund		\$237.80
Total to be Refunded:		\$489.55

And be it further

RESOLVED: That the erroneous tax of \$489.55 be charged back to the proper accounts of the Tioga County Treasurer's Office.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 198-24 *A RESOLUTION OF THE
TIOGA COUNTY LEGISLATURE ADOPTING THE
TIOGA COUNTY MULTI-JURISDICTIONAL HAZARD
MITIGATION PLAN UPDATE 2024*

WHEREAS: The Tioga County Legislature recognizes the threat that natural hazards pose to people and property within the Tioga County community; and

WHEREAS: Tioga County has prepared a multi-hazard mitigation plan, hereby known as the Tioga County Multi-Jurisdictional Hazard Mitigation Plan Update 2024, in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS: The Tioga County Multi-Jurisdictional Hazard Mitigation Plan Update 2024 identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in Tioga County from the impacts of future hazards and disasters; and

WHEREAS: Adoption by the Tioga County Legislature demonstrates their commitment to hazard mitigation and achieving the goals outlined in the Tioga County Multi-Jurisdictional Hazard Mitigation Plan Update 2024; therefore be it

RESOLVED: That the Tioga County Legislature hereby adopts the Tioga County Multi-Jurisdictional Hazard Mitigation Plan Update 2024. This plan, approved by the community, may be edited or amended after submission for review, but will

not require the community to re-adopt any further iterations. This only applies to this specific plan and does not absolve the community from updating the plan in 5 years.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE, LEGAL & SAFETY COMMITTEE

RESOLUTION NO. 199-24 *AMEND RESOLUTION NO. 291-19;
AUTHORIZE AMENDED AGREEMENT WITH
MOTOROLA SOLUTIONS CHANGE ORDER # 5
EMERGENCY MANAGEMENT*

WHEREAS: Resolution No. 291-19 authorized the Director of Emergency Services to enter into an agreement with Motorola Solutions for a P25 Phase 1 Digital Simulcast Trunked Radio System at an amount not to exceed \$9,620,000; and

WHEREAS: Change Order #1 separated the Computer Aided Dispatch (CAD) from the Radio Tower Project at no cost to the County; and

WHEREAS: By Resolution No. 23-22, the Legislature authorized Change Order #2 for additional tower sites, equipment and conversion to a P25 Phase 2 Digital Simulcast Trunked Radio System for a cost not to exceed \$3,100,000; and

WHEREAS: By Resolution No. 152-22, the Legislature authorized Change Order # 3 to include adding Owego Police to the Computer Aided Dispatch (CAD); adding Digital Evidence Module for Owego; adding Pictometry for Mapping; adding Rapid Notification Module; and Data Transfer Costs for a cost not to exceed \$133,020.84; and

WHEREAS: By Resolution No. 20-23 and Resolution No. 123-24, the Legislature authorized the County to enter into a lease with Motorola Solutions at an amount not to exceed \$4,044,973.15; and

WHEREAS: By Resolution No. 444-23, the Legislature authorized Change Order #4 to include the additional cost of building 4 new tower sites, refurbishing one county owned site, adding our equipment to PA State Police site and additional enhancements to radio and telephone equipment that has changed since the original contract of 2019 for an additional cost not to exceed \$5,650,000; and

WHEREAS: With the progression of the radio project, it was discovered that the Ballou Road tower site was in need of a shelter and generator and Motorola Solutions has prepared Change Order #5 at a cost not to exceed \$619,642.08; and

WHEREAS: There are sufficient funds in account H3021.521230.M7674 to cover said expenses for Change Order #5; therefore be it

RESOLVED: That the County Legislature hereby authorizes an amended agreement by way of Change Order #5 with Motorola Solutions, 500 West Monroe Street, 44th Floor, Chicago, IL 60661 for a shelter and generator for the Ballou Road tower site at a cost not to exceed \$619,642.08; and be it further

RESOLVED: That the Chair of the Legislature be authorized to execute Motorola's Change Order #5, after review and approval by the County Attorney.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 200-24 AMEND RESOLUTION NO. 83-24;
AWARD DESIGN SERVICES TO DELTA ENGINEERS
FOR HVAC CONTROLS AT ANNEX BUILDING
DEPARTMENT OF PUBLIC WORKS

WHEREAS: Resolution No. 83-24 awarded design services to Delta Engineers for HVAC Controls at the Court Annex Building; and

WHEREAS: An amount of \$469 for direct expenses was not included; therefore be it

RESOLVED: That Resolution No. 83-24 be amended to include \$469 for direct expenses bringing the total not to be exceeded to \$26,902 to be paid out of the following account:

H1620.520927 Court Annex

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGAL/FINANCE COMMITTEE

RESOLUTION NO. 201-24 AMEND RESOLUTION NO. 158-24;
AUTHORIZATION TO RENEW CONTRACT WITH
THOMSON REUTERS (WESTLAW) FOR A ONE YEAR
SUBSCRIPTION TO WEST PROFLEX

WHEREAS: The County Attorney was authorized by way of Resolution No. 158-24 to execute a renewal contract with Thomson Reuters for a one-year subscription to WEST PROFLEX legal research services for the period of July 1, 2024 through June 2025; and

WHEREAS: The County has the option to enter into a three-year contract with Thomson Reuters for significant savings; and

WHEREAS: The services provided through this subscription will be utilized by personnel in the County Attorney's office, Public Defender's office, District Attorney's office, and Department of Social Services; therefore be it

RESOLVED: Resolution No. 158-24 is hereby amended to a three-year contract with Thomson Reuters for WEST PROFLEX legal research services for the period of July 1, 2024 through June 2027 at a total cost of \$38,851.80.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 202-24 *AUTHORIZE CONTRACT WITH CATHOLIC CHARITIES
OF TOMPKINS/TIOGA COUNTIES
SOCIAL SERVICES*

WHEREAS: The Department of Social Services contracts with Catholic Charities of Tompkins/Tioga Counties to coordinate a project within the Spencer and Newark Valley school districts that addresses specific cultural and behavioral issues among middle and high school aged children, particularly those who are considered to be "at risk"; and

WHEREAS: The Department of Social Services wishes to renew the contract for July 1, 2024 through June 30, 2025 in an amount not to exceed \$115,884; therefore be it

RESOLVED: That the Tioga County Department of Social Services is authorized to contract with Catholic Charities of Tompkins/Tioga Counties for the period July 1, 2024 through June 30, 2025; and be it further

RESOLVED: That available funds on 12/31/24 of the original \$115,884 be carried forward into the New Year 2025.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 203-24 *AUTHORIZE CONTRACT WITH CATHOLIC CHARITIES
OF TOMPKINS/TIOGA COUNTIES
SOCIAL SERVICES*

WHEREAS: The Department of Social Services contracts with Catholic Charities of Tompkins/Tioga Counties to provide emergency and diversion services to needy families of Tioga County at its Tioga Outreach Center; and

WHEREAS: The Department of Social Services wishes to renew the contract for July 1, 2024 through June 30, 2025 in an amount not to exceed \$92,469; therefore be it

RESOLVED: That the Tioga County Department of Social Services is authorized to contract with Catholic Charities of Tompkins/Tioga Counties for the period July 1, 2024 through June 30, 2025; and be it further

RESOLVED: That available funds on 12/31/24 of the original \$92,469 be carried forward into the New Year 2025.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 204-24 *AUTHORIZE CONTRACT WITH
TIOGA OPPORTUNITIES, INC.
SOCIAL SERVICES*

WHEREAS: The Department of Social Services contracts with Tioga Opportunities, Inc. for the provision of Intensive Case Management Services for the Disabled Population on Public Assistance; and

WHEREAS: The Department of Social Services wishes to renew the contract for July 1, 2024 through June 30, 2025 in an amount not to exceed \$45,547; therefore be it

RESOLVED: That the Tioga County Department of Social Services is authorized to contract with Tioga Opportunities, Inc. for the period July 1, 2024 through June 30, 2025; and be it further

RESOLVED: That available funds on 12/31/24 of the original \$45,547 be carried forward into the New Year 2025.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
RESOLUTION NO. 205-24 *AUTHORIZE CONTRACT WITH BERKSHIRE FARMS
SOCIAL SERVICES*

WHEREAS: The Department of Social Services contracts with Berkshire Farms to provide alternatives to foster care and early intervention to serve parents and children of Tioga County; and

WHEREAS: The Department of Social Services wishes to renew the contract for July 1, 2024 through June 30, 2025 in an amount not to exceed \$123,447; therefore be it

RESOLVED: That the Tioga County Department of Social Services is authorized to contract with Berkshire Farms for the period July 1, 2024 through June 30, 2025; and be it further

RESOLVED: That available funds on 12/31/24 of the original \$123,447 be carried forward into the New Year 2025.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE
RESOLUTION NO. 206-24 *AWARD 56 MAIN STREET SOUTH WING
HVAC CONSTRUCTION CONTRACT
PUBLIC WORKS*

WHEREAS: Tioga County has budgeted for the 56 Main Street South Wing HVAC project; and

WHEREAS: The Commissioner of Public Works received sealed bids on June 3, 2024 and the bid results were as follows:

Postler & Jaeckle Corporation, Endicott NY	\$449,850.00
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And

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

RESOLVED: That the Tioga County Legislature authorize awarding the bid to Postler & Jaeckle Corporation, Endicott, NY not to exceed \$449,850.00 to be paid out of the following account:

H1620.520911 – Renovations 56 Main St

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 207-24 *AWARD PROBATION WING COURT ANNEX
CONTROLS CONSTRUCTION CONTRACT
PUBLIC WORKS*

WHEREAS: Tioga County has budgeted for the Probation Wing Court Annex Controls project; and

WHEREAS: The Commissioner of Public Works received sealed bids on June 3, 2024 and the bid results were as follows:

Postler & Jaeckle Corporation, Endicott NY	\$113,300.00
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And

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

RESOLVED: That the Tioga County Legislature authorize awarding the bid to Postler & Jaeckle Corporation, Endicott, NY not to exceed \$113,300.00 to be paid out of the following account:

H1620.520927 – Court Annex

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 208-24 *AWARD CONSTRUCTION SUPPORT SERVICES TO
DELTA ENGINEERS - 56 MAIN STREET
SOUTH WING HVAC*

WHEREAS: Tioga County has budgeted for the 56 Main Street South Wing HVAC project; and

WHEREAS: The Commissioner of Public Works has received a proposal for construction support services from Delta Engineers, Endwell, NY; and

WHEREAS: The proposal for this project came in at \$23,789.00; therefore be it

RESOLVED: That the Tioga County Legislature approve the proposal for 56 Main Street South Wing HVAC not to exceed \$23,789.00 to be paid out of H1620.520911 - Renovations 56 Main St.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 209-24 *AWARD CONSTRUCTION SUPPORT SERVICES TO
DELTA ENGINEERS – COURT ANNEX
PROBATION WING CONTROLS*

WHEREAS: Tioga County has budgeted for the Court Annex Probation Wing Controls project; and

WHEREAS: The Commissioner of Public Works has received a proposal for construction support services from Delta Engineers, Endwell, NY; and

WHEREAS: The proposal for this project came in at \$19,212.00; therefore be it

RESOLVED: That the Tioga County Legislature approve the proposal for Court Annex Probation Wing Controls not to exceed \$19,212.00 to be paid out of H1620.520927 – Court Annex.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 210-24 *AUTHORIZE THE SUBMISSION OF
FY2023 DOMESTIC TERRORISM
PREVENTION GRANT PROGRAM
OFFICE OF EMERGENCY SERVICES*

WHEREAS: The NYS Division of Homeland Security and Emergency Services (DHSES) has issued the FY2023 Domestic Terrorism Prevention Grant Program in the amount of \$172,413 to be utilized to prevent targeted violence and domestic terrorism through the utilization of Threat Assessment and Management (TAM) teams and the development of comprehensive Domestic Terrorism Plans; and

WHEREAS: County Policy requires that a resolution be approved before any such grant application is submitted; therefore be it

RESOLVED: That the Tioga County Office of Emergency Services be given authorization to apply for the FY2023 Domestic Terrorism Prevention Grant application and authorizes the Chair of the Legislature to sign such application.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 211-24 *AUTHORIZE THE SUBMISSION OF
EMPG24 GRANT APPLICATION
OFFICE OF EMERGENCY SERVICES*

partnership with Tioga County Public Health, Tioga County Alcohol and Substance Abuse Prevention (TC ASAP) Community Coalition; and

WHEREAS: Tioga County Mental Hygiene was awarded said grant in 2021 and are awarded annually from 07/01/2021 through 06/30/2026; and

WHEREAS: The said funds need to be appropriated annually; and

WHEREAS: The Department deems it to be in the best interest of the community and youth of Tioga County to renew this grant funding; and

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

RESOLVED: That the grant funds be appropriated and the 2024 budget be amended as follows:

From: A4213.444863 CARA Federal Aid CARA Grant \$ 50,000

To: A4213.540590 CARA Services Rendered CARA Grant \$ 50,000

And be it further

RESOLVED: That available funds on 12/31/24 of the original \$50,000 will be carried forward into the New Year 2025.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 213-24 *APPROVE TECHNICAL ASSISTANCE
PROVIDED BY ED&P STAFF*

WHEREAS: A resolution is required by County policy to disclose matching cash and or in-kind contributions from the County for grant applications written for the County and/or by the County on behalf of a municipality or entity; and

WHEREAS: The Tioga County Economic Development and Planning staff provided technical assistance for the following:

<u>Organization</u>	<u>Source</u>	<u>Amount</u>	<u>Purpose</u>
Village of Newark Valley	ESD-Restore NY Round VIII	\$732,420	Rehabilitation of 10 & 14-16 Whig St
Town of Nichols	NY Dept. of State	TBD	Town Comprehensive Plan development

And

WHEREAS: There is no further obligation by the County; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes the technical assistance provided as noted above.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 214-24 *APPORTIONING FORFEITURE OF CRIME PROCEEDS FOR DRUG ENFORCEMENT ACTIVITIES*

WHEREAS: Resolution No. 239-20 established a system for the disposal of property, the order of priority of disbursements and the restrictions on the use of both pre-conviction and post-conviction forfeitures of crime proceeds; and

WHEREAS: Tioga County has received \$111,480.81 from a drug forfeiture case; and

WHEREAS: It is agreed the funds shall be divided between the agencies involved in the investigation in accordance with Section 1349 of the Civil Practice Laws and Rules; and

WHEREAS: Distribution details are as follows:

Tioga County District Attorney's Office (15%)	\$16,722.12
Tioga County Sheriff's Department (5%)	\$ 5,574.04
NYS Office of Alcoholism and Substance Abuse Services (OASAS)	\$35,673.86
Tioga County Sheriff's Department (75%)	\$40,133.09
Tioga County District Attorney's Office (25%)	<u>\$13,377.70</u>
	\$111,480.81

And

WHEREAS: Appropriation of funds and budget modifications require Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

FROM:	A1165-426250 Forfeiture of Crime Proceeds	\$ 49,051.56
	A1165-426260 Forfeiture of Crime Proceeds Restricted	\$ 16,722.12
	A3110-426260 Forfeiture of Crime Proceeds Restricted	\$ 5,574.04
	A3110-426250 Forfeiture of Crime Proceeds	\$ 40,133.09
TO:	A1165-540335 Asset Forfeiture Expense	\$ 49,051.56
	A1165-540336 Asset Forfeiture Expense-Restricted	\$ 16,722.12
	A3110-540336 Asset Forfeiture Expense-Restricted	\$ 5,574.04
	A3110-540335 Asset Forfeiture Expense	\$ 40,133.09

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standing, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. 215-24

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

WHEREAS: A project for the Bridge Replacement, BIN 2218720 Harnick Road over Apalachin Creek, PIN 9754.90 (the Project) is eligible for funding under Title 23 U.S. Code, as amended that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal Funds and 20% non-Federal Funds; and

WHEREAS: The County of Tioga desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the costs of the Preliminary Engineering / Design and Right-of-Way Incidentals and Right of Way Acquisition work.

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

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

RESOLVED: That the Tioga County Legislature hereby authorized the County of Tioga to pay in the first instance 100% of the Federal and non-Federal share of the cost of the Preliminary Engineering / Design and Right-of-Way Incidentals work for the Project or portions thereof; and it is further

RESOLVED: That the sum of \$18,730 is hereby appropriated from account H5110.540004.H2102 and made available to cover the costs of participation in the above phases of the Project; and it is further

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

RESOLVED: That the Chair of the Tioga County Legislature of the County of Tioga be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the

From: A7310.438200 State Aid - Youth Programs	\$ 101,064.00
To: A7310.541540 Reimbursements	\$ 100,964.00
To: A7310.540180 Dues	\$ 100.00

And be it further

RESOLVED: That available funds on 12/31/24 of the original \$101,064 be carried forward into the New Year 2025.

Legislator Standinger spoke. "Tioga County DSS appropriates these funds and they ensure that the work is done to help the youth of the County. I appreciate their efforts in that behalf."

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

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

REFERRED TO:	PUBLIC SAFETY COMMITTEE FINANCE/LEGAL COMMITTEE
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RESOLUTION NO. 217-24	<i>MODIFY 2024 BUDGET AND APPROPRIATION OF FUNDS OFFICE OF EMERGENCY SERVICES</i>
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WHEREAS: Legislative approval is needed to modify the 2024 budget and appropriation of funds; and

WHEREAS: The Office of Emergency Services has a need to transfer \$16,863 to fund the leasing of the Weitsman Building, on State Route 38, for storage of radio equipment through December 2024; therefore be it

RESOLVED: That the 2024 budget be modified and appropriation of funds be made as follows:

FROM: A3021.520130.E911 Equipment (Not Car)-E911	\$16,863
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TO: A3021.540320.E911 Leased/Service Equipment- E911 \$16,863

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 218-24 AMEND BUDGET & APPROPRIATE FUNDS
PUBLIC HEALTH

WHEREAS: Tioga County Public Health (TCPH) has been notified of approval of funding for the second year of the Comprehensive Addictions and Recovery Act (CARA) portion of the County Advocacy, Support and Prevention (ASAP) Coalition; and

WHEREAS: TCPH will receive the funds specifically for coordinating the ASAP Coalition via pass-through from Tioga County Mental Hygiene; and

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

RESOLVED: That funding be appropriated as follows:

From: A4053.422800 ASAP Public Health: Local Grants \$50,000

To: A4053.540487 ASAP Public Health: Program Expense \$50,000

And be it further

RESOLVED: That the balance of this funding on 12/31/2024 be carried forward into the 2025 budget in the same budget lines.

RESOLVED: That available funds on 12/31/24 of the original \$60,000 will be carried forward into the New Year.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 220-24 AMEND BUDGET & APPROPRIATE FUNDS
PUBLIC HEALTH

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

WHEREAS: The award is designated for Community Cancer Prevention in Action, which is a partnership between Broome and Tioga Counties; and

WHEREAS: Cancer Prevention is an area of focus for Public Health; and

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

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

RESOLVED: That funding be appropriated as follows:

From: A4053 422800-CPIA	Grants – Non State or Federal	\$ 10,000
To: A4053 540640-CPIA	Supplies (Not Office)	\$ 10,000

And be it further

RESOLVED: That available funds on 12/31/24 of the original \$105,787 will be carried forward into the New Year.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 222-24 *REQUESTING TIOGA COUNTY VETERANS' SERVICE AGENCY BE ALLOWED TO EXCEED FOOD & BEVERAGE PURCHASE GUIDELINES*

WHEREAS: The Tioga County Veterans' Service Agency (TCVSA) conducts multiple community outreach events monthly and at these events provides food, beverages, and supplies to those in attendance as well as information on resources, benefits, and services available to veterans, military, and their families; and

WHEREAS: County Policy – Section III; Subsection H. Purchase of Food, Beverages, and Supplies limit expenses to \$150 per event; and

WHEREAS: The TCVSA will be holding the following events in June, with grant funds being used, that will exceed the \$150.00 per event limit, and requests to exceed the event limit must be made by resolution and require the approval of the County Legislature:

June 10: "No One Left Behind" Onward Ops Information Session - \$500.00 (ETSSP Grant)

June 27: PTS Awareness Day Information Fair & Picnic - \$3500.00 (ARPA Funds)

Therefore be it

RESOLVED: That the Tioga County Legislature allow the Tioga County Veterans' Service Agency to exceed the per event limit using grant funding as identified, noting that TCVSA will not exceed the total amount mentioned for each event above.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 223-24 TRANSFER OF FUNDS
2024 BUDGET MODIFICATION
VETERANS' SERVICE AGENCY

WHEREAS: The Tioga County Veteran Services' Agency (TCVSA) is in need of updating technology equipment; specifically, upgrading from desktop computers to laptop computers to better enable us to meet the ever-increasing demand for working in the field, particular at homes, hospitals, nursing homes and outreach activities; we will be purchasing three (3) laptop computers and three (3) docking ports; and

WHEREAS: The TCVSA shall be utilizing funds as allowed by ARPA Program guidelines to pay for aforementioned equipment; and

WHEREAS: The TCVSA consulted with Chief Information Officer regarding this need, and he agreed this would be the best solution for our office and provided information regarding the products and costs, and the ARPA Computer Equipment line recently received a refund amount for return of a defective printer in the amount of \$549.99; and

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

Reference

National Institute of Standards and Technology (NIST) Special Publications (SP): NIST SP 800-53a – Awareness and Training (AT), NIST SP 800-12, NIST SP 800-16, NIST SP 800-50, NIST SP 800-100; Electronic Code of Federal Regulations (CFR): 5 CFR 930.301

Policy

This policy is applicable to all departments and users of Tioga County IT resources and assets.

1. Security Awareness Training

The ITCS Department shall:

- a. Schedule security awareness training as part of initial training for new users.
- b. Schedule security awareness training when required by information system changes and then annually thereafter.
- c. The Chief Information Officer (CIO) shall determine the appropriate content of security awareness training and security awareness techniques based on the specific organizational requirements and the information systems to which personnel have authorized access. The content shall:
 - i. Include a basic understanding of the need for information security and user actions to maintain security and to respond to suspected security incidents.
 - ii. Address awareness of the need for operations security. Security awareness techniques can include, for example, displaying posters, offering supplies inscribed with security reminders, generating email advisories/notices from senior organizational officials, displaying logon screen messages, and conducting information security awareness events.

2. Role-based Security Training

The ITCS Department shall:

- a. Provide role-based security training to personnel with assigned security roles and responsibilities:
 - i. Before authorizing access to the information system or performing assigned duties.
 - ii. When required by information system changes and annually thereafter.
3. Security Training Records

The ITCS Department shall:

- a. Designate personnel to document and monitor individual information system security training activities including basic security awareness training and specific information system security training.
- b. Retain individual training records for two years.

Compliance

Employees who violate this policy may be subject to appropriate disciplinary action up to and including discharge as well as both civil and criminal penalties. Non-employees, including, without limitation, contractors, may be subject to termination of contractual agreements, denial of access to ITCS resources, and other actions as well as both civil and criminal penalties.

Policy Exceptions

Requests for exceptions to this policy shall be reviewed by the Chief Information Officer (CIO) and the Information Security Officer (ISO). Departments requesting exceptions shall provide such requests to the CIO. The requests should specifically state the scope of the exception along with justification for granting the exception, the potential impact or risk attendant upon granting the exception, risk mitigation measures to be undertaken by the ITCS Department, initiatives, actions, and a timeframe for achieving the minimum compliance level with the policies set forth herein. The CIO shall review such requests; confer with the requesting department.

And be it further

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 226-24 *AUTHORIZE WAGE REALLOCATIONS
WITHIN CSEA SALARY SCHEDULE
PUBLIC WORKS*

WHEREAS: Legislative approval is required for a title's wage reallocation; and

WHEREAS: It is very difficult to procure skilled labor in the current job market. In addition, the Tioga County Department of Public Works has lost several employees to other employers in the area; and

WHEREAS: The Tioga County Department of Public Works wishes to retain the skill level of its current employees; therefore be it

RESOLVED: That effective June 17, 2024, the following titles shall be reallocated as indicated below:

Title	Current Wage:	New Wage:
Heavy Mechanic Working Supervisor Highway Working Supervisor	\$27.47/hr.	\$29.00/hr.
Mechanic Working Supervisor Working Supervisor Heavy Equipment Operator Site Leader	\$25.35	\$27.50
Heavy Equipment Operator III Lead Maintenance Mechanic Technical Facility Supervisor	\$23.12	\$25.00

Automotive Stock Clerk Master Craftsman Heavy Equipment Operator II	\$22.31	\$24.00
Heavy Equipment Operator I Maintenance Mechanic III Sign Maintenance Worker Heavy Equipment Mechanic I	\$20.90	\$23.00
Motor Equipment Operator III Automotive Mechanic II Maintenance Mechanic II Cleaning Supervisor	\$20.12	\$22.00
Motor Equipment Operator II Automotive Mechanic I Maintenance Mechanic I	\$19.31	\$21.00
Motor Equipment Operator I Cleaner I	\$16.92	\$19.00

And be it further

RESOLVED: That the employees holding the above listed titles shall receive corresponding increases to their 2024 wages effective June 17, 2024.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION
PERSONNEL COMMITTEE

RESOLUTION NO. 227-24 STANDARD WORK DAY AND
REPORTING RESOLUTION

WHEREAS: The New York State Retirement System created new reporting regulations in 2009 that require establishment of terms and work hours for elected and appointed officials and a resolution stating such at the onset of each term; therefore be it

RESOLVED: That the County of Tioga hereby establishes the following as standard work days for elected and appointed officials, and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by the following officials to the Clerk of this body;

Title	Name	Standard Work Day (Hrs/day)	Term Begins/Ends	Days/Month (based on Record of Activities)	Pay Frequency	Not Submitted
Appointed Officials						
Coroner	Ryan Kline	6	1/1/2024-12/31/2027		Biweekly	X

I, Cathy Haskell, Secretary/Clerk of the governing board of the County of Tioga, of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board at a legally convened meeting held on the 11th day of June, 2024 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Tioga County Legislature on this 11th day of June 2024.

Tioga County Legislative Clerk

Affidavit of Posting: I, Cathy Haskell, being duly sworn, depose and say that the posting of the resolution began on XXXX XX, 2024 and continued for at least 30 days. That the resolution was available to the public on the

- Employer's website at www.tiogacountyny.gov
- Official sign board at Tioga County Legislative Office.
- Main Entrance Clerk's Office at 56 Main Street, Owego, NY 13827

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislators Mullen.

RESOLUTION ADOPTED.

Meeting was adjourned at 12:34 p.m.