


<p>Agenda</p> 	<p style="text-align: center;">TIOGA COUNTY LEGISLATURE</p> <p style="text-align: right;">2/11/2020 12:00 PM EDWARD D. HUBBARD AUDITORIUM Ronald E. Dougherty County Office Building 56 Main Street Owego NY 13827</p>	
<p>Meeting called by:</p>	<p>Chair Martha Sauerbrey</p>	
<p>Type of meeting:</p>	<p>2nd Regular</p>	
<p>Attendees:</p>	<p>Legislator Balliet Legislator Hollenbeck Legislator Monell Legislator Mullen Legislator Roberts Legislator Sauerbrey Legislator Standinger Legislator Sullivan Legislator Weston</p>	
<p>Agenda topics</p>		
<p>Invocation Pledge of Allegiance Recognition Resolutions (3)</p>	<p>Legislator Monell Legislator Monell</p> <ul style="list-style-type: none"> • Recognize Rita E. Hollenbeck's 31 Years of Dedicated Service to Tioga County • Recognize Margareta C. Olin's 20 Years of Dedicated Service to Tioga County • Recognize Charisse R. Campbell's 20 Years of Dedicated Service Department of Social Services 	

<p>Proclamations (2)</p> <p>Privilege of the Floor</p> <p>Approval of Minutes</p> <p>Petitions, Communications & Notices</p> <p>Appointments/Reappointments</p> <p>Reports Standing Committees</p>	<ul style="list-style-type: none"> • Teen Dating Violence Awareness • Agriculture Month <p>January 2nd ,14th, and 23rd , 2020</p>	
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<p>RESOLUTIONS:</p>	<ol style="list-style-type: none"> 1. Schedule Second Public Hearing for New York State Community Development Block Grant 2. Set Public Hearing for 2020 Annual Agricultural District Inclusions 3. Recommend Members to the Susquehanna Heritage Area Commission 4. Erroneous Assessment Town of Spencer 5. Authorize County Clerk Conveyance Notice Fee 6. Award Construction Halsey Valley Road over Tributary to Pipe Creek 7. Authorizing Legislative Chair Signature on LSE Perseus, LLC and LSE Pisces, LLC Payment in Lieu of Tax Agreements 8. Authorizing Legislative Chair Signature on NY Newark Valley I, LLC Payment in Lieu of Tax Agreement 9. Authorizing Legislative Chair Signature on Southern Tier Broadband Coalition Inter-Municipal Agreement 10. Authorize Chair of Legislature to Sign Application for Grant Funds – Department of Social Services 11. Filing of an Application for State Grant from DEC Household Hazardous Waste (HHW) Program 12. Authorize Contract with Nationwide Retirement Solutions for Deferred Compensation Program 13. Resolution to Approve a Contract between the Tioga County Probation Dept. and Buddi US, LLC 14. Resolution to Approve a Sole Source Contract and Maintenance Agreement between the Tioga County Probation Department and Automon, LLC to Provide Software and Maintenance of the Caseload Explorer Product 15. Resolution to Approve Continued MOU between Tioga County Probation Department and Smart Start 16. Resolution to Approve a Contract between the Tioga Co. Probation Dept. & Family Counseling Services of Cortland County, Inc., formerly the Family and Children's Society, to Provide Adult & Juvenile Sexual Offender Assessment and Treatment Services
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17. Re-Establish Prior Year 2019 Grants for 2020 Budget – Office of Emergency Services
18. Authorize Acceptance of Statewide Interoperable Communications “Formula” Grant (SICG 19), Appropriation of Funds, & Modify 2020 Budget – Office of Emergency Services
19. Resolution to Accept Donation, Appropriate Funds and Amend 2020 Probation Budget
20. Appropriation of Funds and Amend 2020 Budget – Social Services
21. Amend Capital Budget and Transfer Contingency Funds for Large Excavator – Public Works
22. Amend Employee Handbook Add New Policy to Section X. Building and Vehicle Procedures Subsection D. Entitled Service Animals – Public Accommodation
23. Authorize Appointment to Title of Assistant Public Defender – Public Defender's Office
24. Authorize Salary of Public Health Nurse – Public Health
25. Abolish Position, Increase Salary of One Employee, Authorize Two Backfills – District Attorney's Office
26. Authorize Appointment to Title of Deputy County Treasurer – Treasurer's Office

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. -20 RECOGNIZE RITA E. HOLLENBECK'S
31 YEARS OF DEDICATED SERVICE
TO TIOGA COUNTY

WHEREAS: Rita E. Hollenbeck began her career with the Tioga County Department of Social Services as a Principal Account Clerk in September 1988. Rita was promoted to Supervising Principal Account Clerk in January 1992 and then to Accounting Supervisor Grade B in January 1997. After 26 years of dedicated service at the Department of Social Services, Rita joined the Treasurer's Office in July 2014 as the Chief Accountant and County Budget Officer; and

WHEREAS: In 2014 the County undertook a major upgrade to the County's financial system and Rita was very instrumental in implementing the new financial system from Tyler Technologies (Munis), which went live in 2015. This was a tedious project and took many hours of time, which involved early mornings, late nights and weekends to see the implementation through; and

WHEREAS: Rita was instrumental in assisting the Treasurer in producing clean financial audits yearly, while pursuing FEMA reimbursements on 55 flood projects; and

WHEREAS: Rita has worked closely with all the Departments in Tioga County to assist with their accounting and budgetary needs; and

WHEREAS: Rita E. Hollenbeck has been a dedicated and loyal employee in the performance of her duties and responsibilities in the last 31 years thereby earning the respect of her colleagues and peers throughout Tioga County; and

WHEREAS: Rita E. Hollenbeck has shown the highest levels of reliability, trust, loyalty and competence in the performance of her duties; and

WHEREAS: Rita E. Hollenbeck will retire on February 1, 2020; 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 Rita E. Hollenbeck for her 31 years of dedicated and loyal service to Tioga County and its citizens; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this loyal, dedicated and outstanding employee, Rita E. Hollenbeck.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. -20 RECOGNIZE MARGARETA C. OLIN'S
20 YEARS OF DEDICATED SERVICE
TO TIOGA COUNTY

WHEREAS: Margareta C. Olin began her career with the Tioga County Treasurer's Office as the Tax Roll Supervisor in August 1999. Margareta was appointed by Treasurer McFadden as the Deputy County Treasurer in June 2008, a position she has held for 12 years; and

WHEREAS: Margareta has worked closely with the State of New York Finance Office, as well as the Towns and Villages of Tioga County as both the Tax Roll Supervisor and the Deputy Treasurer; and

WHEREAS: Margareta has worked closely with all the Departments in Tioga County to assist with their financial needs; helping with both implementation and the on-going use of Munis, our current financial system, as well as monitoring the County's numerous financial accounts and State Aid collection; and

WHEREAS: Margareta has acted efficiently as the Treasurer's Office Chief Trouble-Shooter, Mandate Researcher, Treasury Manager, and Office Supervisor; and

WHEREAS: Margareta C. Olin has been a dedicated and loyal employee in the performance of her duties and responsibilities in the last 20 years thereby earning the respect of her colleagues and peers throughout Tioga County, as well as State and Local officials; and

WHEREAS: Margareta C. Olin has shown the highest levels of reliability, trust, loyalty and competence in the performance of her duties; and

WHEREAS: Margareta C. Olin will retire on February 29, 2020; 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 Margareta C. Olin for her 20 years of dedicated and loyal service to Tioga County and its citizens; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this loyal, dedicated and outstanding employee, Margareta C. Olin.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. -20 RECOGNIZE CHARISSE R. CAMPBELL'S
20 YEARS OF DEDICATED SERVICE
DEPARTMENT OF SOCIAL SERVICES

WHEREAS: Chari began her career with the Tioga County Department of Social Services as a Caseworker in February 1987. In September 2004, Chari was promoted to her current position as Case Supervisor, Grade B; and

WHEREAS: Charisse Campbell has been a dedicated and loyal employee in the performance of her duties; and

WHEREAS: Charisse Campbell has shown the highest levels of reliability, trust, loyalty and competence in the performance of her duties; and

WHEREAS: Charisse Campbell will retire on March 2, 2020; now 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 Charisse Campbell for her twenty years of dedicated and loyal service to the Tioga County Department of Social Services and its most vulnerable citizens; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this loyal, dedicated and outstanding employee, Charisse R. Campbell.

**COUNTY OF TIOGA
EXECUTIVE PROCLAMATION**

WHEREAS: Teen dating violence is a common problem faced by millions of teenagers in the United States every year. It can happen to any adolescent regardless of race, gender, religion, or sexual orientation; and

WHEREAS: Approximately 1 in 11 female and 1 in 15 male high school students report having been physically abused by an intimate partner in the last year, and 26% of women and 15% of men experience some form of dating abuse before the age of 18 and;

WHEREAS: Our local resource for intimate partner violence, A New Hope Center, served over 1,160 people in 2018 including teenagers; and

WHEREAS: The health implications of dating violence include, but are not limited to: drug use, eating disorders, risky sexual behavior, and suicidal ideation; and

WHEREAS: Adolescents in abusive relationships are likely to carry unhealthy patterns of abuse into adulthood and future relationships; and

WHEREAS: Tioga County Public Health encourages citizens to advocate for adolescents in unhealthy relationships and to be aware of the warning signs of teen dating abuse which include: physical violence, sexual violence, psychological aggression, and stalking; therefore

THE TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the month of February 2020 as:

**TEEN DATING VIOLENCE AWARENESS AND PREVENTION MONTH
IN TIOGA COUNTY**

and urges all caregivers and advocates to speak with the children in their life about teen dating violence and the signs of an unhealthy relationship.

**COUNTY OF TIOGA
EXECUTIVE PROCLAMATION**

WHEREAS: March signifies a national celebration of the importance of food and agriculture in the United States as it provides almost everything we eat and use each day. This month we recognize and celebrate the diversity and abundance provided by New York's farms and our growing food and agricultural sector and the contributions of Tioga County's family farmers; and

WHEREAS: There are 33,400 farms in New York State and 6,900,000 acres of operated farmland; and

WHEREAS: The agricultural industry in New York State contributed more than \$5.4 billion in agricultural economy sales to the New York economy each year; and

WHEREAS: With farmland occupying nearly one quarter of New York State's land area, agriculture also promotes New Yorker's quality of life in other ways, including providing access to fresh, locally sourced food, preserving open space, and enhancing communities through farmer's markets and other such activities; and

WHEREAS: Recognizing the month of March as Agriculture Month in Tioga County provides the opportunity for all residents of Tioga County and New York to better appreciate agriculture's breadth and beauty, how food and fiber products are produced, and the role agriculture plays in providing safe, abundant, and affordable products; and

WHEREAS: Commemorating Agriculture Month will build awareness of the benefits of the agricultural industry in Tioga County and encourage young people to consider agriculture as a career; therefore

THE TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the month of March 2020 as:

AGRICULTURE MONTH

and urges all New Yorkers to join in recognizing the importance of our food and agriculture industry, to thank a farmer for providing the food we eat, and to help celebrate every month with meals made from a variety of New York State products.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. -20 SCHEDULE SECOND PUBLIC HEARING FOR
NEW YORK STATE COMMUNITY DEVELOPMENT
BLOCK GRANT

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

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

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

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

RESOLVED: That the Tioga County Legislature will hold a public hearing for community input in regards to the current Community Development Block Grant project in the Edward D. Hubbard Auditorium of the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, New York 13827 on Thursday, February 20, 2020 at 10:00 A.M. All persons desiring to present written or oral comments may do so at said time.

REFERRED TO: ED&P COMMITTEE
AG COMMITTEE

RESOLUTION NO. -20 SET PUBLIC HEARING FOR 2020
ANNUAL AGRICULTURAL DISTRICT INCLUSIONS

WHEREAS: The Tioga County Legislature, as per resolution 296-03 designated January 2nd through January 31st as the official annual enrollment period for inclusion of viable agricultural properties in agricultural districts as required by §303-B of the NYS Agricultural and Markets Law 25-AA; and

WHEREAS: Tioga County Planning has received requests for inclusion of land in agricultural districts and said law requires that the Tioga County Legislature hold a public hearing before making a decision on inclusion of lands; therefore be it:

RESOLVED: That the Tioga County Legislature will hold a public hearing on requests of inclusion of viable agricultural land in agricultural districts received within the designated time period in 2020 on February 20, 2020 at 10:05 a.m. in the Legislative Conference Room of the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, NY.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. -20 RECOMMEND MEMBERS TO THE
SUSQUEHANNA HERITAGE AREA COMMISSION

WHEREAS: Per resolution 25-16, the Tioga County Legislature resolved that the Economic Development and Planning Committee recommend designees for the Municipal Representative and also the Advisory Board Member on the Susquehanna Heritage Area (SHA) Commission for the term of office of the County Legislative Chair who appoints said persons; and

WHEREAS: Currently Rebecca Maffei, Tioga County Tourism Director, and Abbey Hendrickson, Community Development Specialist of Economic Development and Planning, have been serving as the two (2) SHA Commission members; and

WHEREAS: Rebecca Maffei, Tioga County Tourism Director, and Abbey Hendrickson, Community Development Specialist of Economic Development and Planning, are willing to serve as the two (2) Commission members; therefore be it

RESOLVED: That the Economic Development and Planning Committee recommend Rebecca Maffei, the Tioga County Tourism Director, continue to serve as the Municipal Representative and Abbey Hendrickson, Community Development Specialist, continue to serve as the Advisory Board member on the Susquehanna Heritage Area Commission for the term of office of the County Legislative Chair who appoints said person.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. -20 ERRONEOUS ASSESSMENT
TOWN OF SPENCER

WHEREAS: An application for Corrected Tax Roll for the year 2020 indicates that parcel #68.07-1-26.10, Account #115 in the Town of Spencer assessed to Alexander Skoromink on the 2020 tax roll of the Town of Spencer is erroneous in that the Village of Spencer returned Bill #281 Account #115 to the County Treasurer as unpaid; and

WHEREAS: The County Treasurer's Office relieved the returned 2019 Village Tax on to the 2020 Tax Roll of the Town of Spencer; and

WHEREAS: Alexander Skoromink contested his 2020 Town and County bill, claiming he had paid his Village taxes to the Village of Spencer Clerk; and

WHEREAS: Alexander Skoromink and the Village of Spencer Clerk provided sufficient proof, in the form of a Village paid record; be it therefore

RESOLVED: That a new tax bill be issued to Alexander Skoromink as follows:

	Original Bill #	Corrected Bill #
County	920.27	920.27
Recycle	52.85	52.85
Town Wide	332.75	332.75
Return Village	364.57	0.00
Total	1,670.44	1,305.87

And be it further

RESOLVED: That the erroneous returned village tax of \$340.72 be charged back to the Village of Spencer; and it be further

RESOLVED: That the erroneous County Penalty of \$23.85 be charged back to the proper account in the records of the County Treasurer.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. -20 AUTHORIZE COUNTY CLERK
CONVEYANCE NOTICE FEE

WHEREAS: NYS legislation has passed a law amending Real Property Law §291 to require that the County Clerk mail a written notice to the owner of record of a conveyance recorded in the Clerk's Office; and

WHEREAS: The law states that the clerk of the county is entitled to charge a reasonable fee to cover the cost of mailing; and

WHEREAS: In order to keep the fee charged consistent across the State, the New York State Association of County Clerks agree to recommend that the reasonable fee be charged at \$10.00 for the notice for each recording of a conveyance; now therefore be it

RESOLVED: That the County Clerk is authorized to charge the party seeking to record such conveyance a fee of \$10.00 to cover the cost of mailing a notice of such conveyance.

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. -20 AWARD CONSTRUCTION
HALSEY VALLEY ROAD OVER TRIBUTARY
TO PIPE CREEK

WHEREAS: Halsey Valley Road Bridge is a bridge that needs repair; and

WHEREAS: Funding is available for the repair of Halsey Valley Road Bridge;
and

WHEREAS: The Commissioner of Public Works received sealed bids on
January 29, 2020 and the bids came in as follows:

Silverline Construction	\$ 940,594.00
Economy Paving	\$1,009,650.90
Procon Contracting, LLC	\$1,034,000.00
R. DeVincentis Construction, Inc.	\$1,050,000.00
G. DeVincentis & Son Construction	\$1,249,000.00

and

WHEREAS: Hunt Engineers has completed the review of the bids and finds
the low bidder Silverline Construction, Burdett, NY meets all of the
qualifications of the bid specifications; therefore be it

RESOLVED: That the Tioga County Legislature authorize awarding the bid to
Silverline Construction, Burdett, NY not to exceed \$940,594.00 to be paid out
of the following account:

H5110.540002.H1905 – Halsey Valley Road Bridge \$940,594.00

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. -20 AUTHORIZING LEGISLATIVE CHAIR SIGNATURE
ON LSE PERSEUS LLC AND
LSE PISCES LLC PAYMENT IN LIEU OF
TAX AGREEMENTS

WHEREAS: LSE Perseus, LLC and LSE Pisces, LLC have submitted Notices of Intent to the Town of Nichols that they plan to build and operate "Solar Energy Systems" with an expected total capacity of approximately 4.0 Megawatts AC (Perseus) and 3.8 Megawatts AC (Pisces); and

WHEREAS: The project locations are 260 Hunt Creek Road, Town of Nichols, County of Tioga, State of New York (Perseus) and Smith Creek Road, Town of Nichols, County of Tioga, State of New York (Pisces); and

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

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

WHEREAS: The Taxing Jurisdiction has indicated its intent to require Payment in Lieu of Tax (PILOT) Agreements with LSE Perseus, LLC and LSE Pisces, LLC; and

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

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

WHEREAS: Such fifteen (15) year term shall commence on the first taxable status date selected by LSE Perseus, LLC and LSE Pisces, LLC following the commencement of the construction of the projects, and shall end by the fifteenth fiscal year following; and

WHEREAS: The first annual payment shall be in the aggregate amount of \$3,500 per built out Megawatt AC of capacity, and thereafter annual payments shall escalate by one and one half (1.5 %) percent per year; and

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

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

WHEREAS: County of Tioga has agreed that payments shall be disbursed to the County in the amount not less than thirty three percent (33%) of the lump sum payment; therefore be it

RESOLVED: That the Tioga County Legislature agrees to authorize the Legislative Chair to sign the revised Payment in Lieu of Tax Agreements between LSE Perseus, LLC and LSE Pisces, LLC, the Town of Nichols, Owego-Apalachin School District and Tioga County reflecting not less than thirty-three percent (33%) of annual lump sum payment to the County of Tioga.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. -20 AUTHORIZING LEGISLATIVE CHAIR SIGNATURE
ON NY NEWARK VALLEY I, LLC
PAYMENT IN LIEU OF TAX AGREEMENT

WHEREAS: NY Newark Valley I, LLC has submitted a Notice of Intent to the Town of Candor that they plan to build and operate a "Solar Energy System" with an expected total capacity of approximately 5.0 Megawatts AC; and

WHEREAS: The project location is 2453 West Creek Road, Town of Candor, County of Tioga, State of New York; and

WHEREAS: The Taxing Jurisdiction is defined as the Town of Candor, and the County of Tioga; and

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

WHEREAS: The Taxing Jurisdiction has indicated its intent to require a Payment in Lieu of Tax (PILOT) Agreement with NY Newark Valley I, LLC; and

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

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

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

WHEREAS: The first annual payment shall be in the aggregate amount of \$2,000 per built out Megawatt AC of capacity, and thereafter annual payments shall escalate by two (2.0 %) percent per year; and

WHEREAS: The annual payments for the Taxing Jurisdiction shall be made payable to the Town of Candor and mailed to the Town of Candor and are due no later than January 31st of each year; and

WHEREAS: The Town of Candor shall be responsible for distributing the annual payments to County of Tioga; and

WHEREAS: The Taxing Jurisdiction has agreed that said payments shall be disbursed to the Town of Candor in the amount of fifty percent (50%) of the lump sum payment, and to County of Tioga in the amount of fifty percent (50%) of the lump sum payment; therefore be it

RESOLVED: That the Tioga County Legislature agrees to authorize the Legislative Chair to sign the Payment in Lieu of Tax Agreements between NY Newark Valley I, LLC, the Town of Candor, and Tioga County.

REFERRED TO: ED&P COMMITTEE
INFORMATION TECHNOLOGY COMMITTEE

RESOLUTION NO. -20 AUTHORIZING LEGISLATIVE CHAIR SIGNATURE
ON SOUTHERN TIER BROADBAND COALITION
INTER-MUNICIPAL AGREEMENT

WHEREAS: Southern Tier Broadband Coalition (the "Coalition") is a partnership between Tioga, Schuyler, Steuben and Yates Counties created for the purpose of making regional, unified decisions to meet rural broadband needs; and

WHEREAS: The Coalition is desirous of contracting with a consultant for the purposes of obtaining a feasibility study to address insufficient access to broadband services primarily in rural areas and to present options to serve the unserved or underserved areas of the region with ultra-high broadband services; and

WHEREAS: The Coalition is desirous of authorizing Southern Tier Network (STN) to serve as the Distribution Utility that will retain and lead the work of the consultant to deliver the feasibility study on behalf of the Coalition; and

WHEREAS: STN has obtained a quote from a consultant to perform the feasibility study; and

WHEREAS: STN has agreed to provide 50%, up to a maximum of \$196,000, of the cost of the feasibility study; and

WHEREAS: The Tioga County portion of the feasibility study will be \$72,978, not to exceed \$80,000; and

WHEREAS: The Tioga County Industrial Development Agency (TCIDA) passed a resolution at their January 8, 2020 meeting to authorize the payment of the Tioga County portion of the feasibility study; and

WHEREAS: Tioga County and the TCIDA shall enter into a written Sub-Agreement stipulating that the TCIDA will be responsible for the Tioga County portion of the feasibility study, therefore be it

RESOLVED: That the Tioga County Legislature agrees to authorize the Legislative Chair to sign the Southern Tier Broadband Coalition Inter-Municipal Agreement between Tioga, Schuyler, Steuben and Yates Counties upon approval of the County Attorney.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. -20 AUTHORIZE CHAIR OF LEGISLATURE
TO SIGN APPLICATION FOR GRANT FUNDS
DEPARTMENT OF SOCIAL SERVICES

WHEREAS: Tioga County is submitting a request for grant funds to the NYSDOT, pursuant to Section 5311, Title 49 United States Code, for a project to provide Mobility Management Services for Tioga, Broome, Chenango, Delaware and Otsego Counties through an agreement with Rural Health Network of South Central New York for the 2020-2022 fiscal years and has committed the local share; and

WHEREAS: Tioga County and the State of New York have entered a continuing agreement which authorizes the undertaking of the project(s) and reimbursement of the Federal and applicable State Shares; and

WHEREAS: Tioga County is contracting with a third-party subcontractor for the project(s) described above; therefore be it

RESOLVED: That the Chair of the Legislature is authorized to act on behalf of Tioga County to sign the application and progress and complete the above-named project(s); and be it further

RESOLVED: That the Chair of the Legislature is authorized to sign any contracts or agreements between Tioga County and any third-party subcontractor necessary to complete the public transportation project(s), subject to the approval of the County Attorney.

REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. -20

FILING OF AN APPLICATION FOR
STATE GRANT FROM DEC HOUSEHOLD
HAZARDOUS WASTE (HHW) PROGRAM

WHEREAS: The State of New York announced a grant from the DEC Household Hazardous Waste (HHW) program to assist counties and local governments with their household hazardous waste program expenses; and

WHEREAS: Through this grant Solid Waste would be partially reimbursed for their eligible costs of their HHW program; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Sustainability Manager to apply and administer said grant via NYS Grants Gateway; and be it further

RESOLVED: That the Tioga County Legislature authorizes and directs the Chair or their designee to sign the grant application via Grants Gateway upon approval by the County Attorney.

REFERRED TO:

PERSONNEL COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. -20

AUTHORIZE CONTRACT WITH
NATIONWIDE RETIREMENT SOLUTIONS FOR
DEFERRED COMPENSATION PROGRAM

WHEREAS: The County of Tioga duly advertised and received proposals from a variety of deferred compensation program administrators; and

WHEREAS: The Deferred Compensation Committee has reviewed the proposals and made a recommendation of one administrator; now therefore be it

RESOLVED: That the Tioga County Legislature approves the deferred compensation program and trustee services offered by Nationwide Retirement Solutions and authorizes the Legislative Chair to execute the necessary documents, subject to review by the County Attorney, to implement the services of Nationwide Retirement Solutions as our deferred compensation administrator, for the period commencing March 8, 2020 and continuing through March 8, 2025.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. -20 RESOLUTION TO APPROVE A
CONTRACT BETWEEN THE TIOGA
COUNTY PROBATION DEPT. AND
BUDDI US, LLC

WHEREAS: The Probation Department is need of Electronic Monitoring Services to provide alternative to incarceration and alternative to detention services via Court order for Tioga County adults and juveniles; and

WHEREAS: Probation has been contracting with a company, Buddi, US, LLC that is willing to provide Electronic Monitoring Services to Tioga County Probation at the cost of \$3.80 per day, per unit; and

WHEREAS: The Tioga County Attorney has previously approved a contract with Buddi US , LLC that will charge the County \$3.80 per day, per unit with no fee for units on the shelf. Said contract includes a rollover clause that allows the contract to roll over year to year unless terminated by one of the parties; and

WHEREAS: Tioga County Probation has budgeted funds for Electronic Monitoring services for 2020 in the amount of \$8,000 in account number A 3142-540140; therefore be it

RESOLVED: That Tioga County Probation Director is approved to contract with Buddi US., LLC to provide Electronic Monitoring hardware and internet accessible software for adults and juveniles to the Probation Department as part of the County's Alternative to Incarceration and Alternative to Detention programming.

REFERRED TO:

PUBLIC SAFETY COMMITTEE

RESOLUTION NO. -20

RESOLUTION TO APPROVE A SOLE SOURCE CONTRACT AND MAINTENANCE AGREEMENT BETWEEN THE TIOGA COUNTY PROBATION DEPARTMENT AND AUTOMON LLC TO PROVIDE SOFTWARE AND MAINTENANCE OF THE CASELOAD EXPLORER PRODUCT

WHEREAS: The Tioga County Legislature has approved contracts between Tioga County Probation Department and AutoMon, LLC since 2008; and

WHEREAS: AutoMon, LLC has changed their contract status with New York State, the Tioga County Legislature is approving the Probation Department can contract with AutoMon LLC as a sole source provider of Caseload Explorer, a software program that meets the qualifications of 9 NYCRR 345, which mandates Probation Departments to use a software program that automatically sends Pre-sentence Investigation completed in the software program to the PSI Repository in Albany. Caseload Explorer software is the only software in New York State that meets this criteria; and

WHEREAS: AutoMon, LLC has summited their yearly Maintenance Agreement to Tioga County Probation, which consists of the base charge of \$4,576.90, plus a fee of \$224.14 per user. Probation has 17 registered users of the software, so the total cost for basic software maintenance for 2020 is \$8,387.28; therefore be it

RESOLVED: That the Probation Director is approved to contract with AutoMon, LLC as a sole source provider for software and maintenance costs in 2020 for Caseload Explorer and Ce Assessments in the amount of \$8,387.28.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. -20 RESOLUTION TO APPROVE CONTINUED MOU
BETWEEN TIOGA COUNTY PROBATION
DEPARTMENT AND SMART START

WHEREAS: The Tioga County Probation Department must supervise offenders who are sentenced to probation supervision by Tioga County courts for drink and driving behavior; and

WHEREAS: Many probationers divest themselves of their motor vehicles pre or post-sentencing so that they do not have to install an ignition interlock device (IID). The Smart Start company markets a hand held IID, similar to an IID, that will allow defendants to blow into the device at assigned times and have their BAC calculated, a photo taken and a GPS location established; and

WHEREAS: The Smart Start company has partnered with Tioga County since 2015 to provide these devices at the rate of \$3.10 per day via a MOU that is renewable automatically each year and would like to continue the program in 2020; and

WHEREAS: Tioga County Probation has budgeted funds for Alternatives to Incarceration Contracting line for testing of probationers in the amount of \$2,500 in account number A3142 540140 and 2020 STOP-DWI funding in the amount of \$2,227 for this service; therefore be it

RESOLVED: That Tioga County Legislative Chair is approved to contract with Smart Start to provide hand held alcohol testing devices for the year 2020, upon approval of the County Attorney.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. -20 RESOLUTION TO APPROVE A CONTRACT BETWEEN THE TIOGA CO. PROBATION DEPT. & FAMILY COUNSELING SERVICES OF CORTLAND COUNTY, INC., FORMERLY THE FAMILY AND CHILDREN'S SOCIETY, TO PROVIDE ADULT & JUVENILE SEXUAL OFFENDER ASSESSMENT AND TREATMENT SERVICES

WHEREAS: The Legislature approved a contract between Tioga County Probation Department and The Family and Children's Society for the provision of adult and juvenile sex offender treatment in 2020; and

WHEREAS: The Family and Children's Society is in the process of joining with Family Counseling Services of Cortland County, Inc. and they will continue to offer the same services for Tioga County Probation; therefore be it

RESOLVED: That the Probation Director, starting in February 2020, is approved to pay invoices to Family Counseling Services of Cortland County, Inc. to pay for adult sexual offender assessment and treatment, juvenile sexual offender assessment and treatment and educational sessions for adult supervisors and parent supervisors in the amount of \$123,840 annually.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. -20 RE-ESTABLISH PRIOR YEAR 2019
GRANTS FOR 2020 BUDGET
OFFICE OF EMERGENCY SERVICES

WHEREAS: Prior year grant funds need to be re-established for the remaining unspent balance as of year-end 2019 for purchase or completion in 2020; therefore be it

RESOLVED: That the following accounts and amounts are re-established and the 2020 budget is amended as follows:

Sen10 - Reso 278-19 Senator's Grant			Amount to Re-Establish
A3410 521130	SEN10	Equipment (Not Car)	\$ 15,000
A3410 433060	SEN10	State Aid Fire Grant	\$ 15,000

SHS17 - Reso 109-18 State Homeland Security 17			Amount to Re-Establish
H3360 520060	SHS17	Capital Car/Truck	\$ 1,625.92
H3360 433567	SHS17	Capital Revenue SHS17	\$ 1,625.92

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. -20 AUTHORIZE ACCEPTANCE OF STATEWIDE
INTEROPERABLE COMMUNICATIONS
"FORMULA" GRANT (SICG 19)
APPROPRIATION OF FUNDS &
MODIFY 2020 BUDGET
OFFICE OF EMERGENCY SERVICES

WHEREAS: The Office of Emergency Management applied for and was awarded a Homeland Security Statewide Interoperable Communications "Formula" Grant 2019 in the amount of \$385,432. The grant will be used for upgrading the radio communications in the county with no local share associated with said grant; and

WHEREAS: This funding must be accepted and appropriated; therefore be it

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

RESOLVED: That the 2020 budget be modified and funds be appropriated to the following accounts:

FROM: A3415 433063 IO19F – State Aid Interop Comm Grant \$385,432

TO:	A3415 540140 IO19F	Contracted Services	\$364,607
TO:	A3415 540180 IO19F	Dues	\$ 825
TO:	A3415 520130 IO19F	Equipment (Not Car)	\$ 20,000

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. -20 RESOLUTION TO ACCEPT DONATION,
APPROPRIATE FUNDS AND
AMEND 2020 PROBATION BUDGET

WHEREAS: The Tioga County Probation Department received a gift donation of \$2,000 for incentives for our Juvenile Delinquency Diversion programming from Adam Weitsman on January 3, 2020; and

WHEREAS: The Tioga County Legislature agrees to accept this generous donation; and

WHEREAS: The funding is specifically designated for the purchase of incentives for the youth in the Juvenile Delinquency Diversion Program; and

WHEREAS: Appropriation of Funds and Budget Amendments require Legislative approval; therefore be it

RESOLVED: That the Tioga County Probation Department is approved to accept the above-referenced donation, amend the 2020 budget, and appropriate funding as follows:

From:	A3140 427050	Gifts and Donations	\$2,000
To:	A3140 540487	Probation Program Expense	\$2,000

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. - 20 APPROPRIATION OF FUNDS AND
AMEND 2020 BUDGET - SOCIAL SERVICES

WHEREAS: Effective January 1, 2020 NYS has eliminated reimbursement of PINS foster care and detention placements; and

WHEREAS: Tioga County was selected to receive Enhanced STSJP Funds for preventive programming necessary to deter PINS placements; and

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

WHEREAS: There is local share of \$30,758 associated with this funding; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A6010.436100 State Aid: Administration	\$ 50,183.00
To: A6010.540140 Contracting Services	\$ 80,941.00

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. -20 AMEND CAPITAL BUDGET AND TRANSFER
CONTINGENCY FUNDS FOR LARGE
EXCAVATOR – PUBLIC WORKS

WHEREAS: The Commissioner of Public Works has budgeted for the purchase of a large excavator in 2020 for \$225,000.00; and

WHEREAS: The Commissioner of Public Works received proposals for the purchase of the large excavator which came in higher than anticipated; and

WHEREAS: Revenue in the amount of \$8,900.00 will be received for the sale of scrap beams sold at auction; and

WHEREAS: The \$8,900.00 revenue will go into the general fund; and

WHEREAS: Legislative approval is needed to amend 2020 Capital Budget and transfer funds; therefore be it

RESOLVED: That the Tioga County Legislature authorize the following transfer of funds and amend the Capital Budget:

From: A1990.540715	Contingency Account	\$5,000.00
To: H5130.520939	Large Excavator	\$5,000.00

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. -20 AMEND EMPLOYEE HANDBOOK
ADD NEW POLICY TO SECTION X.
BUILDING AND VEHICLE PROCEDURES
SUBSECTION D. ENTITLED SERVICE ANIMALS –
PUBLIC ACCOMMODATION

WHEREAS: It has been determined that Tioga County needs to adopt a policy entitled Service Animals - Public Accommodation; and

WHEREAS: Said Service Animal Policy shall fall under Section X Building and Vehicle Procedures subsection d; therefore be it

RESOLVED: That the Employee Handbook is hereby amended to add Service Animals – Public Accommodation Policy to Section X Building and Vehicle Procedures as subsection d. entitled Tioga County Service Animals Policy – Public Accommodation.

Tioga County
Service Animals Policy – Public Accommodation

PURPOSE:

Tioga County is committed to providing equal access to County services and facilities for people with disabilities who utilize service animals in accordance with the Americans with Disabilities Act (ADA). This Policy and Procedure is to provide guidance to department heads and security personnel as to rights of access for bonafide service animals in accordance with U.S. and New York State law and regulations, and for the safety of staff and other occupants of Tioga County buildings and property.

PROCEDURE:

1. The ADA defines a service animal as any dog (or in certain circumstances a miniature horse) that is individually trained to do or perform tasks for the benefit of an individual with a disability, including physical, sensory, psychiatric, intellectual, or any other mental disability. For purposes of this Policy and Procedure, only dogs will be discussed. If a miniature horse or other animal is purported to be a "service animal," a request for guidance shall immediately be made to the Legal Department.
2. "**Service animals**" are separate and distinct from "**emotional support animals**." Service animals are protected by the ADA and relevant NY statutes and are permitted in County buildings. "**Emotional support animals**" are protected by several federal statutes but these are not applicable to Tioga County at this time.
3. **Service animals** are not pets, but under the ADA, regardless of whether they have been licensed or certified by a state or local government, or

other entity, these animals are trained to aid a person with disabilities in specific tasks.

- a. The following are examples of, but are not exclusive, of these tasks:
 - i. Assisting with navigation, stability or balance
 - ii. Alerting to sounds
 - iii. Pulling wheelchairs
 - iv. Carrying items
 - v. Seizure assistance
 - vi. Interrupting impulsive or destructive behaviors
4. No individual assisted by a service dog satisfying the definition pursuant to the provisions of the Americans with Disabilities Act (ADA) will be denied access to any Tioga County facility to areas where the public is normally allowed access.
5. Service animals are required to be harnessed, leashed, or tethered, unless this device interferes with the service animal's work or the individual's disability prevents the use of such devices.
6. In the event it is not obvious what service the service animal provides, VERY limited inquiry is permitted before granting access. Staff may ask,
 - a. Is the service dog required because of a disability?
 - b. What work task is the dog trained to perform?

STAFF CANNOT:

- **(1) ask about the person's disability,**
- **(2) require medical documentation,**
- **(3) require a special identification card or training documentation for the dog, or**
- **(4) ask that the dog demonstrate its ability to perform the work or task.**

A person with a disability and with their service animal seeking access to a Tioga County facility cannot be denied entry, or asked or required to remove a service dog from the premises unless: (1) the dog is out of control or (2) the dog is not housebroken.

7. Allergies and/or fear of dogs are not valid reasons for denying access or refusing service to people using service animals. For example, if another person claims to be allergic to dog dander and the person who uses a service animal must spend time in the same room or facility, such as a classroom, waiting area, or at a homeless shelter, they both should be accommodated by assigning them, if possible, to different locations within the room or different rooms in the facility. **Every effort at reasonable accommodation must be made.**
8. **Use of Emotional Support Animals by the Public ARE NOT authorized in any Tioga County facilities at this time.**

REFERRED TO: LEGAL/FINANCE COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. -20 AUTHORIZE APPOINTMENT TO TITLE OF
ASSISTANT PUBLIC DEFENDER
PUBLIC DEFENDER'S OFFICE

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

WHEREAS: Resolution 305-19 authorized the creation of an additional part-time Assistant Public Defender position; and

WHEREAS: The Public Defender has identified a qualified candidate to fill said position; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Public Defender to appoint Jay Wilbur to the title of Assistant Public Defender on a part-time basis at an annual non-union salary of \$35,000, effective February 12, 2020.

REFERRED TO: HEALTH AND HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. -20 AUTHORIZE SALARY OF PUBLIC HEALTH NURSE
(PUBLIC HEALTH)

WHEREAS: In accordance with Article 4, Section B(1) of the CSEA collective bargaining agreement, Legislative approval is required in order for a department head to offer salary at the maximum salary level in the CSEA Salary Grade for a new full-time hire; and

WHEREAS: The Public Health Director would like to appoint the current part-time Public Health Nurse, Jessica Lovell, to a full-time Public Health Nurse position (CSEA SG XV, \$55,917 - \$56,617) at the maximum salary for a new appointee; and

WHEREAS: Ms. Lovell has acquired valuable experience within the area of communicable diseases during her two year tenure with the Tioga County Public Health Department; therefore be it

RESOLVED: That due to prior experience in similar work, the Tioga County Legislature authorizes the appointment of Jessica Lovell to the full-time Public Health Nurse position at an annual salary of \$56,617 effective February 18, 2020.

REFERRED TO: PERSONNEL COMMITTEE
LEGAL/FINANCE COMMITTEE

RESOLUTION NO. - 20 ABOLISH POSITION, INCREASE SALARY OF ONE
EMPLOYEE, AUTHORIZE TWO BACKFILLS
DISTRICT ATTORNEY'S OFFICE

WHEREAS: Legislative approval is required for abolishment of positions, Non-Union midyear salary adjustments, and for Non-Union hires; and

WHEREAS: Two Assistant District Attorneys have tendered their resignations; and

WHEREAS: The District Attorney consequently will be redistributing work amongst remaining staff; and

WHEREAS: The District Attorney has found a candidate to fill one of the resulting vacancies; and

WHEREAS: The District Attorney would like to compensate the remaining staff for taking on additional duties; and

WHEREAS: The District Attorney is willing to abolish the Chief Assistant District Attorney (PT) position to offset the salary increases; 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 abolished effective March 1, 2020; and be it further

RESOLVED: That Cheryl Mancini, 1st Assistant District Attorney, shall receive an annual salary increase of \$10,000 effective March 2, 2020, increasing her 2020 salary to \$86,875; and be it further

RESOLVED: That Torrance Schmitz, 3rd Assistant District Attorney, shall be promoted to 2nd Assistant District Attorney at an annual salary of \$78,000 effective March 2, 2020, and shall not be eligible for any additional increase in 2020 that may have been provided for in the Non-Union Benefits Policy; and be it further

RESOLVED: That the District Attorney is authorized to backfill the vacant full-time 3rd Assistant District Attorney position (Non-union salary range \$58,297-68,297) effective March 2, 2020 with the appointment of Lillian Hines at an annual salary of \$73,000; and be it further

RESOLVED: That the District Attorney's Office headcount shall be decreased by 1 part-time position to 2 part-time and 5 full-time.

REFERRED TO: LEGAL/FINANCE COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. -20 AUTHORIZE APPOINTMENT TO TITLE OF DEPUTY
COUNTY TREASURER
TREASURER'S OFFICE

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

WHEREAS: Margareta Olin, Deputy County Treasurer, has announced that her retirement and shall be effective February 29, 2020;

WHEREAS: The County Treasurer has an immediate need to appoint a replacement to the title of Deputy County Treasurer and he has identified his preferred candidate; therefore be it

RESOLVED: That the County Treasurer is authorized to appoint Katie Chandler to the title of Deputy County Treasurer at an annual non-union salary of \$47,000.00 effective March 2, 2020.