

Twelfth Regular Meeting
December 12, 2023

The Twelfth Regular Meeting of 2023 was held on December 12, 2023 and was called to order by the Chair at 12:01 P.M. Legislators Brown, Ciotoli, Monell, Mullen, Sauerbrey, Standinger were present with Legislators Flesher, Roberts, and Weston being absent.

Chair Sauerbrey asked for a moment of prayer. "As we come together this Christmas season, let us remember the purpose that we celebrate. May we also pray for peace in the world and for calmness and good tidings for one and all."

Chair Sauerbrey led all Legislators and those in attendance in the Pledge of Allegiance.

There were 14 people in attendance.

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

Legislator Ciotoli read and presented the following resolution to George C. Awad, Jr., Public Defender, Public Defender's Office.

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

REFERRED TO:	FINANCE, LEGAL & SAFETY COMMITTEE
RESOLUTION NO. 478-23	<i>RECOGNITION OF GEORGE C. AWAD, JR. 38 YEARS OF DEDICATED SERVICE TO TIOGA COUNTY</i>

WHEREAS: George C. Awad, Jr., Esq. began his career with Tioga County as the 2nd Assistant Public Defender in the Public Defender's Office on November 18, 1985 and on January 2, 1992 was appointed to 1st Assistant Public Defender; and

WHEREAS: George was appointed Public Defender in the Public Defender's Office on May 13, 2002 and on January 21, 2019 became the Full-time Public Defender for Tioga County; and

WHEREAS: During George's tenure he dealt with the challenges of revisions to Federal and State Laws and Statutes regarding Public Defender representation; and

WHEREAS: In the 38 years as a Public Defender, George has provided solid legal representation for the indigent clients within Tioga County in every case assigned to the office from traffic matters to homicides; and

WHEREAS: No case handled by George was ever returned by an Appellate Court for new proceedings due to ineffective assistance of counsel on his part; and

WHEREAS: George was one of the original panel members following the creation of the Tioga County Drug Treatment Court; and

WHEREAS: George acted as a liaison for Tioga County and Indigent Legal Services ("ILS") in Albany, New York for the formation of the Full-time Public Defender's Office and the hiring of new attorneys for the Public Defender's Office to meet the constitutional standards for representation of indigent clients and thereby saving Tioga County from potential legal liability; and

WHEREAS: George advocated for a Family Court Public Defender's Office and its staff to represent indigent clients in Tioga County Family Court; and

WHEREAS: George was actively involved with the formation of the following positions of Data Entry Officer whose job was to be a liaison with Indigent Legal Services and to maintain case counts for each year and to prepare a yearly Progress Report for the Public Defender's Office and the Legal Research Attorney to assist the Public Defender's Office with legal research for in depth criminal cases; and

WHEREAS: George maintains a cordial and helpful relationship with all Town and Village Courts and Tioga County Courts during his tenure with the Public Defender's Office; and

WHEREAS: George will be retiring on December 30, 2023; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as the citizens of Tioga County, expresses sincere gratitude to George C. Awad, Jr., Esq., for his 38 years of dedicated and loyal service as Public Defender to Tioga County and its residents; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to George C. Awad, Jr., Esq.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Standinger spoke. “The fourteen years I was an Investigator with the State Police in Owego, I was on the opposite side of George because I was arresting guys and he was trying to let them go. But, I will say this, George is a honorable and honest man and I cannot say that about all the attorneys I know. But, he is one of the best ones as far as that goes. So, I appreciate your time and your efforts for the underserved people in the county.”

Legislator Mullen spoke. “I was a State Trooper for 17 ½ years while George was a Public Defender and I promise you I will get you that 1996 DWI paperwork next week.”

Public Defender Awad spoke. “I just want to thank everybody for coming here today and supporting the office, especially the Legislature and Marte for the last few years in getting the office full-time. I would like to also thank Committee Chair, Ron Ciotoli, for the nice resolution he just read for me. Thank you.”

There was no privilege of the floor.

Legislator Mullen made a motion to approve the minutes of November 14, 2023, seconded by Legislator Ciotoli 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 Ciotoli moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 479-23 *FIX TIME OF ORGANIZATIONAL MEETING*

RESOLVED: That the Organizational Meeting of this Legislature be held at 9:00 a.m., Tuesday, January 2, 2024.

Chair Sauerbrey spoke. “This meeting is on the same day as the January Legislative Standing Committees, therefore, they will commence one hour later than the regular time.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 480-23 *APPOINT DIRECTORS
SOIL & WATER CONSERVATION DISTRICT*

RESOLVED: That Legislators W. Jake Brown and Tracy Monell are hereby appointed Directors of the Tioga County Soil & Water Conservation District for a one-year term on January 1, 2024 through December 31, 2024; and be it further

RESOLVED: That Eileen Selnekovic be hereby re-appointed as the Director at Large to the Soil and Water Conservation District Board for a three-year term of January 1, 2024 – December 31, 2026.

Chair Sauerbrey spoke. “Legislator Weston is not able to be here today, but I want to mention that he served on the Soil & Water Conservation District Board for 18 years and I believe he really loved the work that he did there, so we want to thank him in his absence for his years of service. We also want to thank Legislator Brown for his willingness to serve on this Board.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 481-23 APPOINT MEMBER TO THE BROOME-TIOGA
WORKFORCE DEVELOPMENT BOARD

WHEREAS: LeeAnn Tinney, representing the Public Sector, will resign from the Broome-Tioga Workforce Development Board effective 12/31/23; and

WHEREAS: Brittany Woodburn has expressed her desire to serve on the Broome-Tioga Workforce Development Board and fill the remainder of LeeAnn Tinney's three-year term; and

WHEREAS: The Broome-Tioga Workforce Development Board has found Brittany Woodburn willing and able to fill said vacancy; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoint Brittany Woodburn to fill LeeAnn Tinney's unexpired term on the Broome-Tioga Workforce Development Board January 1, 2024 through December 31, 2025.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 482-23 APPOINT MEMBER TO THE
TIOGA COUNTY PLANNING BOARD

WHEREAS: The representative on the Tioga County Planning Board serving for the Town of Newark Valley, Matthew Tomazin, resigned as of October 18, 2023; and

WHEREAS: The Newark Valley Town Board has found James Marzen willing and able to serve in this position; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoints James Marzen to fulfill the unexpired term of Matthew Tomazin for 12/13/2023 – 12/31/2023 to the Tioga County Planning Board representing the Town of Newark Valley; and be it further

RESOLVED: That the Tioga County Legislature hereby appoints James Marzen to the Tioga County Planning Board representing the Town of Newark Valley for a new three-year term of 1/1/2024 – 12/31/2026.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 483-23 *APPOINT MEMBER TO THE TIOGA COUNTY
PROPERTY DEVELOPMENT CORPORATION BOARD*

WHEREAS: Sara Zabalsky-Peer resigned from the Tioga County Property Development Corporation (TCPDC) as of August 11, 2023; and

WHEREAS: The TCPDC Board is looking to fill Sara Zabalsky-Peer's unexpired term of 7/12/22-12/31/24; and

WHEREAS: Joshua C. Whitmore is willing and able to serve in this position on the TCPDC Board; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoints Joshua Whitmore to the Tioga County Property Development Corporation Board to fill Sara Zabalsky-Peer's unexpired term of 7/12/22-12/31/24, effective December 13, 2023.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 484-23 APPOINT NEW YOUTH BOARD MEMBER
YOUTH BUREAU

WHEREAS: The Tioga County Youth Board is organized as an advisory body to the Tioga County Youth Bureau; and

WHEREAS: The purpose of the Youth Board is to carry out the provision of Section 95 of the General Municipal Law of the State of New York and Resolution No. 140 of 1981 of the Tioga County Legislature; and

WHEREAS: The Tioga County Youth Board Bylaws provides for representatives to the Youth Board be appointed by the County Legislature; and

WHEREAS: Vacancies currently exist on the Youth Board; therefore be it

RESOLVED: That the following listed representative be appointed as a member of the Tioga County Youth Board with the corresponding term of office as follows:

TERM

Steve Herbert

1/1/2024 – 12/31/2026

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 485-23 APPOINT AND EXTEND
YOUTH BOARD MEMBER TERMS
YOUTH BUREAU

WHEREAS: The Tioga County Youth Board is organized as an advisory body to the Tioga County Youth Bureau; and

WHEREAS: The purpose of the Youth Board is to carry out the provision of Section 95 of the General Municipal Law of the State of New York and Resolution No. 140 of 1981 of the Tioga County Legislature; and

WHEREAS: The Tioga County Youth Board Bylaws provides for representatives to the Youth Board be appointed by the County Legislature; and

WHEREAS: The County Legislature previously appointed the following members to the Youth Board under Resolution Nos. 236-21, 41-22, and 42-22 and terms are due to expire 12/31/2023; therefore be it

RESOLVED: That the following listed representatives be appointed as a member of the Tioga County Youth Board with the corresponding term of office consistent with the staggered requirement; and that the following listed representatives' terms be extended as follows:

Sean Lanning	1/1/2024 – 12/31/2025
Margaret McCann	1/1/2024 – 12/31/2025
Julie Whipple	1/1/2024 – 12/31/2025
Cheri Roys	1/1/2024 – 12/31/2026
Becky Shuey	1/1/2024 – 12/31/2026

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 486-23 REAPPOINT MEMBER TO THE
TIOGA COUNTY PLANNING BOARD

WHEREAS: Art Cacciola's position on the Tioga County Planning Board representing the Town of Candor expires on 12/31/2023; and

WHEREAS: The Town of Candor Board has nominated Art Cacciola to serve another three-year term as their representative, and he is willing and able to do so; therefore be it

RESOLVED: That the Tioga County Legislature hereby reappoint Art Cacciola to the Tioga County Planning Board for another three-year term of 1/1/24 – 12/31/26.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 487-23 REAPPOINT MEMBER TO THE
TIOGA COUNTY PLANNING BOARD

WHEREAS: Georganne Eckley's position on the Tioga County Planning Board representing the Village of Owego expires on 12/31/2023; and

WHEREAS: The Village of Owego Board of Trustees has nominated Georganne Eckley to serve another three-year term as their representative, and she is willing and able to do so; therefore be it

RESOLVED: That the Tioga County Legislature hereby reappoint Georgeanne Eckley to the Tioga County Planning Board for another three-year term of 1/1/24 – 12/31/26.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 488-23 *REAPPOINT MICHAEL BARATTA
TO THE TIOGA COUNTY PROPERTY DEVELOPMENT
CORPORATION BOARD*

WHEREAS: Michael Baratta's position as a Board Member to the Tioga County Property Development Corporation (TCPDC) expires on 12/31/23; and

WHEREAS: Michael Baratta is willing and able to continue to serve another two-year term in this position; therefore be it

RESOLVED: That the Tioga County Legislature hereby reappoints Michael Baratta to the Tioga County Property Development Corporation Board as a Board Member for another two-year term of 1/1/24 – 12/31/25.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 489-23 REAPPOINT HANNAH MURRAY
TO THE TIOGA COUNTY PROPERTY DEVELOPMENT
CORPORATION BOARD

WHEREAS: Hannah Murray's position as a Board Member to the Tioga County Property Development Corporation (TCPDC) expires on 12/31/23; and

WHEREAS: Hannah Murray is willing and able to continue to serve another two-year term in this position; therefore be it

RESOLVED: That the Tioga County Legislature hereby reappoints Hannah Murray to the Tioga County Property Development Corporation Board as a Board Member for another two-year term of 1/1/24 – 12/31/25.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 490-23 AUTHORIZATION FOR TIOGA COUNTY LEGISLATURE
APPROVAL OF THE ISSUANCE OF REVENUE BONDS
BY THE CENTRAL BRADFORD PROGRESS AUTHORITY
AND DECLARING THAT IT IS DESIRABLE FOR THE
HEALTH, SAFETY AND WELFARE OF THE PEOPLE OF
TIOGA COUNTY, NY AND OTHER AREAS FOR THE
CENTRAL BRADFORD PROGRESS AUTHORITY TO
FINANCE CERTAIN FACILITIES SERVING THE PEOPLE
OF TIOGA COUNTY, NY

WHEREAS: The Tioga County Legislature adopted Resolution No. 13-11 on January 11, 2011, at the request of the Central Bradford Progress Authority (the "Authority") providing "host approval" under Section 147(f) of the Internal Revenue Code (the "Code") in connection with the issuance by the "Authority" of its revenue bonds in a principal amount not to exceed \$300,000,000 for the purpose of making a loan to Guthrie Health, a Pennsylvania non-profit corporation to finance and refinance the costs of acquisition, construction, renovation, equipping, furnishing, and installation of land, buildings, equipment, furnishings, fixtures, and software for the provision of clinical, hospital, inpatient, outpatient, diagnostic, treatment, ancillary, support and/or other health care related services provided by the members of the health care system headed by the Borrowers at various locations, including locations in Tioga County, NY; and

WHEREAS: The Tioga County Legislature adopted Resolution No. 195-21 on September 16, 2021, at the request of the Central Bradford Progress Authority in connection with the proposed conversion of the interest rate on and reissuance of its Revenue Bonds (Guthrie Clinic Issue), Series 2019 (the "Bonds"), originally issued in an aggregate principal amount of \$104,520,000 to a tax-exempt rate. The proceeds of the Bonds were issued in order to finance, refinance, and reimburse a portion of the cost of a project consisting of:

(1) the refinancing of the Authority's Revenue Bonds (Guthrie Clinic Issue), Series 2011, the proceeds of which were used to accomplish:

(i) the financing, refinancing, refunding, and reimbursement of the costs of acquisition, construction, renovation, equipping, furnishing, and installation of various facilities for the provision of clinical hospital, inpatient, outpatient, diagnostic, treatment, ancillary support and other health care related services provided by the System Members, including interest during construction at various locations, including Tioga County, NY locations;

(ii) the refunding of a portion of the outstanding Health Care Facilities Authority of Sayre Revenue Bonds (Guthrie Health Issue), Series A of 2002 used to fund and refinance certain capital projects of the Corporation;

(iii) the financing of the costs of construction of a new critical access hospital for Troy Community Hospital, including interest during construction;

(iv) the refinancing of a portion of the outstanding Health Care Facilities Authority of Sayre Revenue Bonds (Guthrie Health Issue), Series 2007 used to fund and refinance certain capital projects of the Corporation; and

(v) the payment of the costs of issuance of the Series 2011 Bonds; and

(2) the payment of the costs of issuing the Bonds; and

WHEREAS: The Central Bradford Progress Authority (the "Authority") is a body corporate and politic organized and existing under the provisions of the Pennsylvania Municipality Authorities Act, 53 Pa. Cons. Stat. §§5601 – 5622, as amended (the "Act"), having been incorporated by the Borough of Towanda, the Township of North Towanda, the Township of Towanda and the Township of Wysox, all located in Bradford County, Pennsylvania, and is authorized by the Act to finance projects for "hospitals" and "health centers" as defined in the Act; and WHEREAS: The "Authority" is again requesting the approval of the Tioga County Legislature (the "County") in connection with the issuance by the Authority of its revenue bonds, in multiple series, in a principal amount not to exceed \$280,000,000 (the "Bonds"), including a series of tax-exempt bonds in a principal amount not to exceed \$140,000,000 (the "Tax-Exempt Bonds"), for the purpose of making a loan to The Guthrie Clinic, a Pennsylvania nonprofit corporation, to finance a portion of the costs of a project relating to (1) the affiliation of The Guthrie Clinic with Our Lady of Lourdes Memorial Hospital, Inc. ("Lourdes"), a New York nonprofit corporation and its wholly-owned subsidiaries, through the assumption of its membership interest, including certain facilities and equipment located at various locations listed in Exhibit B attached hereto, including (a) an acute care hospital known as "Lourdes Hospital" located in Binghamton, New York; and (b) Lourdes and its affiliates' ancillary related healthcare delivery business, including equipment, located at outpatient clinics, medical office buildings, physician offices, and other properties and facilities; and (2) the payment of the costs of issuing the Bonds (the various facilities referenced above are referred to herein as the "Facilities"). Lourdes affiliates include Binghamton Health Corporation, Corbett Corporation, Lourdes Realty Company, Inc., Southern Tier Medical Care, P.C., and Lourdes Health & Fitness, LLC; and

WHEREAS: Section 147(f) of the Internal Revenue Code (the "Code") requires the approval of the governing body or chief elected representative of each state or local government jurisdiction on behalf of which tax-exempt bonds are to be issued, and each state or local government jurisdiction in which tax-exempt bond-financed facilities are located, following a public hearing by an authorized representative of the state or local government jurisdiction; and

WHEREAS: In accordance with the above-mentioned requirement, a public hearing was held by the Central Bradford Progress Authority, on behalf of, and as a joint undertaking of, Tioga County, NY and certain of those other host jurisdictions (the "Consenting Jurisdictions") in which Facilities financed by the Tax-Exempt Bonds are located, respecting the proposed issuance of the Tax-Exempt Bonds and the purposes thereof, after notice of the hearing (the "Hearing Notice") was published prior to the hearing date in one or more newspapers of general circulation in Tioga County, NY; therefore be it

RESOLVED: By the Legislature of the County of Tioga, NY as follows:

1. The issuance of the Tax-Exempt Bonds is hereby approved in accordance with Section 147(f) of the Internal Revenue Code. By way of this Resolution, the Tioga County Legislature does not accept and through this approval does not impose any liability on Tioga County, NY in connection with the issuance of the Bonds, nor shall the credit or taxing power of the Tioga County Legislature be pledged in any way for the issuance of the Bonds or the financing of any projects with respect thereto.
2. It is hereby declared desirable for the health, safety and welfare of the people in Tioga County, NY to have the Central Bradford Progress Authority issue the Bonds for the purpose of financing the costs of the Facilities.
3. The proper officers, authorized representatives or designees of the Tioga County Legislature are hereby authorized, directed and empowered to execute and deliver a copy of these resolutions and such other documents or certifications as may be required or they may deem appropriate to carry out the purposes of these resolutions. Without limiting the generality of the foregoing authorization, a Certificate of Approval shall be executed and delivered in the form attached hereto as Exhibit A.
4. These resolutions shall be effective immediately upon adoption. All prior resolutions inconsistent herewith are hereby repealed to the extent of such inconsistency.

EXHIBIT A

Certificate of Approval

The undersigned, being the highest elected official(s) of Tioga County named below, on behalf of Tioga County hereby approves the issuance by the Central Bradford Progress Authority (the "Authority") of its tax-exempt revenue bonds in an aggregate principal amount not to exceed \$140,000,000, to finance costs of health care and related facilities for the benefit of The Guthrie Clinic and its affiliates as further described in the notice of public hearing attached as Exhibit B hereto. The Tioga County Legislature does not accept and through this approval does not impose any liability on Tioga County in connection with the issuance of the Tax-Exempt Bonds, nor shall the credit or taxing power of Tioga County be pledged in any way for the issuance of the Bonds or the financing of any projects with respect thereto.

A public hearing concerning the issuance of the Tax-Exempt Bonds was held at the offices of the Authority on December 8, 2023 and we have received a copy of the transcript of said hearing.

IN WITNESS WHEREOF, this Certificate is executed by the undersigned elected official(s) this 12th day of December, 2023.

EXHIBIT B

TEFRA Hearing Notice

LEGAL NOTICE OF PUBLIC HEARING
CENTRAL BRADFORD PROGRESS AUTHORITY
 Re: Tax-Exempt Revenue Bonds (The Guthrie Clinic Issue), Series 2024B

NOTICE IS HEREBY GIVEN that a public hearing will be conducted by the Central Bradford Progress Authority (the "Authority") by and on behalf of, and as a joint undertaking of, the Pennsylvania municipalities of the Borough of Towanda, the Township of North Towanda, the Township of Towanda and the Township of Wyalapa, the Pennsylvania County of Bradford and the New York Counties of Broome, Tioga, and Delaware on December 8, 2023, at 3 p.m. local time at 1 Elizabeth Street, Progress Plaza Education Center, Towanda, Pennsylvania 18848.

The hearing will be held by the Authority in connection with the proposed issuance of its Tax-Exempt Revenue Bonds (The Guthrie Clinic Issue), Series 2024B (the "Bonds").

Project: The Bonds will be issued for the benefit of The Guthrie Clinic, a Pennsylvania nonprofit corporation ("Guthrie Clinic") and certain organizations which are members of an integrated health care delivery system headed by The Guthrie Clinic. The proceeds of the Bonds will be issued in order to finance a portion of the costs of a project relating to (1) the affiliation of The Guthrie Clinic with Our Lady of Lourdes Memorial Hospital, Inc. ("Lourdes"), a New York nonprofit corporation and its wholly-owned subsidiaries, through the assumption of its membership interest, including certain facilities and equipment located at various locations listed on Schedule I attached hereto, including (a) an acute care hospital known as "Lourdes Hospital" located in Binghamton, New York; and (b) Lourdes and its affiliates' ancillary related healthcare delivery business, including equipment, located at outpatient clinics, medical office buildings, physician offices, and other properties and facilities; and (2) the payment of the costs of issuing the Bonds. Lourdes affiliates include Binghamton Health Corporation, Corbett Corporation, Lourdes Realty Company, Inc., Southern Tier Medical Care, P.C., and Lourdes Health & Fitness, LLC.

Maximum Amount: \$140,000,000 maximum aggregate principal amount of tax-exempt revenue bonds.

Initial Legal Owner/Principal User/Beneficial Owner: Guthrie Clinic, as sole member of Lourdes; Lourdes and the Lourdes Affiliates, as initial legal owner and operator of the facilities listed on Schedule I. The address of Guthrie Clinic is One Guthrie Square, Sayre, Pennsylvania 18840.

Project Locations: Various locations set forth on Schedule I attached hereto.

Members of the public are invited to attend the public hearing and/or to submit written comments on the issuance of the Bonds and the above-described projects on or before the hearing date. Written comments should be submitted to the Central Bradford Progress Authority, c/o Anthony J. Vankilo, Executive Director, 1 Elizabeth Street, Suite 3, Towanda, PA 18848.

CENTRAL BRADFORD PROGRESS AUTHORITY

Schedule 1

Project Real Property:

Street Address	Municipality	County	State	Zip Code
109 Riverside Dr	Binghamton	Broome	NY	13905
187 Riverside Dr	Binghamton	Broome	NY	13905
101 Riverside Dr	Binghamton	Broome	NY	13905
2600 Main St	Whitney Point	Broome	NY	13882
27-29 Lourdes Rd	Binghamton	Broome	NY	13905
39 E Main St	Hancock	Delaware	NY	13783

Project Equipment:

Street Address	Municipality	County	State	Zip Code
105 Ridgehaven Drive	Vestal	Broome	NY	13850
1002 State Route 38	Owego	Tioga	NY	13827
1130 Upper Front St.	Binghamton	Broome	NY	13901
110 N. Jensen Road	Vestal	Broome	NY	13850
130 Temple Street	Owego	Tioga	NY	13827
17 Chenango Bridge Road	Binghamton	Broome	NY	13901
174 Oakdale Road	Johnson City	Broome	NY	13790
177 Riverside Dr., Suite 1	Johnson City	Broome	NY	13790
183 Riverside Dr.	Binghamton	Broome	NY	13905
184 Court Street	Binghamton	Broome	NY	13905
20-24 S. Washington Street	Binghamton	Broome	NY	13903
219 Front Street	Binghamton	Broome	NY	13905
240 Riverside Drive	Binghamton	Broome	NY	13905
276-280 Robinson Street	Binghamton	Broome	NY	13904
3 Aquinas St	Binghamton	Broome	NY	13905
320 N Jensen Rd	Vestal	Broome	NY	13850
3101 Shippers Rd	Vestal	Broome	NY	13850
3200 Shippers Rd	Vestal	Broome	NY	13850
409-419 E Main St	Endicott	Broome	NY	13700
4102 Old Vestal Rd	Vestal	Broome	NY	13850
415 Hooper Rd	Endicott	Broome	NY	13700
439 Chemung St	Waverly	Tioga	NY	14802
477 West State Street	Binghamton	Broome	NY	13901
500 5 th Avenue	Owego	Tioga	NY	13827
401 Reynolds Road	Johnson City	Broome	NY	13790
501 Reynolds Road	Johnson City	Broome	NY	13790
515 Reynolds Road	Johnson City	Broome	NY	13790
502-504 5th Ave	Owego	Tioga	NY	13827
519 Hooper Rd	Endicott	Broome	NY	13700
671 Conklin Rd	Binghamton	Broome	NY	13903
303 Main Street	Binghamton	Broome	NY	13903
27 Jannison Avenue	Johnson City	Broome	NY	13790
65 Pennsylvania Ave	Binghamton	Broome	NY	13903

NY 301/1824

Chair Sauerbrey spoke. "This is a resolution that we do for Guthrie whenever they go through their cycle and make new changes."

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO:

LEGISLATIVE WORKSESSION
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 491-23

*ADOPT COUNTY BUDGET FOR 2024,
APPROPRIATIONS AND SALARY SCHEDULE*

RESOLVED: That the tentative budget for Tioga County for the year 2024 submitted by the Budget Officer on November 14, 2023 and approved by the Finance Committee be, and the same hereby is adopted as the official Budget for the year 2024; and be it further

RESOLVED: That the several amounts specified in such budget as to the total for the several objects as set forth in Schedule 1 therein be appropriated for such objects, effective January 1, 2024; and be it further

RESOLVED: That the full-time Salary Schedule 5 set forth in the budget be adopted effective January 1, 2024.

Legislator Mullen spoke. "I just want to say that I am very pleased with the job that got done this year. Our Budget Officer does a great job for us and to my fellow Legislators, we didn't do too bad ourselves keeping things under control in some tough fiscal times."

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 492-23 YEAR END TRANSFERS

RESOLVED: That unencumbered balances of appropriation accounts, unanticipated revenue fund balances in the amount equal to the sum of overdrawn appropriation accounts in all funds be, and hereby are appropriated to overdrawn accounts; and be it further

RESOLVED: That the County Treasurer is hereby authorized and directed to effect this resolution.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 493-23 AUTHORIZE TREASURER TO ENCUMBER FUNDS

RESOLVED: That the County Treasurer be and hereby is authorized to encumber whatever funds he deems necessary, subject to the approval of the Finance Committee; and be it further

RESOLVED: That said funds be encumbered before December 22, 2023 to allow proper coding of bills for payment through the Accounts Payable check run of February 22, 2024

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 494-23 *AUTHORIZE THE RE-ESTABLISHMENT OF
PRIOR YEAR 2023 GRANT FUNDS AND
CAPITAL PROJECTS FOR 2024*

WHEREAS: Grant Funds and Capital Project expenditures and revenue allocations have been approved via resolution; and

WHEREAS: Prior Year Grant Funds need to be re-established for the remaining unspent balance as of year-end 2023 for purchase or completion in 2024; and

WHEREAS: Prior year Capital Projects need to be re-established for the remaining unspent balance as of year-end 2023 for purchase or completion in 2024; therefore be it

RESOLVED: That the remaining unencumbered balances of active and approved Grants and Capital Projects be re-established.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 495-23 TOWN TAX LEVY

WHEREAS: There has been presented to this Legislature a duly certified copy of the annual Budgets of each of the several Towns of the County of Tioga for the fiscal year beginning January 1, 2024; therefore be it

RESOLVED: That there shall be, and there is, assessed against and levied upon and collected from the taxable property situate in the following Towns outside the incorporated Villages or partially located therein, the amounts indicated for Town purposes as specified in the Budgets of the respective Towns as follows:

<u>Part Town</u>	<u>General Outside</u>	<u>Highway Outside</u>
Barton	-	-
Candor	5,343.00	206,500.00
Newark Valley	-	-
Nichols	-	258,000.00
Owego	-	2,291,000.00
Spencer	15,928.00	407,221.00

And be it further

RESOLVED: That there shall be and there hereby is, assessed against and levied upon and collected from the taxable property liable therefore within the respective Fire and Fire protection Districts in the Towns, the following amounts for the purposes of such Districts as specified on their annual Budgets:

Town of Barton	
Halsey Valley Fire Protection	21,192.52
Lockwood Fire Protection	48,174.65
Waverly Joint Fire Protection	310,170.00
Town of Berkshire	
Berkshire Fire District	206,672.00
Town of Candor	
Candor Fire District	477,697.00
Town of Newark Valley	
Newark Valley Fire District	325,469.11
Town of Nichols	
Nichols Joint Fire Protection	503,202.00
Town of Owego	
Apalachin Fire District	1,350,033.00
Owego Fire District	2,254,589.16
Newark Valley Fire District	47,464.39

Town of Richford	
Richford Fire District	164,025.00
Town of Spencer	
Spencer Fire Protection District	85,000.00
Town of Tioga	
Tioga Fire District	308,311.00

And be it further

RESOLVED: That there shall be, and there hereby is, assessed against and levied upon and collected from the taxable property liable therefore within certain sewer, water and lighting Districts in the Town of Owego and the amounts specified in their annual budgets as follows:

Water District No. 4/Ext. 13	12,210.00
Water District No. 4/Ext. 15	-
Water District No. 4/Ext. 17	-
Water District No. 4/Ext. 20	20,850.00
Sewer District No. 2/Ext. 14	11,168.00
Sewer District No. 2/Ext. 15	11,851.00
Lighting District No. 1	700.00
Lighting District No. 2	3,000.00
Lighting District No. 3	1,500.00
Lighting District No. 4A	250.00
Lighting District No. 4B	1,000.00
Lighting District No. 5	1,000.00
Lighting District No. 6	3,300.00
Lighting District No. 7	845.00
Lighting District No. 8	600.00
Lighting District No. 9	250.00
Lighting District No. 10	350.00

And be it further

RESOLVED: That there shall be and there hereby is, assessed against and levied upon and collected from the taxable property liable therefore in the Town of Owego returned sewer and water rents in the amount of \$360,124.31; and be it further

RESOLVED: That there shall be and there hereby is, assessed against and levied upon and collected from the taxable property liable therefore in the Town of Barton returned sewer and water rents in the amount of \$6,733.78; and be it further

RESOLVED: That the amounts to be raised by tax for all other purposes as specified in the several annual Budgets shall be, and they hereby are, assessed against and levied upon and collected from the taxable properties in the Towns except as otherwise provided by law as follows:

<u>Townwide</u>	<u>General</u>	<u>Highway</u>
Barton	270,960.00	661,500.00
Berkshire	77,460.20	317,706.00
Candor	1,089,062.00	734,580.00
Newark Valley	432,657.00	371,000.00
Nichols	-	-
Owego	1,220,000.00	-
Richford	247,889.00	506,260.00
Spencer	353,067.00	298,657.00
Tioga	287,496.00	663,164.00

And be it further

RESOLVED: That such taxes and assessments, when collected, shall be paid to the Supervisors of the several Towns in the amounts as shown by this resolution for distribution by them in the manner provided by law.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 496-23 COUNTY TAX LEVY

WHEREAS: This Legislature by Resolution No. 491-23 dated December 12, 2023 adopted a Budget for the fiscal year 2024 and by Resolution No. 491-23 dated December 12, 2023 has made appropriations for the conduct of the County Government during said fiscal year and has by Resolution No. 495-23 dated December 12, 2023 levied the taxes required for the support of the Government of the several Towns; therefore be it

RESOLVED: That pursuant to Section 360 of the County Law and Section 900 of the Real Property Tax Law, this Legislature hereby levied the following for County purposes upon the taxable real property in the County upon valuation as heretofore equalized by it.

Upon all the taxable property liable for the support of County Government, the sum of \$ 26,296,389 and in addition thereto upon the real property liable therefore, and following taxes:

For Returned Village Taxes	529,306.94
For School Tax Returned	3,439,572.87
For Deficits from prior years' taxes	502.82
For Reimbursement of Erroneous taxes, etc.	2,482.51

All of the forgoing being subject to	
Credit for excess collection the prior year of	12.80

And be it further

RESOLVED: That the County Treasurer's Office be directed to extend the taxes as aforesaid and also the taxes for Town purposes set forth in Resolution No. 495-23 on the rolls of the several Towns against each parcel of property set forth in said rolls, and that the Chair and the Clerk of the County Legislature be directed and empowered to execute under the seal of this Legislature the several Tax warrants for the collection of said taxes, and to cause the several tax rolls with said warrants annexed to be delivered to the Collectors of the several Town Tax Districts of the County on or before December 31, 2023; and be it further

RESOLVED: That the County tax rates for each of the Towns are as follows:

Barton	Out	11.823282
	In	11.823282
Berkshire	Out	9.349884
Candor	Out	9.784692
	In	9.784692

Newark Valley	Out	14.477803
	In	14.477803
Nichols	Out	33.731855
	In	33.731855
Owego	Out	13.096660
	In	13.096660
Richford	Out	6.911445
Spencer	Out	8.211758
	In	8.211758
Tioga	Out	157.416857

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 497-23 EXECUTE LEASE OF PROPERTY LOCATED AT
171 MAIN STREET, OWEGO, NEW YORK
TO HOUSE PUBLIC DEFENDER'S OFFICE

WHEREAS: It is necessary for Tioga County to lease office space to house the Tioga County Public Defender's Office; and

WHEREAS: The Tioga County Legislature authorized the execution of said lease space by way of Resolution No. 37-19 dated January 15, 2019, which is set to expire January 31, 2024; and

WHEREAS: It appears appropriate to enter into a lease for said office space, inclusive of all utilities, equipment, and furniture, at property located at 171 Main Street, Owego, NY; and

WHEREAS: The lease of said office space is for an initial period of two years at the rate of \$18,000 per year to be paid in 12 monthly installments of \$1500.00 with the

option to extend the lease for an additional third year at the same rate without further resolution; therefore be it

RESOLVED: That the Chair of the Legislature is hereby authorized to sign a lease with George C. Awad, Jr. for the lease of said office space located at 171 Main Street, Owego, New York, which lease shall commence on February 1, 2024.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 498-23 TRANSFER OF SURCHARGE FUNDS
PURCHASE WORKSTATIONS/CARPET
COMMUNICATIONS DIVISION
OFFICE OF EMERGENCY SERVICES

WHEREAS: The Office of Emergency Services has a need to replace workstations and carpet in the Public Safety Communications Division; and

WHEREAS: The Office of Emergency Services does not have an established expense line, for desks and building maintenance, for the purchase of said items; and

WHEREAS: Amending the Office of Emergency Services budget, with the addition of the Desks expense line A3021.520110.E911 and A3021.540093.E911 Building Maint. & Repair expense line requires Legislative approval; therefore be it

RESOLVED: That the Office of Emergency Management be authorized to purchase the workstations and carpet from NYS contract vendors, and transfer funds for this purchase as follows:

From:	A3021.520130.E911 Equipment (Not Car)	\$122,262.92
To:	A3021.520110.E911 Desks	\$110,772.75
	A3021.540093.E911 Building Maint & Repair	\$ 11,490.17

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 499-23 *AUTHORIZE TRANSFER OF FUNDS FOR PURCHASE OF A LAPTOP AND DOCKING STATION FOR THE ECONOMIC DEVELOPMENT & PLANNING DEPARTMENT*

WHEREAS: The Economic Development & Planning Department has a need for a laptop and docking station; and

WHEREAS: The Economic Development & Planning Department would like to purchase a laptop and docking station and has received the recommended quote from the ITCS Department; and

WHEREAS: The Economic Development computer expense account, A6422 520090 does not have the funds available; and

WHEREAS: The Amending of Budget and Transfer of Funds from a contractual line to an equipment line requires Legislative approval; therefore be it

RESOLVED: That the Director of Economic Development & Planning be authorized to purchase the laptop and docking station and complete the following budget transfer as follows:

From: A6422 540485	Printing/Paper	\$900.00
To: A6422 520090	Computer	\$900.00

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

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. 500-23	<i>TRANSFER OF FUNDS</i>
	<i>2023 BUDGET MODIFICATION</i>
	<i>MENTAL HYGIENE</i>

WHEREAS: Tioga County is required to pay the full costs for Criminal Court Ordered Psychiatric Care for persons assigned Criminal Psychiatric services by Tioga County Courts; and

WHEREAS: Tioga County Mental Hygiene has received notice by New York State Office of Mental Health that a Tioga County resident was assigned these services, along with the required documentation and payment amount; and

WHEREAS: Tioga County Mental Hygiene has determined the amount of additional funding needed for these already incurred mandated expenses within its own budget, yet this will require a budget modification and transfer of funds; and

WHEREAS: Transfer of funds requires Legislative approval; therefore be it

RESOLVED: That the Tioga County Mental Hygiene 2023 budget be modified, and funds be transferred as follows:

From: A4310 510010	Salary Full Time	\$ 11,786.49
To: A4390 540590	Criminal Psychiatric: Services Rendered	\$ 11,786.49

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

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. 501-23 TRANSFER OF FUNDS
2023 BUDGET MODIFICATION
MENTAL HYGIENE

WHEREAS: Tioga County Mental Hygiene has been awarded additional state aid funding from the NYS Office of Alcohol and Substance Abuse Services (OASAS); and

WHEREAS: The funding has already been received and is designated for specific and approved uses only; and

WHEREAS: Specific budget lines are required for these purchases; and

WHEREAS: Transfer of funds requires Legislative approval; therefore be it

RESOLVED: That the Tioga County Mental Hygiene 2023 budget be modified, and funds be transferred as follows:

From: A4210 540640 Mental Hygiene: Supplies \$ 8,000.00

To: A4309 520070 Mental Hygiene: Chairs \$ 8,000.00

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

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. 502-23 AMEND 2023 BUDGET &
TRANSFER OF CONTINGENCY FUNDS
PUBLIC HEALTH

WHEREAS: The costs of the New York State mandated Preschool School Supportive Health Services Program ("Preschool") are larger than the budgeted 2023 amounts; and

WHEREAS: Additional funding is needed to meet the mandated costs; and

WHEREAS: Tioga County Public Health (TCPH) identified a portion of the needed funds available within their Early Intervention Escrow account and transferred in November 2023 via Resolution No. 463-23; and

WHEREAS: TCPH has need for additional funding outside of their Early Childhood budgets, and are seeking County Contingency funds as discussed with their Legislative Committee and the Budget Officer; and

WHEREAS: The additional costs will result in additional revenues from New York State Aid reimbursement; and

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

RESOLVED: That funding be transferred and appropriated as follows:

From:		
A2960 434600	State Aid: Handicapped Education	\$205,870
A1990 540715	Contingency Account	\$140,130
To:		
A2960 540590	Handicapped Ed: Services Rendered	\$235,000
A2960 540710	Handicapped Ed: Transportation	\$111,000

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 503-23 *REQUEST AND TRANSFER OF CONTINGENCY FUNDS & MODIFY 2023 BUDGET ASSIGNED COUNSEL*

WHEREAS: The Assigned Counsel Attorney reimbursement rate was increased effective April 1, 2023 and the Assigned Counsel account will not have sufficient funds for the remainder of 2023; and

WHEREAS: Contingency Funds will need to be transferred from the Contingency Account to the Assigned Counsel Account, & Modify Assigned Counsel 2023 Budget to accommodate the increase in the rates for 2023; and

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

RESOLVED: That the Tioga County Legislature authorizes a transfer as follows:

From: A1990 540715	Contingency Transfer	\$60,000
To: A1172 540030 HPCC	Assigned Counsel-HPCC	\$30,000
To: A1172 540030	Assigned Counsel	\$30,000

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE
LEGAL/FINANCE COMMITTEE

RESOLUTION NO. 504-23 PRIVATE WASTE HAULER PERMIT FEE

WHEREAS: Local Law No. 5 of 2023 – Mandatory Source Separation Law was adopted on November 14, 2023; and

WHEREAS: The Local Law specifies permitting and enforcement; and

WHEREAS: In order to keep the fee reasonable and to cover any necessary program expense fees, the Sustainability Manager recommends that the annual fee be \$100.00 per private waste hauler collecting solid waste and recycling in Tioga County; therefore be it

RESOLVED: That the Sustainability Manager is authorized to charge an annual fee of \$100.00 to private haulers conducting said business in Tioga County; and be it further

RESOLVED: That the collected fees will be deposited into revenue account A8160 425900 Permits, Other; and be it further

RESOLVED: That the expenditure account A8160 540487 – Program Expense-Enforcement Activities be created.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 505-23 *AUTHORIZE RETAINER AGREEMENT FOR
PERSONNEL SERVICES*

WHEREAS: The hiring of outside counsel appears to be necessary and appropriate for comprehensive personnel services; and

WHEREAS: The law firm of Roemer, Wallens, Gold & Mineaux LLP has proposed a retainer agreement to provide Tioga County with said comprehensive personnel services; therefore be it

RESOLVED: That the Chair of the Legislature is authorized to execute a retainer agreement with the law firm of Roemer, Wallens, Gold & Mineaux LLP, retaining services from January 1, 2024, through December 31, 2026 for comprehensive personnel services as set forth in said retainer agreement.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 506-23 *AUTHORIZE CONTRACT WITH A NEW HOPE CENTER
SOCIAL SERVICES*

WHEREAS: The Department of Social Services contracts with A New Hope Center to provide mandated Domestic Violence Services to residents of Tioga County; and

WHEREAS: The Department of Social Services wishes to renew the contract for January 1, 2024 through December 31, 2024 at an amount not to exceed \$43,500; therefore be it

RESOLVED: That the Tioga County Department of Social Services is authorized to contract with A New Hope Center for the provision of mandated Domestic Violence Services for the period January 1, 2024 through December 31, 2024.

Legislator Standinger spoke. "A New Hope Center provides victim assistance and domestic violence guidance for victims of the same and I think they do a pretty good job, at least according to Mr. Yetter. I am confident that the money is well-placed there."

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 507-23 *AUTHORIZATION TO SIGN CONTRACT
WITH STEUBEN COUNTY
SOCIAL SERVICES*

WHEREAS: Tioga County contracts with Steuben County for a detention bed due to a shortage of available Non-Secure Detention Services to meet the demand throughout New York State; and

WHEREAS: The Department of Social Services wishes to renew the contract for January 1, 2024 through December 31, 2024 at an amount not to exceed \$239,075; therefore be it

RESOLVED: That the Tioga County Department of Department of Social Services is authorized to contract with Steuben County for one detention bed for a period of January 1, 2024 to December 31, 2024; and be it further

RESOLVED: That the Commissioner of Social Services is authorized to execute any such agreements, documents, or papers, approved as to form by the County Attorney, as may be necessary to implement the intent and purpose of this resolution.

Legislator Mullen spoke. "That is a big number, but it could be much bigger. Even though it seems like a huge number, placing a youth in detention has a day-to-day cost to the County of \$650.00 and that is only half. This is a good contract."

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 508-23 *AUTHORIZE CONTRACT WITH FAMILY & CHILDREN'S
SOCIETY OF BROOME COUNTY, INC.
SOCIAL SERVICES*

WHEREAS: The Department of Social Services contracts with Family and Children's Society of Broome County, Inc. to provide clinical services to victims and perpetrators of sexual abuse and their families; and

WHEREAS: The Department of Social Services wishes to renew the contract for January 1, 2024 through December 31, 2024 at an amount not to exceed \$90,000; therefore be it

RESOLVED: That the Tioga County Department of Social Services is authorized to contract with Family and Children's Society of Broome County, Inc. for the period January 1, 2024 through December 31, 2024.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 509-23 *AUTHORIZE CONTRACT WITH GLOVE HOUSE
SOCIAL SERVICES*

WHEREAS: The Department of Social Services contracts with Glove House to provide In-Home Parenting Education Services; and

WHEREAS: The Department of Social Services wishes to renew the contract for January 1, 2024 through December 31, 2024 in the amount of \$81,221; therefore be it

RESOLVED: That the Tioga County Department of Social Services is authorized to contract with Glove House for the provision of In-Home Parenting Education Services for the period January 1, 2024 through December 31, 2024.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 510-23 *AUTHORIZE CONTRACT WITH GLOVE HOUSE
SOCIAL SERVICES*

WHEREAS: The Department of Social Services contracts with Glove House to provide Preventive Services to eligible families in the Waverly School District; and

WHEREAS: The Department of Social Services wishes to renew the contract for January 1, 2024 through December 31, 2024 in the amount of \$75,873; therefore be it

RESOLVED: That the Tioga County Department of Social Services is authorized to contract with Glove House for the provision of Preventive Services for the period January 1, 2024 through December 31, 2024.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 511-23 *AUTHORIZE CONTRACT WITH
INDUSTRIAL MEDICINE ASSOCIATES
SOCIAL SERVICES*

WHEREAS: The Department of Social Services contracts with Industrial Medicine Associates to provide substance abuse assessments and monitoring program for Social Services recipients or applicants; and

WHEREAS: The Department of Social Services wishes to renew the contract for January 1, 2024 through December 31, 2024 at the rate of \$308.88 per assessment

and monitoring, \$46.80 no show fee, and \$48.88 per urine drug screen; therefore be it

RESOLVED: That the Tioga County Department of Social Services is authorized to contract with Industrial Medicine Associates at the agreed upon rates for the period January 1, 2024 through December 31, 2024.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 512-23 *AUTHORIZE CONTRACT WITH MULTIPLE
FOSTER CARE AGENCIES
SOCIAL SERVICES*

WHEREAS: The Commissioner of Social Services of Tioga County is charged with the responsibility of the administration of all child welfare services in the County of Tioga pursuant to Section 395 et seq. of Social Services Law; and

WHEREAS: The Department of Social Services contracts with multiple foster care agencies to provide these services at Maximum State-Aid Rates; therefore be it

RESOLVED: That the Tioga County Department of Social Services is authorized to contract with the agencies listed below for the period January 1, 2024 through December 31, 2024; and be it further

RESOLVED: That the Commissioner of Social Services is authorized to execute any such agreements, documents, or papers, approved as to form by the County Attorney, as may be necessary to implement the intent and purpose of this resolution.

Berkshire Farm Center
 Catholic Charities of Chemung
 Community Maternity
 Children's Home PKPS
 Children's Home of Jeff County
 Children's Home of Wyoming Conf.
 Children's Village
 Elmcrest Childrens Center
 Gateway-Longview, Inc.
 Glove House-Group Home
 Homespace Corp
 House of the Good Shepherd
 Hillside Children's Center
 Lincoln Hall Boys Haven
 Mountain Lake Children's Residence
 New Directions Youth & Family Svcs
 Parsons Parent & Children Center
 St. Anne Institute
 St. Catherine's Center
 The William George Agency
 Vanderhayden

Legislator Standinger spoke. "This is a long list of providers and unfortunately not every provider is able to provide services for us. So, now we have a choice, and I am confident they will make the proper choice when the time is nigh."

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO:	HEALTH & HUMAN SERVICES COMMITTEE FINANCE/LEGAL COMMITTEE
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RESOLUTION NO. 513-23	<i>AUTHORIZE CONTRACTS PUBLIC HEALTH</i>
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WHEREAS: Tioga County Public Health (TCPH) has need for contractual arrangements for several programs to ensure services are provided to residents; and

WHEREAS: TCPH has developed in collaboration with the County Attorney several boiler-plate contracts for each of the programs; and

WHEREAS: TCPH contracts are nearly entirely on 'fee for service' arrangements, meaning the provider is only compensated when work is provided at the established rate, and not a 'fixed amount' contract; and

WHEREAS: The following programs have these 'boiler-plate arrangements" and are entered into the MUNIS contract module for each individual provider contract:

- Bio-waste Removal Services
- Creating Healthy Schools & Communities (pass through funding)
- Engineering Services
- Laboratory Services
- Medical Consultant
- Preschool Transportation Services
- Preschool Provider Services
- Sexually Transmitted Infections Services

And

WHEREAS: The Tioga County Legislature desires to be informed of all contracts that may exceed \$10,000 annually; therefore be it

RESOLVED: That TCPH be authorized to continue using the County Attorney-approved boiler-plate contracts in the above listed program areas.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION
FINANCE, LEGAL & SAFETY COMMITTEE

RESOLUTION NO. 514-23 *AUTHORIZE CONTRACT WITH
PRACADEMIC PARTNERS FOR
EXECUTIVE SEARCH SERVICES FOR
COUNTY ADMINISTRATOR POSITION*

WHEREAS: The Tioga County Legislature adopted Local Law No. 4 of 2023; A Local Law Establishing the Position of County Administrator on September 12, 2023; and

WHEREAS: The Legislature recognizes the importance of finding a suitable candidate to serve as the County's Chief Administrative Officer and Budget Officer; and

WHEREAS: The Legislature is desirous of entering into a contract with Pracademic Partners for full-service consultative assistance for executive recruitment of a County Administrator; and

WHEREAS: Pracademic Partners has submitted a contract proposal for professional services to carry out the methodology and consultant deliverables listed, but not limited to, for a full-service assistance fee of \$19,500 with 50% (\$9,750) due and payable upon contract signing and the remaining 50% (\$9,750) due and payable 75 days from contract signing date; and

WHEREAS: The Legislature would be responsible for associated advertisement costs, if applicable, in addition to the contract proposal fee, for placements facilitated by the consultant; and

WHEREAS: Said funds have been budgeted in the 2024 County Budget; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to enter into a consultant contract with Pracademic Partners, contingent upon review of County Attorney, for \$19,500, plus any additional advertising costs incurred effective immediately to be paid out of the 2024 County Administrator's budget A1230.540140.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 515-23 *AWARD CONTRACT CBH MEDICAL
FOR JAIL MEDICAL AND MENTAL HEALTH SERVICES
SHERIFF'S OFFICE*

WHEREAS: A Request for Proposal (RFP) for providing comprehensive medical and mental health services to inmates at the Tioga County Jail was distributed to four companies; and

WHEREAS: Three companies (CBH Medical; CFG Health Systems, and Prime Care Medical) responded and submitted proposals which were thoroughly evaluated; and

WHEREAS: It was determined that CBH Medical submitted the best proposal to meet the scope of work detailed in the RFP; and

WHEREAS: A recommendation was made to the County Legislature to award CBH Medical a two-year agreement with the option to renew for three (3) additional one-year terms; therefore be it

RESOLVED: That an agreement be created to have CBH Medical provide comprehensive medical and mental health services for the inmates at the Tioga County Jail for a two-year period beginning January 1, 2024 with the option to renew for three additional one-year terms; and be it further

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

Legislator Standinger spoke. "I am going to vote no on this resolution because I am not confident that this provider is the best fit for us. They have had a lot of problems in the past and that is the reason for my no vote. I think we need to cast a wider net."

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Brown, Ciotoli, Monell, and Mullen.

No – Legislator Standinger.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 516-23 *RESOLUTION TO RENEW CONSULTANT CONTRACT
FOR HAZARD MITIGATION PLAN COORDINATOR
FOR 2024*

WHEREAS: Per Resolution No. 193-12 and Resolution No. 218-13, the Tioga County Legislature contracted with the Tioga County Soil & Water Conservation District to perform the Hazard Mitigation Plan Coordinator services based on a mutually agreeable work plan with specific tasks; and

WHEREAS: The Tioga County Planning Department continues to lack existing capacity to perform these FEMA-required services; and

WHEREAS: The Tioga County Planning Department has sufficient funds in the 2024 budget to cover these expenses, in the amount of \$20,000 from Planning Appropriation Account A8020 540140; therefore be it

RESOLVED: That the Tioga County Legislature does hereby authorize the renewal of said contract with Tioga County Soil & Water Conservation District, to perform Hazard Mitigation Coordinator services from January 1 - December 31, 2024, not to exceed \$20,000 from Planning Appropriation Account A8020 540140 and authorizes the Tioga County Legislative Chair to sign all related contract paperwork, contingent upon review and approval of the County Attorney.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 517-23 *RENEW THE ADMINISTRATIVE SERVICES AGREEMENT BETWEEN TIOGA COUNTY ECONOMIC DEVELOPMENT AND PLANNING & THE TIOGA COUNTY PROPERTY DEVELOPMENT CORPORATION FOR THE PERIOD JANUARY 1, 2024 THROUGH DECEMBER 31, 2025*

WHEREAS: Tioga County Economic Development and Planning (TCEDP) was approved by Resolution No. 286-21 to enter into an Administrative Services Agreement between TCEDP and the Tioga County Property Development Corporation (TCPDC) for the period January 1, 2022 through December 31, 2023; and

WHEREAS: Said Administrative Services Agreement calls for TCEDP to provide the TCPDC with administrative services, office space and equipment necessary for the performance of the duties of the Land Bank Director of the TCPDC through TCEDP; and

WHEREAS: The Administrative Services Agreement also calls for the TCPDC to contribute toward the cost of administration, office space and equipment for use by TCEDP staff to perform duties on behalf of the TCPDC; and

WHEREAS: The TCPDC and TCEDP are desirous of continuing the Administrative Services Agreement for a two-year period; and

WHEREAS: The TCPDC will continue to contribute toward the administrative services as stated in the agreement in the amount of \$25,000.00 by way of other grant sources and/or program fees; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes and approves the acceptance of \$25,000.00 annually from the TCPDC and renew the Administrative Services Agreement to provide funding towards the cost of administration, for the period of January 1, 2024 through December 31, 2025.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 518-23 AUTHORIZATION TO APPLY FOR GRANT
PUBLIC HEALTH

WHEREAS: Tioga County Public Health (TCPH) has identified a grant opportunity to provide funding toward the Tick-Borne Disease program; and

WHEREAS: County Policy requires Legislative approval for grant applications; and

WHEREAS: TCPH seeks approval from the Tioga County Legislature to apply for the mini-grant offered by New York State Association of County Health Officials (NYSACHO) in collaboration with the New York State Department of Health, for the purpose of purchasing supplies to create educational materials for Tick-Borne diseases and tick removal kits to distribute to residents; and

WHEREAS: The amount of the grant funding is not yet determined, however, it is not expected to exceed a maximum award amount of \$5,000; and

WHEREAS: There will be no additional County cost for the grant (i.e. cash match) if awarded; and

WHEREAS: If awarded the grant, TCPH will submit a resolution to appropriate the funds at that time; and

WHEREAS: The Tioga County Legislature supports TCPH in pursuing funding to provide this program to Tioga County residents; therefore be it

RESOLVED: That Tioga County Public Health is authorized to submit a grant application to NYSACHO and NYSDOH for the Tick-Borne Disease program.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 519-23 *AUTHORIZE ACCEPTANCE OF
2023 SICG FORMULA GRANT,
APPROPRIATION OF FUNDS &
MODIFY 2023 BUDGET
OFFICE OF EMERGENCY SERVICES*

WHEREAS: The Office of Emergency Services has applied for and was awarded a Homeland Security Statewide Interoperable Communications “Formula” Grant 2023 in the amount of \$410,016. This 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 2023 budget be modified and funds be appropriated to the following accounts:

From: A3415.433063.IO23F	State Aid Interop Comm Grant	\$410,016
To: A3415.520130.IO23F	Equipment (not car)	\$410,016

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 520-23 *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 provide 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 December and January, 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:

December 11-5, Onward Ops, ETS Grant - \$700.00

December 16, Gingerbread House & Cookie Decorating, Dwyer Grant -\$500.00

December 21, Grocery Giveaway, Dwyer Grant - \$1000.00

January 12, Spaghetti Dinner, MH Outreach Grant - \$1,000.00

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 Sauerbrey, Standinger, Brown, Ciotoli, Monell, and Mullen.

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 521-23 AUTHORIZATION TO PURCHASE NINE (9)
VOTING MACHINES

WHEREAS: The Tioga County Board of Elections currently utilizes eight (8) Dominion ImageCast Precinct (ICP) scanners as part of our current fleet of voting machines; and

WHEREAS: These ICP scanners are 14 years old and reaching end-of-life, and the Board of Elections has deemed it necessary to replace these scanners with the new State-approved ICP2 model, and add an additional scanner to our fleet, to reduce the risk of equipment failure and facilitate a better voting experience for Tioga County voters; and

WHEREAS: The equipment will be purchased through OGS State contract and the total expense of the equipment is quoted at \$46,765.80; and

WHEREAS: The expense is fully reimbursable to Tioga County under the Technology Innovation and Election Resource (TIER) grant, per certified Resolution No. 247-23 and 383-23; therefore be it

RESOLVED: That the Tioga County Board of Elections is authorized to expend \$46,765.80 for nine (9) Dominion ImageCast Precinct 2 scanners, including one metal ballot box for the ninth scanner, out of Capital Election Expense fund H1 450-520490.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 522-23 *ESTABLISH RETIREE HEALTH INSURANCE
CONTRIBUTIONS*

WHEREAS: Retirees who qualified to pay 0% of individual health insurance in accordance with Section IV.B.1.c. of the Employee Handbook Policy "Orientation/ Exit Interviews / Recruitment/ Retirement" (formerly Policy # 3) are currently not contributing toward their retiree coverage; and

WHEREAS: Due to continually rising health insurance costs, property tax cap, and other factors it is no longer feasible to offer these retirees free health insurance; therefore be it

RESOLVED: That any retiree as of the date of this resolution who qualified for free individual coverage in accordance with Section IV.B.1.c. shall contribute 3.25% of the monthly individual premium or \$20/month per individual policy, whichever is greater, effective January 1, 2024.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 523-23 *AUTHORIZE 2024 SALARIES/WAGES
(BOARD OF ELECTIONS)*

WHEREAS: The salaries for employees of the Board of Elections are set by resolution; and

WHEREAS: Management Confidential staff and hourly employees have been authorized a salary increase for 2024; therefore be it

RESOLVED: That the 2024 rates for the Board of Elections staff shall be as follows:

	<u>2024 pay:</u>
Commissioners	\$ 59,327.00/yr.
Deputy Commissioners	\$ 45,030.00/yr.
Voting Machine Technicians	\$ 22.82/hr.
Election Clerk	\$ 18.57/hr.
Election Workers	\$ 15.00/hr.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 524-23 *AUTHORIZE CREATION OF ELECTION INSPECTOR
(SEASONAL) POSITIONS
BOARD OF ELECTIONS*

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

WHEREAS: The IRS is requiring election workers to be reported as employees due to new regulations. Previously they were paid with a 1099; and

WHEREAS: It was decided amongst the Board of Elections, Personnel, Treasurer's Office, and the County Attorney that Tioga County will need to create a new county job title, Election Inspector (Seasonal); and

WHEREAS: Due to the unknown number of Election Inspector (Seasonal) positions that are needed, it is recommended to create 230 with the ability to unfund extra positions if needed; therefore be it

RESOLVED: That 230 Election Inspector (Seasonal) positions be created and may be filled as needed without a resolution required per person, at a 2024 hourly rate of \$15.00; and be it further

RESOLVED: That the Board of Election's 2024 authorized part-time headcount shall increase from 10 to 240.

Legislator Standinger spoke. "Unfortunately, the IRS has ruled that we need to make these election inspectors seasonal positions or part-time employees as opposed to occasional independent contractors. In order to follow the letter of the direct, we have to do this. I am not happy with it, but we really do not have much choice in the matter."

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 525-23 APPOINTMENT OF REPUBLICAN
DEPUTY COMMISSIONER OF ELECTIONS BOARD

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

WHEREAS: The position of Deputy Commissioner of Elections Board (Republican) has been vacant since December 2, 2023 due to promotion; and

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

RESOLVED: That James Hoover II shall be appointed as Deputy Commissioner of Elections (Republican) effective December 18, 2023 at an annual Management/Confidential salary of \$43,091.

Legislator Mullen spoke. "I think they made a good choice in speaking with the Chair of the Republican Party. I am pleased that this individual is willing to take on this position and I am happy with the choice."

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 526-23 ABOLISH VACANT PART-TIME
EMPLOYMENT CONTRACT SPECIALIST AND
CREATE PART-TIME CASEWORKER
SOCIAL SERVICES

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

WHEREAS: One (1) part-time Employment Contract Specialist position has been vacant within the Department of Social Services since May 1, 2012; and

WHEREAS: Upon review of the Department's needs to have a consistent forensic interviewer at the Child Advocacy Center, the Commissioner of Social Services has determined that the vacancy would be better utilized to provide children and families with quality services through the creation of a part-time Caseworker position at a rate of \$22.65 per hour (not to exceed 17 hours a week); therefore be it

RESOLVED: That the vacant part-time Employment Contract Specialist position shall be abolished, and a part-time Caseworker position shall be created effective December 12, 2023.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE
FINANCE, LEGAL & SAFETY COMMITTEE

RESOLUTION NO. 527-23 *CREATE AND FILL A PART-TIME PARALEGAL
POSITION IN THE TREASURER'S OFFICE
(ASSIGNED COUNSEL)*

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

WHEREAS: The County has secured a three-year Hurrell-Harring Grant intended to increase legal services provided to Indigent persons; and

WHEREAS: The Assigned Counsel Administrator has identified that the creation of a part-time Non-Competitive Paralegal position to assist with the administration of the New York State Indigent Legal Services Grants and Assigned Counsel Program would be helpful; therefore be it

RESOLVED: That a part-time (17 hours per week) position of Paralegal is created and may be filled effective January 2, 2024, at a 2024 hourly rate of \$30.94 in the Assigned Counsel Office; and be it further

RESOLVED: That the Treasurer's Office (Assigned Counsel) 2024 authorized part-time headcount shall increase from 2 to 3.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE, LEGAL AND SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 528-23 *APPOINT SECRETARY TO THE
1ST ASSISTANT COUNTY ATTORNEY
LAW DEPARTMENT*

WHEREAS: Legislative approval is required for any appointments made to a Management/Confidential position; and

WHEREAS: Since November 6, 2023, the position of Secretary to the 1st Assistant County Attorney has been vacant due to promotion; and

WHEREAS: The 1st Assistant County Attorney has recruited for a replacement and after interviewing a satisfactory candidate has been identified; therefore be it

RESOLVED: That the County Attorney is hereby authorized to provisionally appoint Jeremy Lundberg to the title of Secretary to the 1st Assistant County Attorney, with a start date of December 18, 2023, pending successful completion of the of civil service requirements at an annual Management/Confidential salary of \$43,272; and be it further

RESOLVED: That Jeremy Lundberg may receive an increase after 6 months contingent upon a satisfactory evaluation, per the Management/Confidential benefits policy.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE, LEGAL & SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 529-23 *AUTHORIZE APPOINTMENT OF PART-TIME
ASSISTANT PUBLIC DEFENDER
(PUBLIC DEFENDER)*

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

WHEREAS: The part-time Assistant Public Defender position became vacant on July 31, 2023; therefore be it

RESOLVED: That the Tioga County Legislature is authorized to appoint George Awad, Jr. to the title of part-time Assistant Public Defender, at an annual, Management/Confidential salary of \$41,371, effective January 2, 2024.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE, LEGAL & SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 530-23 *RECLASSIFY VACANT POSITION
(PUBLIC DEFENDER)*

WHEREAS: Legislative approval is required for all position reclassifications; and

WHEREAS: One full-time 2nd Assistant Public Defender (\$65,892 – 75,892 2024 M/C) will become vacant on January 1, 2024, upon the promotion of incumbent, Thomas Cline, to Public Defender effective January 1, 2024; and

WHEREAS: The Public Defender has reviewed the staffing needs within his department for 2024 and has determined that said upcoming vacancy would be better utilized if the position was reclassified as a full-time Assistant Public Defender; therefore be it

RESOLVED: That the Legislature hereby authorizes the reclassification of one vacant, full-time 2nd Assistant Public Defender (\$65,892 – 75,892 2024 M/C) to a full-time Assistant Public Defender (\$72,913 – 82,913 2024 M/C) effective January 1, 2024.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 531-23 *AUTHORIZE CIVIL MANAGER TITLE SALARY INCREASE
SHERIFF'S OFFICE*

WHEREAS: Legislative approval is required for a title's salary increase within Tioga County; and

WHEREAS: The Tioga County Sheriff requested a review of the Civil Manager title and on September 15, 2023, the Personnel Department received a position description questionnaire from Kimberly Lombardoni, Civil Manager, who oversees all aspects of the Civil Division under the Tioga County Sheriff's Office; and

WHEREAS: The Personnel Officer conducted the review amongst similar Management/Confidential titles and determined that due to the substantial legal knowledge requirements, supervisory duties, training responsibilities, and NYS mandated Civil course requirements of the Civil Manager an increase to the salary range for Civil Manager is warranted; therefore be it

RESOLVED: That the appropriate Management/Confidential salary range for Civil Manager shall be \$53,715 - \$63,715; and be it further

RESOLVED: That the 2023 annual salary of the current incumbent in the Civil Manager title, Kimberly Lombardoni shall be increased by \$4,883, effective retroactive to September 15, 2023.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 532-23 *AUTHORIZE SALARY REALLOCATION WITHIN
CSEA SALARY SCHEDULE FOR CIVIL LAW CLERK
SHERIFF'S OFFICE*

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

WHEREAS: On October 31, 2023, the Personnel Department received a position description questionnaire from Michele Jenson, Civil Law Clerk (CSEA SG V, \$31,894–32,894) who works within the Civil Division under the Tioga County Sheriff's Office; and

WHEREAS: A desk audit occurred and involved the review of work tasks performed by the employee as well as current salary allocation; and

WHEREAS: The Personnel Officer has made a determination that due to the substantial knowledge base requirements, duties and NYS mandated Civil training responsibilities of the Civil Law Clerk in comparison with other titles within the current CSEA Salary Grade V structure, there is justification to request a salary reallocation; therefore be it

RESOLVED: That the title of Civil Law Clerk shall be reallocated from CSEA Salary Grade V to CSEA Salary Grade VII (\$39,041 – \$40,041); effective retroactive to October 31, 2023; and be it further

RESOLVED: That the 2023 annual salary of the current incumbent in the Civil Law Clerk title shall be increased by \$7,147, effective retroactive to October 31, 2023.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 533-23 APPROVE SALARY ABOVE HIRING BASE
DEPUTY SHERIFF POSITION
SHERIFF'S OFFICE

WHEREAS: Resolution No. 211-99 requires Legislative approval for any appointments made above an established base salary amount; and

WHEREAS: As of July 15, 2023, there is one full-time Deputy Sheriff position vacant; and

WHEREAS: In order to maintain adequate staffing levels for the Road Patrol Division, the Sheriff has an immediate need to backfill said position; and

WHEREAS: The Sheriff has received approval from the Tioga County Law Enforcement Association to hire a new Deputy Sheriff, who has over four years of police experience, at an annual salary rate reflecting four years of experience per the current union contract, or \$72,331; and

WHEREAS: Dominic Demuth, a transfer candidate with over 4 years of Police Officer experience, has applied and has been found both eligible and willing to accept a transfer from the Owego Police Department to a Deputy Sheriff vacancy in Tioga County; therefore be it

RESOLVED: That the Sheriff is hereby authorized to backfill the vacant, full-time Deputy Sheriff position with Dominic Demuth at an annual salary of \$72,331 effective December 16, 2023.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION
PERSONNEL COMMITTEE

RESOLUTION NO. 534-23 *AUTHORIZING A ONE-YEAR EXTENSION
OF THE TIOGA COUNTY REMOTE WORK POLICY-
PILOT PROGRAM*

WHEREAS: The Tioga County Legislature adopted Resolution No. 265-21 on November 9, 2021, establishing a new policy entitled Tioga County Remote Work supporting the use of remote worksites for a portion of the standard workweek and allowing Department Heads to implement Remote Work Arrangements for eligible Management/Confidential employees, where appropriate; and

WHEREAS: The Tioga County Legislature adopted Resolution No. 47-23 on January 10, 2023 revising the Tioga County Remote Work Policy-Pilot Program in its entirety to include eligible CSEA staff as deemed appropriate by their Department Head; and

WHEREAS: The Tioga County Legislature adopted Resolution No. 94-23 on February 14, 2023 revising the Employee Handbook: Section IV. Personnel Rules; Subsection T. entitled Tioga County Remote Work Policy-Pilot Program, Subsection IV. Policy C. Hardware, Software, and Supplies; and

WHEREAS: Tioga County's current Remote Work Policy-Pilot Program is effective January 1, 2022 – December 31, 2023; and

WHEREAS: The Tioga County Department Heads have expressed an interest in the Legislature considering continuation of this program based on successful results and aiding in recruitment and retention efforts; therefore be it

RESOLVED: That the Legislature is authorizing a one-year extension of the Tioga County Remote Work Policy-Pilot Program with a new expiration date of December 31, 2024; and be it further

RESOLVED: That the Remote Work Policy-Pilot Program remains unchanged.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, and Mullen.

No – Legislator Monell.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE, LEGAL AND SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 535-23 AMEND EMPLOYEE HANDBOOK:
SECTION IV. PERSONNEL RULES; SUBSECTION j.,
MANAGEMENT/CONFIDENTIAL BENEFITS;
PARAGRAPH II. A. LEAVE ACCRUALS, VACATION

WHEREAS: Resolution No. 476-23 dated November 14, 2023 amended the Employee Handbook: Section IV. Personnel Rules; Subsection j., Management/Confidential Benefits; Paragraph II. A. Leave Accruals, Vacation; and

WHEREAS: The granting of the additional five (5) days of vacation for employees with 20 years or more of Tioga County service also changes the statement that no employee shall carry more than 45 days' vacation at any time; therefore be it

RESOLVED: That the Employee Handbook; Section IV. Personnel Rules; Subsection j., Management/Confidential Benefits; Paragraph II. A. Leave Accruals, Vacation is hereby amended to read as follows:

II. Leave Accruals

All full-time Management/Confidential employees (except elected officials) are eligible for the following:

A. VACATION

- Accounting for vacation time shall be done by the Treasurer's Office through the County central computer on a per-pay period basis, as reported to the Treasurer's Office by the various departments.
- Vacation days are accrued on each employee's anniversary date, which is maintained by the Treasurer's Office. Anniversary dates are adjusted on a day for day basis for any unpaid absence that has not been previously approved. No adjustment of the anniversary date shall occur if an unpaid medical leave is pre-approved and does not exceed one cumulative year (260 working days) in duration. Once pre-approved medical leave(s) exceeds one cumulative year, the anniversary date shall be adjusted on a day for day basis for all days in excess of 260. An unpaid leave of absence for non-Family/Medical Leaves reasons which is approved in advance shall result in adjustment of the employee's anniversary date as of day one.
- Vacation days cannot be used until they are actually accrued. Vacation time may be used in one-hour increments. If a half-day is used, 3 ½ hours will be charged.
- For employees hired without credit for relevant prior work experience, the following chart shall apply:

CHART 1:

<u>Years of Tioga County Service:</u>	<u>Vacation Days:</u>
Upon hire	0
6-month anniversary	5 days
1 year anniversary	10 days
	(minus any used between 6 months and one year)
2 year - 5-year anniversary	10 days
6 year - 12-year anniversary	15 days
13 year -19-year anniversary	20 days
20 years and over	25 days

- For those employees hired with credit for five or more years of relevant prior work experience who have not yet reached (as of December 1, 2000) the anniversaries indicated below, vacation will be accrued based upon the sum of the prior relevant work experience plus the total relevant Tioga County experience, as follows:

CHART 2:**Prior Years Experience plus Tioga**

<u>County Experience Upon Date of Hire:</u>	<u>Vacation Days:</u>
5*	10
6-12	15
13 and over	20

(*Employees with less than five years of prior relevant experience shall be considered to have no prior relevant experience, and therefore covered by Chart 1).

- Years of relevant prior experience shall be determined at the time of employment with Tioga County (within the Management/Confidential plan) by the Personnel Department and shall take into account all of an employee's relevant prior work experience. The judgment of the County in this matter shall be at its sole discretion and shall be final and binding on all parties concerned.
- Department Heads shall notify the Chair of the Legislature and Legislative Standing Committee Chair a minimum of ten (10) days in advance of their intent to use vacation time, per Section IV. Personnel Rules, Subsection a. Positions/Leave Time/Vacancies, Paragraph V. Leave Time, B.; this notification shall be in writing, for which email is acceptable.

The Department Head and second in command (as designated by the Department Head) shall not be on vacation at the same time for more than three (3) workdays without advance authorization from the Chair of the Legislature and Legislative Standing Committee Chair. It is the Department Head's responsibility to submit such requests in writing.

Any vacation leaves in excess of ten (10) workdays require prior approval of the Legislative Chair.

- All Other Management/Confidential Employees must file a written request for vacation a minimum of ten (10) working days in advance of the requested leave with the Department Head for all leaves over five (5) days in length. Leave of less than five (5) days duration may be granted within 24 hours' notice. Exceptions to this may be granted by the Department Head, however, all requests for vacation leave must be approved by the Department Head.

- In no case shall an employee accrue more than 25 days' vacation on his/her anniversary date.
- No employee shall carry more than 45 days' vacation at any time. Therefore, the amount of vacation days an employee has on the books the day before his/her anniversary plus the number of days s/he is to accrue on his/her anniversary should equal 45 or less. Any days over 45 shall be immediately lost on the employee's anniversary.
- Exception: In the event unforeseen and unanticipated circumstances may cause an employee to have more than 25 days of vacation upon the day before his/her anniversary, a request to carry-over more than 25 days may be submitted by the employee to the Personnel Officer for review prior to the employee's anniversary date. In reviewing the request, the Personnel Officer shall consider what may have caused the situation (for example: staffing, special projects, and the employee's efforts to take vacation time during the preceding 12 months). In the event such request is approved, the employee will be allowed to carry more than 25 days over but will be required to use the extra days by the date 6 months after his/her anniversary. Any extra days remaining 6 months after the anniversary date will be lost. In the event the request is denied or if an employee has more than 25 days' vacation on the day before his/her anniversary and has not submitted a request, the balance will be reduced to 25 days as indicated in Section III.2. Requests received by Personnel on or after the employee's anniversary date will be denied.
 - There will be no payment in lieu of vacation while the incumbent is employed by Tioga County.
 - Any unused vacation time plus a portion of the coming year's accrual shall be paid for upon separation from the County. Employees granted vacation upon hire based upon qualifying prior work experience must work a minimum of twelve (12) months for Tioga County in order to be eligible for payment of the pro-rated portion of the coming year's vacation accrual.
 - Employees are required to give at least 10 working days advance notice of their resignation or retirement or forfeit any and all pay for earned vacation time. In determining whether this requirement is met, it will be assumed that all employees work Monday through Friday schedule. The Personnel Officer, upon consultation with the Department Head, may make an exception.

- An employee who leaves employment and is rehired more than six (6) months after separation shall be considered a new hire and payment of accrued vacation upon initial separation will be taken into account when determining vacation allowance upon rehire.
- An employee who leaves and is rehired within six (6) months shall have his/her anniversary date adjusted to account for the time not employed by Tioga County.

And be it further

RESOLVED: That the remainder of Section IV. Personnel Rules; Subsection j., Management/Confidential Benefits remains unchanged.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 536-23 *AMEND EMPLOYEE HANDBOOK:
SECTION IV. PERSONNEL RULES, SUBSECTION j.
MANAGEMENT/CONFIDENTIAL BENEFITS,
VI. HEALTH & DENTAL INSURANCE*

WHEREAS: The Management/Confidential Benefits Policy currently states “Employees hired on the first of the month or the first workday of the month shall have their coverage effective immediately”; and

WHEREAS: This aspect of the Management/Confidential Benefits Policy is currently enforced with all employee groups; and

WHEREAS: The enforcement of this policy causes difficulties in Personnel, Payroll, and with Excellus BCBS, without discernable benefit; and

WHEREAS: The Management/Confidential Benefits Policy did not include language stating that employees may change their coverage when a qualifying life event occurs; therefore be it

RESOLVED: That Section IV., Personnel Rules, Subsection j. Tioga County Management/Confidential Benefits, VI. Health & Dental Insurance is to be amended in its entirety and replaced as follows:

VI. Health & Dental Insurance

Eligibility: All full-time employees, Elected Officials (except Coroners), part-time Attorneys (except those in the Treasurer's Office) and part-time Dentists are eligible to participate in the Health/Dental/Vision programs.

Date of Coverage: Newly hired employees shall have coverage effective the first of the month following their start of employment. If an employee fails to enroll in the health insurance program within 30 calendar days of employment, then they must wait until an open enrollment period, which occurs annually in November for January coverage. Employees who wish to change their health coverage may do so during said open enrollment period, or when a qualifying life event occurs.

Tioga County currently provides health insurance through Excellus Blue Cross/Blue Shield of Central New York but maintains the right to change providers at will.

<u>Employee Contributions:</u>	<u>Contributions (% of Premium)</u>
Legislators	15%
Full-time	15%
4 day/week Attorneys	15%
Part-time Attorneys	20%
Part-time Dentists	25%

These payroll deductions shall be taken from pre-tax earnings unless an alternative election is made.

An employee on a leave of absence without pay due to medical reasons shall only pay his/her normal contribution toward the health insurance for the first 6 months. Thereafter, the employee is responsible for 100% of the monthly premium.

An employee on a leave of absence without pay for non-medical reasons shall be responsible for 100% of the monthly premium as of Day 1.

A prescription card is included in the medical plan and requires employees to pay \$5 for generic drugs, \$35 for common brand name drugs, or \$70 for new brand name drugs. Some exceptions may be required by NYS regulations and Excellus Blue Cross/Blue Shield. Drug categorization to be determined by Excellus Blue Cross/Blue Shield. Blue Cross/Blue Shield's "Gap Pricing" shall be in effect for all prescriptions.

The Health Reimbursement Accounts shall be funded by the County at the following levels:

Individual:	\$2,600
Family:	\$5,200

Any eligible employee who enrolls in the Dental and/or Vision plan(s) shall be required to pay 100% of the premium(s). Said premium payments shall be processed as pre-tax deductions.

Booklets detailing the complete coverage provided by the health, dental, and/or vision programs are available from the Personnel/Civil Service Office; and be it further

RESOLVED: That the remainder of Section IV. Personnel Rules; Subsection j., Management/Confidential Benefits remains unchanged.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 537-23 AMEND EMPLOYEE HANDBOOK:
SECTION VI. TRAVEL POLICY AND PROCEDURES,
SUBSECTIONS V. REPORTING AND PROCESSING
ON RETURN FROM APPROVED TRAVEL;
VI. TRANSPORTATION EXPENSES ALLOWED;
VII. MEAL ALLOWANCES, AND VIII. LODGING

WHEREAS: Section VI. Travel Procedures and Procedures has several Subsections in need of revision for the purpose of clarification; therefore be it

RESOLVED: That Section VI. Travel Policy and Procedures, Subsections V. Reporting and Processing on Return from Approve Travel, VI. Transportation Expenses Allowed, VII. Meal Allowances, and VIII. Lodging are hereby amended as follows:

SUBSECTION V. REPORTING AND PROCESSING ON RETURN FROM APPROVED TRAVEL

- A. Except for incidental expenses, claims require the review and approval of such charges by the authorizing official prior to being audited and approved.

SUBSECTION VI. TRANSPORTATION EXPENSES ALLOWED

E. Public transportation such as taxi, bus, subway, train, or Uber fare at travel destination may be reimbursed without receipt, if in the opinion of the County Auditor, County Treasurer, or appropriating auditing agency, circumstances were such that receipts were not obtainable, the receipt requirement may be waived.

SUBSECTION VII. MEAL ALLOWANCES

- A. The County will pay a total per-diem rate for travel. The per-diem rate shall be based upon Standard Daily Rate of \$65.00 for all travel within New York State according to the time the travel takes place and the Meal Reimbursement Allowance Breakdown Rates:

Breakfast: \$14.00
Lunch: \$16.00
Dinner: \$30.00
Incidentals: \$5.00

C. Based on the NYS Standard Daily Rate or Out-of-State GSA rates in effect at time of travel:

1. Meals will be allowed as follows at time of travel:
 - a. Breakfast – When the time of departure from home at the beginning of the trip necessarily occurs before 7:00 a.m.
 - b. Lunch – When the employee is away from their office for more than one-half of the employee's normal workday.
 - c. Dinner – When the time of return home at the conclusion of a trip necessarily occurs after 7:00 p.m.

Meal costs, which are part of a package conference fee, will be allowed even if they exceed these guidelines. Additionally, employees are not eligible for a meal per-diem if the meal is included in the conference and/or hotel fee. This includes a continental breakfast.

SUBSECTION VIII. LODGING

Removal of Paragraph C. related to telephone and postage charges.

And be it further

RESOLVED: That the remainder of this policy remains unchanged.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

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

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 538-23 *AMEND RESOLUTION NO. 344-22;
AUTHORIZE TRANSFERENCE OF
PRO-FLEX ADMINISTRATORS, LLC CONTRACT TO
BRI PARENT, INC. FOR COBRA ADMINISTRATION*

WHEREAS: The Personnel Department entered into a contract with Pro-Flex Administrators, LLC for COBRA administration via Resolution No. 344-22 dated November 15, 2022, effective February 1, 2023 through January 31, 2028; and

WHEREAS: Pro-Flex Administrators, LLC was bought out by BRI Parent, Inc. on August 15, 2023; and

WHEREAS: BRI Parent, Inc. will now handle billing and payment collection for any individuals who elect COBRA; therefore be it

RESOLVED: That due to Pro-Flex Administrators, LLC being bought out by BRI Parent, Inc., the contract will transfer to BRI Parent, Inc. retroactive to August 15, 2023, through January 31, 2028, with no additional cost associated with the transfer; and be it further

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to sign any and all documents associated with the transference of this contract, subject to review by the County Attorney, for continuation of COBRA administration.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Flesher, Roberts, and Weston.

RESOLUTION ADOPTED.

Chair Sauerbrey spoke. “Before I adjourn the meeting, I would like to thank all the Legislators, Department Heads, and employees for a good year. It was a challenging year, a difficult year, and I look forward to 2024 being a positive move to the future.”

Legislator Monell spoke. "I would like to wish everyone a Merry Christmas and a Happy New Year."

Meeting adjourned at 12:32 p.m.