

Office of the County Attorney



FINANCE, LEGAL & SAFETY COMMITTEE

August 9, 2022

10:30 a.m.

- APPROVAL OF MINUTES: July 12, 2022
- FINANCIAL
- OLD BUSINESS
- NEW BUSINESS
 - 2023 County Attorney Budget Presentation
 - 2023 Safety Budget Presentation
 - 2023 DA Budget Presentation
 - 2023 ILS Budget Presentation
 - 2023 Public Defender Presentation
 - Tax Foreclosure Auction
 - Safety Trainings and Investigations
 - Litigation
- PERSONNEL
- RESOLUTIONS
 - ACCEPT INDIGENT LEGAL SERVICES AWARD AND AMEND 2022 BUDGET
 - ACCEPT AUCTION BIDS FOR COUNTY TAXES, AUTHORIZE EXECUTION OF DEEDS
 - AUTHORIZE THE SALE OF 98 FOX STREET LOCATED IN THE VILLAGE OF OWEGO, TO TIOGA COUNTY PROPERTY DEVELOPMENT CORPORATION
- PROCLAMATIONS
- ADJOURNMENT

TIOGA COUNTY, NEW YORK

Office of the County Attorney

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

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



FINANCE, LEGAL AND SAFETY COMMITTEE

July 12, 2022

10:30am

ATTENDANCE:

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

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

APPROVAL OF THE MINUTES: Legislator Monell asked for a motion to approve the June 14, 2022 minutes. Legislator Standinger made the motion, seconded by Legislator Brown and was unanimously carried.

FINANCIAL: Legal and Safety's budgets are tracking well however Legal's "Legal Fees" line has a limited amount of available funds that might not be sufficient to cover pending litigation.

OLD BUSINESS: The 2020 In Rems are moving forward.

NEW BUSINESS: Legal will be asking for the creation of "All Other-On Call" budget line for 2023. This budget line would be used to compensate the adolescent offender's attorney and judge when there is an afterhours Adolescent Offender arraignment. Legal would like to increase the "Office Supply" line and explore the possibility of adding a part time attorney position to handle juvenile delinquent cases and sexual harassment investigations. Department of Social Services attorneys are unable to assist with this work due to a thirty eight percent (38%) increase in caseloads. In the past there was a part time attorney who handled juvenile delinquents. County Attorney DeWind is exploring options, with the County's insurance, to create this position zero based however this does not seem feasible. Legislator Monell asked County Attorney DeWind to reach out to Budget Officer Bailey to discuss the feasibility of a part time attorney position at the August Committee Meeting.

Safety Officer Thorpe briefly discussed the proposed 2023 Safety Budget. Safety Officer Thorpe would like "Contracted Services" and "Nursing Supplies" increased to cover the expense of Audiograms for Department of Public Works employees and the purchase of new defibrillator pads for the County's defibrillator machines. The Legislators had no objection to increasing the budgeted amount to cover these costs.

A conference was recently held, paperwork was refiled and a motion was refiled last week in regards to a County litigation suit. The Opioid lawsuit disbursed the first round of payments last month. Mental Hygiene has received notification of the money along with suggested uses from the State.

ILS Year 5 recently held their first meeting to discuss the year five budget. The budget for year five is set at one hundred twenty four thousand (\$124,000) however going forward ILS will receive a static amount. Tioga County ILS is exploring partnering with Broome County ILS for assigned counsel and research services. ILS is currently looking at municipal spaces that would provide space to meet with clients and will be submitting their budget in October. An intermunicipal agreement would be submitted for the Legislature for approval.

Safety trainings are being completed with departments. Workplace Violence investigations and sexual harassment claims are continuing and are being completed in house. Larger claims are handled by Roemer at an expense to departments ranging from five to twelve thousand dollars (\$5,000 to \$12,000) however departments do not budget for this expense.

The Second Quarter Loss Control meeting was recently held. Claims have decreased for this quarter resulting in fewer losses for the County.

PERSONNEL: None

RESOLUTIONS: AUTHORIZE CONTRACT WITH BURKE GROUP FOR COMPENSATION AND CLASSIFICATION STUDY SERVICES; this resolution was moved into full Legislative session without further questions.

PROCLAMATIONS: None

ADJOURNMENT: Legislature Monell adjourned the Legal and Safety Committee meeting at 10:58am.

Respectfully submitted,

Christine Freyvogel

Secretary to the County Attorney



TIOGA COUNTY, NEW YORK

Tioga County 2022 LEGAL BUDGET REPORT

FOR 2022 09

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	PCT USE/COL
A General Fund							
A1420 Law							
A1420 412706 Shared Services-At	-50,079	0	-50,079	-7,683.98	.00	-42,395.02	15.3%*
A1420 510010 Full Time	196,606	0	196,606	105,861.63	.00	90,744.37	53.8%
A1420 520200 Office Equipment	200	0	200	.00	.00	200.00	.0%
A1420 520210 Other Furniture	250	0	250	.00	.00	250.00	.0%
A1420 540010 Advertising	200	0	200	.00	.00	200.00	.0%
A1420 540040 Books	800	0	800	.00	.00	800.00	.0%
A1420 540180 Dues	1,100	0	1,100	823.00	.00	277.00	74.8%
A1420 540320 Leased/Service Equ	400	0	400	.00	.00	400.00	.0%
A1420 540330 Legal Fees	50,000	0	50,000	31,077.37	13,600.00	5,322.63	89.4%
A1420 540390 Mileage Expense	100	0	100	.00	.00	100.00	.0%
A1420 540420 Office Supplies	475	0	475	245.25	.00	229.75	51.6%
A1420 540480 Postage	200	0	200	38.99	.00	161.01	19.5%
A1420 540485 Printing/Paper	100	0	100	71.42	.00	28.58	71.4%
A1420 540731 Training/State Req	600	0	600	100.00	.00	500.00	16.7%
A1420 581088 State Retirement F	17,918	0	17,918	10,061.25	.00	7,857.17	56.2%
A1420 583088 Social Security Fr	15,182	0	15,182	8,154.64	.00	7,027.54	53.7%
A1420 584088 Workers Compensati	3,673	0	3,673	2,203.65	.00	1,469.37	60.0%
A1420 585588 Disability Insuran	204	0	204	117.45	.00	86.13	57.7%
A1420 586088 Health Insurance F	49,507	0	49,507	35,320.80	.00	14,186.58	71.3%
A1420 588988 Eap Fringe	44	0	44	25.20	.00	18.48	57.7%
TOTAL Law	287,480	0	287,480	186,416.67	13,600.00	87,463.59	69.6%
TOTAL General Fund	287,480	0	287,480	186,416.67	13,600.00	87,463.59	69.6%
TOTAL REVENUES	-50,079	0	-50,079	-7,683.98	.00	-42,395.02	
TOTAL EXPENSES	337,559	0	337,559	194,100.65	13,600.00	129,858.61	
GRAND TOTAL	287,480	0	287,480	186,416.67	13,600.00	87,463.59	69.6%

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Tioga County
2022 SAFETY BUDGET REPORT

FOR 2022 08

Table with columns: ORIGINAL APPROP, TRANFRS/ADJSTMTS, REVISED BUDGET, YTD ACTUAL, ENCUMBRANCES, AVAILABLE BUDGET, PCT USE/COL. Rows include various budget items like Interest And Earn, Fulltime, Contracting Servi, etc., and summary rows for TOTAL 504 Coordinator/Safety, TOTAL Liability Insurance Fund, and GRAND TOTAL.

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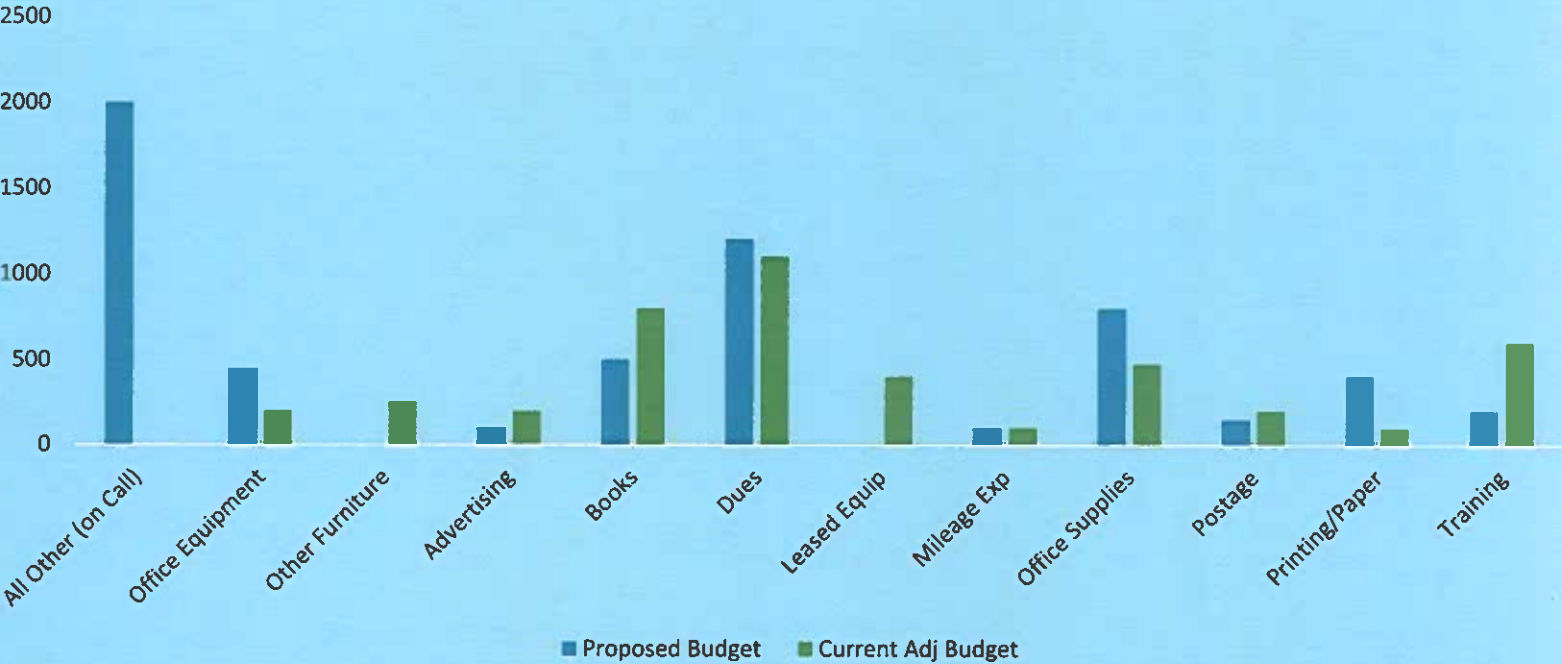


2023 Legal Budget Presentation

New Accounts and Budget Analysis

- The need for a new budget line 510050 All Other (On Call) has been identified
- The need for a part time County Attorney has been identified
- Historical amounts of probability, stability, and actual activity have been analyzed
- Several accounts were identified for reduction or adjustment
- Supporting documentation was attached for specific line items
- Proposed 2023 budget has an increase from the 20231 budget projection

Proposed Budget vs. Current Adjusted Budget Objects



A 1420 Law 2023 Proposed Budget

Object	Description	2021 expenses	2022 Expenses YTD	2023 Suggested Amount	Requested Amount
510050*	All Other-On Call (AO fund)	\$500.00	\$0.00	\$0.00	\$2,000.00
520200	Office Equipment	\$194.99	\$0.00	\$200.00	\$450.00
520210	Other Furniture	\$109.99	\$0.00	\$250.00	\$0.00
540010	Advertising	\$0.00	\$0.00	\$200.00	\$100.00
540040	Books				
	Gray book	\$186.10			
	Yellow book	\$170.10			
	Pamphlet	\$55.44			
Total		\$411.64	\$0.00	\$800.00	\$500.00
540180	Dues				
	NYS Attorney Registration	\$375.00			
	Broome County Bar Association	\$90.00			
	CAASNY	\$339.00			
	NYS Bar Association	\$305.00			
Total		\$1,109.00	\$823.00	\$1,100.00	\$1,200.00
540320	Leased Service Equipment	\$3.90	\$0.00	\$400.00	\$0.00
540320	Legal Fees				
	Roemer	\$40,800.00			
	Goldberg and Segalla	\$1,034.85			
	Language Line (translation)	\$32.75			
Total		41,867.60	44,677.00	\$50,000.00	\$65,000.00
540390	Mileage	\$0.00	\$0.00	\$100.00	\$100.00
540420	Office Supplies				
	Kevin's supplies for In Rems	\$400.00			
	Law's supplies	\$73.17			
Total		\$473.17	\$245.25	\$475.00	\$825.00
540480	Postage	\$189.74	\$0.00	\$200.00	\$150.00
540485	Printing/Paper	\$0.00	\$71.42	\$100.00	\$400.00
540731	Training Fees	\$100.00	\$100.00	\$600.00	\$200.00
Grand Total			\$45,916.67	\$54,425.00	\$70,925.00

Increase

Decrease

* Requested new budget line

NOTES:

All Other-On Call: \$2000 will be used to pay the adolescent offender's lawyer and presiding judge (\$250 per lawyer and judge per appearance)

Office Equipment: combined the funds in Other Furniture to cover the rising expense of office furniture

Dues: (\$100 increase to allow yearly dues to be paid in their entirety)

Legal Fees: \$15,000 increase to cover workplace violence investigations referred to Roemer (Investigations average between \$7000 and \$9000 each)

Office Supplies: \$350 increase to cover In Rem expenses to be offset by the Treasurer

Printing/Paper: \$300 increase to cover In Rem ink and paper expenses to be offset by the Treasurer



Tioga County DEPARTMENT BUDGET REQUESTS

BUDGET PROJECTION 20231 2023 OPERATING BUDGET

ORG	OBJECT PROJ	ACCOUNT DESCRIPTION	CURRENT ADJ BUDGET	PROJECTED ACTUAL	Department	PERCENT CHANGE
A1420	412706	Shared Services-Attorney	-50,079.00	.00	-50,079.00	.00
	A -10-1400-1420-0000-412706-					
A1420	510010	Full Time	196,606.00	.00	192,981.00	-1.84
	A -10-1400-1420-0000-510010-					
			1.00	43,975.00	43,975.00	
			1.00	111,904.00	111,904.00	
			1.00	37,102.00	37,102.00	
A1420	510050	All Other(On Call, Cloth, stip	.00	.00	2,000.00	.00
	A -10-1400-1420-0000-510050-					
A1420	520070	Chairs	.00	.00	.00	.00
	A -10-1400-1420-0000-520070-					
A1420	520150	File Cabinets	.00	.00	.00	.00
	A -10-1400-1420-0000-520150-					
A1420	520200	Office Equipment	200.00	.00	450.00	125.00
	A -10-1400-1420-0000-520200-					
A1420	520210	Other Furniture	250.00	.00	.00	-100.00
	A -10-1400-1420-0000-520210-					
A1420	540010	Advertising	200.00	.00	100.00	-50.00
	A -10-1400-1420-0000-540010-					
A1420	540040	Books	800.00	.00	500.00	-37.50
	A -10-1400-1420-0000-540040-					
A1420	540180	Dues	1,100.00	.00	1,200.00	9.09
	A -10-1400-1420-0000-540180-					
A1420	540320	Leased/Service Equipment	400.00	.00	.00	-100.00
	A -10-1400-1420-0000-540320-					
A1420	540330	Legal Fees	50,000.00	.00	65,000.00	30.00
	A -10-1400-1420-0000-540330-					
A1420	540390	Mileage Expense	100.00	.00	100.00	.00
	A -10-1400-1420-0000-540390-					
A1420	540420	Office Supplies	475.00	.00	825.00	73.68
	A -10-1400-1420-0000-540420-					
A1420	540480	Postage	200.00	.00	150.00	-25.00
	A -10-1400-1420-0000-540480-					



Tioga County
DEPARTMENT BUDGET REQUESTS

BUDGET PROJECTION 20231 2023 OPERATING BUDGET

Table with columns: ORG, OBJECT PROJ, ACCOUNT DESCRIPTION, CURRENT ADJ BUDGET, PROJECTED ACTUAL, Department, PERCENT CHANGE. Rows include items like Printing/Paper, Telephone, Training/State Required, State Retirement Fringe, Social Security Fringe, Workers Compensation Fringe, Unemployment Insurance Fringe, Disability Insurance Fringe, Health Insurance Fringe, and Eap Fringe.

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Tioga County
DEPARTMENT BUDGET REQUESTS

BUDGET PROJECTION 20231 2023 OPERATING BUDGET

Table with columns: ORG, OBJECT PROJ, ACCOUNT DESCRIPTION, CURRENT ADJ BUDGET, PROJECTED ACTUAL, Department, PERCENT CHANGE. Rows include various budget items like Interest And Earnings, Fulltime, Part Time/Temporary, Contracting Services, Leased/Service Equipment, Literature, Nursing Supplies, Office Supplies, Postage, Printing/Paper, Supplies (Not Office), Telephone, Training/All Other, State Retirement Fringe, and Social Security Fringe.



**Tioga County
DEPARTMENT BUDGET REQUESTS**

BUDGET PROJECTION 20231 2023 OPERATING BUDGET

ORG	OBJECT PROJ	ACCOUNT DESCRIPTION	CURRENT ADJ BUDGET	PROJECTED ACTUAL	Department	PERCENT CHANGE
CI8042	584088	Workers Compensation Fringe CI-10-1900-8042-0000-584088-	1,224.34	.00	1,224.34	.00
CI8042	585088	Unemployment Insurance Fringe CI-10-1900-8042-0000-585088-	.00	.00	.00	.00
CI8042	585588	Disability Insurance Fringe CI-10-1900-8042-0000-585588-	.00	.00	.00	.00
CI8042	586088	Health Insurance Fringe CI-10-1900-8042-0000-586088-	.00	.00	.00	.00
CI8042	588988	Eap Fringe CI-10-1900-8042-0000-588988-	14.56	.00	14.56	.00
BUDGET CEILING:					65,214.78	
TOTALS:			65,214.78	.00	278,039.78	326.34
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REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. -22 ACCEPT INDIGENT LEGAL SERVICES AWARD AND AMEND 2022 BUDGET

WHEREAS: The Assigned Counsel Administrator's Office has been awarded an Indigent Legal Services Grant (C120049) in the amount of \$61,902.00; and

WHEREAS: The Tioga County ILS was awarded \$61,902.00 from 01/01/22 through 12/31/24; and this funding now needs to be appropriated; therefore be it

RESOLVED: That the ILS Grant of \$61,902.00 be appropriated and the 2022 Budget be amended as follows:

Revenue Account: A1173 430260 State Aid Indigent \$61,902.00

Expense Account: A 1173 510010 Full Time Salary	\$ 40,000.00
A 1173 510020 Part Time Salary	\$ 9,800.00
A 1173 540040 Books/Westlaw	\$ 2,300.00
A 1173 540280 Investigations	\$ 3,652.00
A 1173 540420 Office Supplies	\$ 2,000.00
A 1173 540620 Software	\$ 2,500.00
A 1173 540700 Transcripts	\$ 1,000.00
A 1173 540733 Training	\$ 650.00

And be it further

RESOLVED: That available funds on year end of the original \$61,902.00 will be carried forward into future years until used.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. ACCEPT AUCTION BIDS FOR COUNTY OWNED PROPERTY ACQUIRED FOR TAXES, AUTHORIZE EXECUTION OF DEEDS

WHEREAS: Properties acquired by Tioga County for nonpayment of taxes in the Towns of Barton, Berkshire, Candor, Newark Valley, Nichols, Owego, Richford, Spencer and Tioga were offered for sale at Public Auction conducted Thursday, August 04, 2022, by the County Treasurer; and

WHEREAS: It is the intent of the Legislature to return the properties to the Tax Rolls as soon as possible; therefore be it

RESOLVED: That the following bids, being the highest made at said Auction for the several different properties offered, be and hereby are accepted and the Chair of the Tioga County Legislature authorized to sign and record, on receipt of the amount bid and recording costs, Quit Claim Deeds conveying the various parcels to the successful bidders and to their assigns:

<u>Prior Owner-Tax Map#</u>	<u>Purchaser</u>	<u>Bid</u>
<u>Village of Waverly:</u>		
166.19-3-47.1; James E Goodwin	Caleb J. Chandler	\$27,000
166.15-1-75; Samuel J King	Nathan R. Zimmer	\$26,000
155.00-1-10.10; James M Gay Sr.	MC Properties & Rentals LLC	\$36,000
168.00-1-13.40; Peggy S Hazard	Kayla Marie Pond	\$18,000
<u>Town of Barton:</u>		
101.00-2-6; Richard Conley	Storage Ithaca LLC	\$160,000
167.00-1-36; Stephen A Mack	Robin L. Corby	\$51,000
157.00-1-49; Robin Sue Myers	Christopher M. Mckinkle	\$50,000
168.00-1-8.20; Daniel W Springston	Christopher R. Uettwiller	\$4,250
135.00-1-6.111; Brian Willis	Kristopher Atchison	\$7,500
157.00-2-18; Tioga County	James P. Perkins	\$600
157.07-1-20; Tioga County	Matthew Karpel	\$200
<u>Village of Candor</u>		
61.18-1-28; Mark H. Brown	Alexis M. Parillo	\$67,500
<u>Town of Candor</u>		
93.00-1-37; Stella Barrows	Brett W. Relyea	\$6,000
<u>Town of Newark Valley:</u>		
44.00-1-10; Melody A Barnett	Michelle H. Gehm	\$11,750
44.00-1-8; Lewis C. Pintler	James P. Perkins	\$20,000
75.18-1-84; Lin Yibo	Oscar E. Gile	\$4,000
75.18-1-85; Lin Yibo	Joseph E. & Kristine M. Tomazin	\$5,000
55.00-1-6.11; Grigoriy Vlasyuk	Jason L. Harvey	\$17,000

<u>Prior Owner-Tax Map#</u>	<u>Purchaser</u>	<u>Bid</u>
<u>Town of Nichols:</u>		
150.00-1-37; Stephen Bailey	Christopher M. Mckinkle	\$32,000
149.13-1-1; AJ Fredenburg	Douglas J. & Helen Reynolds	\$8,000
<u>Village of Owego:</u>		
128.08-3-79; Joanne E Ellerson	Richard A. & Andrea Shimer	\$7,500
129.05-2-26; Vicki L Harrell	James Walley	\$41,500
128.08-3-31; Casey Sauer	Jacobson and Sumner, LLC	\$21,000
117.20-2-6; Nichole Stables	Martins O. Ochu	\$1,400
117.20-2-16; Clinton L. Harrison	Ian F. Walley	\$27,500
117.20-1-21.1; Dason K Tinkham	Jacobson and Sumner, LLC	\$11,000
117.20-3-20; Dason K Tinkham	Jacobson and Sumner, LLC	\$10,000
<u>Town of Owego:</u>		
153.06-2-14; Leon Anastaskos	Tina Nguyen	\$1,800
142.18-2-15; Jansen Jeanette	Maan Alzitoon	\$27,500
143.13-2-50.1; Candice VanSchaick	Archie J. Resue	\$250
153.12-2-56; Catherine M. Alpi	Perkins Realty Investments LLC	\$98,000
175.00-1-22.21; Apalachin Youth FB League Inc.	Benjamin B. McCluhan	\$8,000
143.17-1-6; Joseph R. Ferrese	BTSB Properties, LLC	\$92,000
87.00-1-19; Jonathan Hofmann	Curtis L. & Ashley N. Hammond	\$7,000
143.18-1-30; Marta Link	BTSB Properties, LLC	\$36,500
131.17-2-13; Dennis Maley	Dean Housing LLC	\$9,000
175.00-1-17; Joseph V. Perrine	CJP Capital LLC	\$59,000
87.00-1-45.2; Douglas S. Reynolds	Lawrence R. Rangitsch	\$15,000
130.00-1-13; Norvel Wood	Perkins Realty Investments LLC	\$3,500
130.00-1-14; Norvel Wood	Perkins Realty Investments LLC	\$1,000
<u>Town of Richford:</u>		
5.00-1-35.20; Donna Inman	Dean Housing LLC	\$2,500
12.00-1-34; Richard A. Glezen	Daniel K. Scherrer	\$7,000
11.00-2-2.11; Donald N. Gorton	Patricia L. Dickinson	\$21,000
16.00-1-7.20; Knapp Karl	Michelle H. Gehm	\$8,500
1.00-1-3; Predmore Diana	Kara M. Nash	\$13,000
<u>Village of Spencer:</u>		
92.00-1-22.10; Ralph G. Cobb	M. Rocco Lucente	\$60,000
91.00-1-31; Shyrlee A. Gardner	Donald R. Johnson Jr.	\$17,000
59.00-1-39; William R. Grenolds	Matthew C. Frisbie	\$5,000
<u>Town of Spencer:</u>		
47.00-1-26.41; Deborah G. Bailey	Michael C. & Tammy M. Hornbrook	\$9,500
47.00-1-26.111; Deborah G. Bailey	Michael C. & Tammy M. Hornbrook	\$9,500
58.00-1-34; Samuel T. Cundy Jr	Michael W. Sackett	\$21,000
69.00-2-11; FLT Holdings LLC	Michael W. Sackett	\$61,000
91.00-1-28.12; Grant M. Scholten	Bradly J. Chaffee	\$27,500

Prior Owner-Tax Map#

Purchaser

Bid

Town of Tioga:

106.19-1-20; James Haines	Martin O. Ochu	\$29,500
127.00-1-39; Margaret Henson	Gail L. & Kevin L. Gillette	\$21,000
158.12-1-29; John Weaver	Christopher S. Hildebrant	\$16,000
126.00-1-15.10; Frank Altieri	Chad M. Deming	\$9,000
117.11-2-11; Horizon Transport LLC	Renya Lezama Mota	\$11,000
148.00-1-22.10; Jane Luddy	Franciso Aguayo	\$14,000

Roll Call:

Ayes

Noes

Absent

CARRIED

REFERRED TO:

LEGISLATIVE WORKSESSION

RESOLUTION NO.

AUTHORIZE THE SALE OF 98 FOX STREET
LOCATED IN THE VILLAGE OF OWEGO,
TO TIOGA COUNTY PROPERTY
DEVELOPMENT CORPORATION

WHEREAS: Property located in the Village of Owego retained by Tioga County for the 2018 Delinquent Tax Year was transferred to the county on September 23, 2021, this property, identified as Tax Map number 128.08-3-9, parcel number 87 owed 2018, 2019, 2020 & 2021 taxes and failed to pay by the last date of redemption; and

WHEREAS: The County has been approached by The Tioga County Property Development Corporation, who has made an offer to purchase the property for \$1.00 "as is", be it therefore

RESOLVED: That the Chair of the Tioga County Legislature be and hereby is authorized to sign and record on receipt of \$1.00, a Quit Claim Deed conveying the property transferred to Tioga County, located in the, Village Of Owego, identified on the Village of Owego Tax Map as number 128.08-3-9 parcel number 87, to The Tioga County Property Development Corporation or assigns.