



FINANCE, LEGAL & SAFETY COMMITTEE

November 15, 2022

10:30 a.m.

- APPROVAL OF MINUTES: October 11, 2022
  
- FINANCIAL
  - Safety
  - Law
  
- OLD BUSINESS
  - 2022 Insurance Renewal
  
- NEW BUSINESS
  - Litigation
  - Annual Safety Trainings
  - Tax Foreclosure Signage, Expenses, Maintenance & Franklin sale
  - FOIL
  
- PERSONNEL
  - Safety Officer
  
- RESOLUTIONS
  - AUTHORIZE THE SALE AND TRANSFER OF PROPERTY FROM TIOGA COUNTY TO THE TIOGA COUNTY PROPERTY DEVELOPMENT CORPORATION
  - AUTHORIZE PURCHASE OF A HIPPELUS/PZ METAL DETECTOR USING AMERICAN RESCUE PLAN ACT (ARPA) FUNDS
  - ENTER INTO A CONTRACT WITH TWIN TIERS DRUG & ALCOHOL TESTING, LLC FOR CDL DRUG AND ALCOHOL TESTING
  
- PROCLAMATIONS
  
- EXECUTIVE SESSION TO DISCUSS LITIGATION
  
- 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](http://www.TiogaCountyNY.com)



### FINANCE, LEGAL AND SAFETY COMMITTEE

October 11, 2022

10:30am

#### ATTENDANCE:

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

STAFF: Legislative Clerk Haskell, County Attorney DeWind, Treasurer McFadden, Chief Accountant Jerzak, Personnel Officer Parke

APPROVAL OF THE MINUTES: Legislator Monell asked for a motion to approve the September 13, 2022 minutes. Legislator Mullen made the motion, seconded by Legislator Brown and was unanimously carried.

FINANCIAL: Legal and Safety's budgets are tracking well however some of the budget lines for Legal and Safety have had money transferred between objects to cover unanticipated expenses.

#### OLD BUSINESS:

Litigation: An audit letter detailing pending or threatened litigation, claims and assessments and unasserted claims and assessments has been submitted Inero & Co., and a current litigation involving a former employee has a motion to dismiss and should go to the Judge in November.

We are working toward resolving a conflict from the In Rem which should be concluded soon due to court deadlines. The plan is to reopen a default judgement which will open leaving the liens intact. This is the same procedure we are hoping to use in the future for redemptions after the County takes title. A redemption policy will be created and submitted to the Legislators spring of 2023 and will include that the individual must pay all owed taxes not just the current year taxes. Legislator Mullen stated he would like the redemption policy to include language limiting redemptions to onetime only per individual.

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### NEW BUSINESS:

ILS/New Office Space: County Attorney DeWind, ILS Coordinator Graven and Broome County Administrator Eric Gartenman toured 178 Main Street as a possible site for ILS. Broome County ILS is interested in a joint partnership with Tioga County ILS and has agreed to split expenses equally. Right now ILS is meeting with clients at the Court House common room and Dunkin Donuts. This property would provide a professional space for ILS to conduct business and meet with clients in a private setting. Department of Public Works Commissioner Hammond has toured the space to build out however DPW does not have time or manpower to fully renovate the space but perhaps would be able to assist with minor repairs. DPW would need a charge back for snow removal, mowing and minor repair expenses. The County has the option to purchase this property however it would be more cost effective to lease. ILS is anticipating a move in date of spring 2023 if Legislators approve the ILS budget to be submitted next month. This property, including renovations and equipment, will be paid entirely from grant funds at a zero based cost to the County.

Taxes: Local law 79 allows for the payment of demolition costs/taxes to villages and towns. Sub-municipal (towns) decide what a tax is however this does not apply to villages. Many New York counties have built their local law to limit demo costs however this is not legal. Tioga County could withdraw the local law or do a private contractual arrangement with villages to reimburse up to a certain amount contingent on open discussions between the County and village regarding the condition of the property and anticipated cost of demolition. County Attorney DeWind will draw up a letter to the villages requesting to discuss capping demolition costs for Chair Sauerbrey to sign.

Safety Trainings and Investigations: Information Technology and Communication Services has installed fobs on the exterior doors of the Ronald E. Dougherty County Office Building (56 Main Street) and is moving forward with security updates. Workplace violence investigations have decreased and the quarterly Loss Control meeting was just completed. Safety Officer Thorpe is working with departments to address situational awareness to deter future incidents

2022 Insurance Renewal: Legal is currently working on the renewal policy for the County's 2022-2023 insurance. Cyber insurance continues to be an issue however Information Technology and Communication Services is working on Multi-Factor Authentication which should be cost beneficial. Flood insurance premiums have arrived and some of the buildings had premium decreases due to FEMA assumptions however some of the buildings have had slight increases.

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Projects and Policies: Legal and Safety are currently working on updating the Title VI policy.

ADA Building Compliance: Safety Officer Thorpe is currently working to ensure all County buildings are ADA compliant.

### PERSONNEL:

N/A

RESOLUTIONS: AUTHORIZE THE SALE AND TRANSFER OF PROPERTIES FROM TIOGA COUNTY TO THE TIOGA COUNTY PROPERTY DEVELOPMENT CORPORATION; this resolution was moved into full Legislative session without further questions.

### PROCLAMATIONS:

N/A

EXECUTIVE SESSION: Legislator Monell asked for a motion to enter into executive session to discuss a possible litigation matter. Legislator Mullen made the motion and was seconded by Legislator Ciotoli at 11:41am. Legislator Mullen made a motion to adjourn which was seconded by Legislator Brown at 11:51am. Chair Sauerbrey, Legislators: Ciotoli, Roberts, Standinger, Weston, Mullen, Brown, and Monell and County Attorney DeWind and Legislative Clerk Haskell were in attendance with no action taken.

ADJOURNMENT: Legislator Monell adjourned the meeting at 11:52am.

Respectfully submitted,

*Christine Freyrogel*

Secretary to the County Attorney



**Tioga County  
2022 SAFETY BUDGET REPORT**

FOR 2022 11

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	PCT USE/COL
<b>LI Liability Insurance Fund</b>							
<b>LI8042 504 Coordinator/Safety</b>							
CI8042 424010 Interest And Earn	0	0	0	-47.18	.00	47.18	100.0%
CI8042 510010 Fulltime	50,500	0	50,500	40,885.05	.00	9,614.95	81.0%
CI8042 540140 Contracting Servi	2,350	0	2,350	1,650.00	.00	700.00	70.2%
CI8042 540320 Leased/Service Eq	175	-75	100	.00	.00	100.00	.0%
CI8042 540340 Literature	50	-50	0	.00	.00	.00	.0%
CI8042 540410 Nursing Supplies	1,000	552	1,552	970.98	.00	580.90	62.6%
CI8042 540420 Office Supplies	600	129	729	597.14	.00	131.70	81.9%
CI8042 540480 Postage	150	0	150	.57	.00	149.43	.4%
CI8042 540640 Supplies (Not off	600	-2	598	452.64	.00	145.48	75.7%
CI8042 540660 Telephone	75	-54	21	21.16	.00	.00	100.0%
CI8042 540733 Training/All othe	3,500	-500	3,000	1,716.69	.00	1,283.31	57.2%
CI8042 581088 State Retirement	2,744	0	2,744	3,547.94	.00	-804.16	129.3%*
CI8042 583088 Social Security F	2,232	0	2,232	3,113.21	.00	-881.11	139.5%*
CI8042 584088 Workers Compensat	1,224	0	1,224	1,077.34	.00	147.00	88.0%
CI8042 585588 Disability Insura	0	0	0	54.81	.00	-54.81	100.0%*
CI8042 586088 Health Insurance	0	0	0	9,065.76	.00	-9,065.76	100.0%*
CI8042 588988 Eap Fringe	15	0	15	12.32	.00	2.24	84.6%
<b>TOTAL 504 Coordinator/Safety</b>	<b>65,215</b>	<b>0</b>	<b>65,215</b>	<b>63,118.43</b>	<b>.00</b>	<b>2,096.35</b>	<b>96.8%</b>
<b>TOTAL Liability Insurance Fund</b>	<b>65,215</b>	<b>0</b>	<b>65,215</b>	<b>63,118.43</b>	<b>.00</b>	<b>2,096.35</b>	<b>96.8%</b>
TOTAL REVENUES	0	0	0	-47.18	.00	47.18	
TOTAL EXPENSES	65,215	0	65,215	63,165.61	.00	2,049.17	
<b>GRAND TOTAL</b>	<b>65,215</b>	<b>0</b>	<b>65,215</b>	<b>63,118.43</b>	<b>.00</b>	<b>2,096.35</b>	<b>96.8%</b>

\*\* END OF REPORT - Generated by Freyvogel, Christine \*\*

**Tioga County  
2022 LEGAL BUDGET REPORT**

FOR 2022 11		ORIGINAL APPROP	TRANFRS/ ADJUSTMTS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	PCT USE/COL
<b>A General Fund</b>								
<b>A1420 Law</b>								
A1420 412706	Shared Services-At	-50,079	0	-50,079	-23,051.94	.00	-27,027.06	46.0%*
A1420 510010	Full Time	196,606	0	196,606	158,267.14	.00	38,338.86	80.5%
A1420 520200	Office Equipment	200	0	200	190.02	.00	9.98	95.0%
A1420 520210	Other Furniture	250	0	250	249.45	.00	.55	99.8%
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	-100	300	.00	.00	300.00	.0%
A1420 540330	Legal Fees	50,000	0	50,000	42,144.87	3,400.00	4,455.13	91.1%
A1420 540390	Mileage Expense	100	0	100	.00	.00	100.00	.0%
A1420 540420	Office Supplies	475	100	575	544.46	.00	30.54	94.7%
A1420 540480	Postage	200	0	200	155.29	.00	44.71	77.6%
A1420 540485	Printing/Paper	100	0	100	71.42	.00	28.58	71.4%
A1420 540731	Training/State Req	600	0	600	275.00	.00	325.00	45.8%
A1420 581088	State Retirement F	17,918	0	17,918	14,756.50	.00	3,161.92	82.4%
A1420 583088	Social Security Fr	15,182	0	15,182	11,939.96	.00	3,242.22	78.6%
A1420 584088	Workers Compensati	3,673	0	3,673	3,232.02	.00	441.00	88.0%
A1420 585588	Disability Insuran	204	0	204	172.26	.00	31.32	84.6%
A1420 586088	Health Insurance F	49,507	0	49,507	51,803.84	.00	-2,296.46	104.6%*
A1420 588988	Eap Fringe	44	0	44	36.96	.00	6.72	84.6%
<b>TOTAL Law</b>		<b>287,480</b>	<b>0</b>	<b>287,480</b>	<b>261,610.25</b>	<b>3,400.00</b>	<b>22,470.01</b>	<b>92.2%</b>
<b>TOTAL General Fund</b>		<b>287,480</b>	<b>0</b>	<b>287,480</b>	<b>261,610.25</b>	<b>3,400.00</b>	<b>22,470.01</b>	<b>92.2%</b>
<b>TOTAL REVENUES</b>		<b>-50,079</b>	<b>0</b>	<b>-50,079</b>	<b>-23,051.94</b>	<b>.00</b>	<b>-27,027.06</b>	
<b>TOTAL EXPENSES</b>		<b>337,559</b>	<b>0</b>	<b>337,559</b>	<b>284,662.19</b>	<b>3,400.00</b>	<b>49,497.07</b>	
<b>GRAND TOTAL</b>		<b>287,480</b>	<b>0</b>	<b>287,480</b>	<b>261,610.25</b>	<b>3,400.00</b>	<b>22,470.01</b>	<b>92.2%</b>

\*\* END OF REPORT - Generated by Freyvoege], Christine \*\*

REFERRED TO:

ED&P COMMITTEE  
FINANCE COMMITTEE  
LEGAL COMMITTEE

RESOLUTION NO. -22

AUTHORIZE THE SALE AND TRANSFER OF PROPERTY  
FROM TIOGA COUNTY TO THE TIOGA COUNTY  
PROPERTY DEVELOPMENT CORPORATION

WHEREAS: The County has been approached by The Tioga County Property Development Corporation, which has made an offer to purchase a property acquired by Tioga County for nonpayment of taxes in the Village of Owego; and

WHEREAS: Tioga County has agreed to sell and transfer the following property in the Village of Owego, NY within Tioga County to the Tioga County Property Development Corporation for One Dollar (\$1.00) "as is"; and

WHEREAS: The acquisition includes the following property:

94 Spencer Avenue      Village of Owego, NY      #128.08-3-37

Therefore be it

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 to the Tioga County Property Development Corporation.

REFERRED TO:

FINANCE, LEGAL AND SAFETY COMMITTEE  
PUBLIC WORKS COMMITTEE

RESOLUTION NO. --22

AUTHORIZE PURCHASE OF A  
HIPEPLUS/PZ METAL DETECTOR USING  
AMERICAN RESCUE PLAN ACT (ARPA) FUNDS

WHEREAS: The 56 Main Street Safety Committee has identified a need and submitted a recommendation to the Tioga County Legislature for the improvement of security at the Ronald E. Dougherty County Office Building located at 56 Main Street, Owego, New York; and

WHEREAS: The 56 Main Street Safety Committee has determined, after receiving quotes from State approved vendors, that a HIPEPLUS/PZ Metal Detector with antenna is the recommended metal detector to improve building security; and

WHEREAS: American Rescue Plan Act (ARPA) funding, in the amount of \$30,691.60, has been allocated from Account H1620 520911 M7674 - 56 Main Renovations by way of Resolution 267-22. This American Rescue Plan Act funding includes \$2,580.60 to be used to purchase a HIPEPLUS/PZ Metal Detector with antenna model number SS101 720mm; and

WHEREAS: The Department of Public Works will purchase the HIPEPLUS/PZ Metal Detector with antenna SS101 720mm; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the purchase of a HIPEPLUS/PZ Metal Detector w/antenna SS101 720mm not to exceed \$2,580.60 from Ceia USA, 2202 Lakeside Blvd., Edgewood, MD 21040 respectively to be paid out of the following account: H1620 520911 M7674 - 56 Main Renovations.



REFERRED TO: FINANCE, LEGAL & SAFETY  
RESOLUTION NO. ENTER INTO CONTRACT WITH TWIN  
TIERS DRUG & ALCOHOL TESTING, LLC  
FOR CDL DRUG AND ALCOHOL TESTING

WHEREAS: Federal law requires random drug and alcohol testing of CDL drivers performing "safety sensitive" tasks; and

WHEREAS: Tioga County has coordinated with towns and villages within Tioga County to have testing done by an outside agency; and

WHEREAS: Tioga County has obtained three quotes for random drug and alcohol testing of CDL drivers performing "safety sensitive" tasks.

WHEREAS: The proposal from Twin Tiers Drug & Alcohol Testing, LLC, to perform this service, is the most cost effective; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to enter into a one-year contract for 2023 with Twin Tiers Drug & Alcohol Testing, LLC to perform this service at the rates indicated:

Complete DOT/Non-DOT Random Testing Program:

- Random Selection of Employees Calculated Quarterly (50% for drug, 10% for alcohol)
- All Random Drug & Alcohol Tests performed quarterly on-site
- Record Management
- DOT Audit Assistance
- Regulatory Updates
- MIS Reports
- Collection Site Management
- Supervisor Training
- Laboratory and MRO Set-up with own Laboratory Account
- Online Access to Reporting 24 hours a day
- Online Order of Pre-employment, Follow-up, or Return to Duty Testing
- Training to Navigate Online Portal
- Assistance with Mediation Between MRO and DER
- Over 50 years of collective DOT knowledge

Additional Charges: Pre-employment, post-accident, reasonable suspicion, follow-up, or return to duty tests:

Normal Business Hours:

- Quest Diagnostics/Medical Facilities, Hospitals, etc.: \$70.00 per test
- Breath alcohol test (in office or on-site): \$45.00 per test
- Drug Test On-site: \$65.00 per test
- Scheduled On-site fee \$150.00 one-time fee

Emergency and After Hours:

- Emergency On-site fee: \$150.00/hr. with 2 hr. minimum
- After hours fee: \$25.00 per test
- Holiday fee: \$25.00 per test
- Shy Bladder fee: \$1.25 per minute
- Wait fee: \$1.25 per minute

Split Specimen Testing (re-test of positive specimen by another SAMHSA certified lab)  
Includes shipping and maintenance of chain of custody; only when requested by  
employee within 72 hours of MRO's notification: \$250.00 per test

STATE OF NEW YORK)

ss.:

COUNTY OF TIOGA)