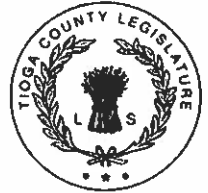


Office of the County Attorney



FINANCE, LEGAL & SAFETY COMMITTEE

October 10, 2023

10:30 a.m.

- APPROVAL OF MINUTES: September 12, 2023

- FINANCIAL
 - Safety
 - Law

- OLD BUSINESS
 - Litigation
 - In Rem Closings and Appraisals

- NEW BUSINESS
 - CDL Drug and Alcohol Screening Contract
 - Roemer Contract
 - JUUL Settlement Agreement

- PERSONNEL

- RESOLUTIONS
 - RECOGNITION OF STEPHANIE CARRIGG'S THIRTY-FIVE YEARS OF SERVICE TO TIOGA COUNTY
 - ESTABLISH A NEW BUDGET LINE, MODIFY 2023 BUDGET AND TRANSFER FUNDS PUBLIC DEFENDER
 - APPOINT PARALEGAL LAW DEPARTMENT

- PROCLAMATIONS
 - N/A

- EXECUTIVE SESSION

- ADJOURNMENT

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

September 12, 2023

10: 30 A.M.

ATTENDANCE:

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

Staff: Legislative Clerk Haskell, County Attorney DeWind, Treasurer McFadden, Deputy Treasurer Chandler, Accountant Schurter, Safety Officer Holbrook, Public Defender Awad, Assigned Counsel Administrator Graven, Secretary to the First Assistant County Attorney Riddle

APPROVAL OF THE MINUTES: Legislator Ciotoli asked for a motion to approve the August 15, 2023, minutes. Legislator Mullen made the motion seconded by Legislator Brown and was unanimously carried.

FINANCIAL: Safety and Legal's budgets are tracking well. Safety is working on putting safety measures in place for departments such as a new automated external defibrillator (AED) for the Board of Elections and overseeing the installation of first aid kits in some county vehicles where there is a need, and the purchase can be fit into our budget.

OLD BUSINESS:

- **Litigation:** The City of New York lawsuit has been withdrawn without prejudice but could be refilled at a later date if the County's emergency orders were to change. The County remains in a related case. There is a conference on another matter today which may include setting the trial schedule. First Assistant County Attorney VanWert recently won an Appellate Division appeal in a difficult child protective case.
- **In Rem:** Mr. Humes is overseeing the closings and appraisals from the current In Rem auction. We are continuing with the process for upcoming foreclosure actions although it is unclear at this point whether the state will substantially alter the process and require that we redo some steps.
- **Budget:** The 2024 budget has been submitted to the Budget Officer for review.

NEW BUSINESS:

- Election Worker Rules: Mr. DeWind recently attended a meeting to discuss the IRS's rule and mandatory training of part-time election workers to ensure no budgetary impact.
- Liability Fund: The liability funds are quickly dwindling due to the recent arrival of numerous vehicles purchased before and during COVID-19, increases in flood insurance premiums for County properties, and to cover upcoming criminal litigation matters. The fund will be monitored.
- Contracts: Legal has seen a thirty-three percent (33%) increase in contracts compared to this time last year. Departments are entering contracts and grants into MUNIS.

PERSONNEL:

- Paralegal Position: The DSS Legal department's paralegal will be retiring at the end of October creating an open position in this department.
- Succession Planning: Public Defender Awad plans on retiring at the end of this year after thirty-eight years of service; however, he would like to continue working for the Public Defender's Office in a part-time capacity. Thomas Cline has expressed an interest in the Public Defender position and has Mr. Awad's full support. Legislators Monell and Standinger expressed their sincere gratitude for the work Mr. Awad has done on behalf of the County.
- Last year the District Attorney's staff were provided with substantial raises creating pressure for salary adjustments in other County legal departments. This discrepancy is creating retention issues with pay being a factor in recent separations and there is concern there could be other separations which would be difficult to fill without drawing from surrounding counties. The DSS positions in particular are not easily filled due to the level of knowledge and experience required and the taxing scope of child abuse work. Pressures from the new assigned counsel rates are also a factor in the need to make adjustments. Mr. DeWind will be bringing forward further discussion of salary adjustments at next month's committee meeting.

RESOLUTIONS: AMEND EMPLOYEE HANDBOOK: SECTION IV. PERSONNEL RULES; SUBSECTION K. EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION/ADA POLICY; AMEND EMPLOYEE HANDBOOK: SECTION II-ETHICS RULES: ADD NEW WHISTLEBLOWER POLICY; AMEND RESOLUTION NO. 193-18, AS AMENDED BY RESOLUTION NO. 45-23; AS AMENDED BY RESOLUTION NO. 255-23 AS AMENDED BY RESOLUTION 296-23 ADOPTION OF TIOGA COUNTY TITLE VI PLAN, ENVIRONMENTAL JUSTICE PLAN, LIMITED ENGLISH PROFICIENCY PLAN, DATA COLLECTION PLAN, ADA

TRANSITION PLAN AND EMPLOYEE TRAINING PLAN; TRANSFER OF FUNDS BUDGET MODIFICATION DISTRICT ATTORNEY; and REQUEST AND TRANSFER OF CONTINGENCY FUNDS & MODIFY 2023 BUDGET ASSIGNED COUNSEL were moved into full Legislative Session without further questions.

PROCLAMATIONS: None

EXECUTIVE SESSION: None

ADJOURNMENT: Legislator Ciotoli adjourned the Finance, Legal and Safety Committee meeting at 11:15 A.M.

Respectfully submitted,

Christine Freyvogel

Secretary to the County Attorney



TIOGA COUNTY, NEW YORK

Tioga County 2023 LEGAL BUDGET REPORT

FOR 2023 12

	ORIGINAL APPROP	TRANSFERS/ 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	-29,807.82	.00	-20,271.18	59.5%*
A1420 510010 Full Time	212,439	0	212,439	155,243.32	.00	57,195.68	73.1%
A1420 510020 Part Time/Temporar	45,000	0	45,000	26,653.86	.00	18,346.14	59.2%
A1420 510050 All Other(On Call,	2,000	-2,000	0	.00	.00	.00	.0%
A1420 520200 Office Equipment	450	0	450	239.99	.00	210.01	53.3%
A1420 540010 Advertising	100	27	127	127.00	.00	.00	100.0%
A1420 540040 Books	500	528	1,028	1,027.55	.00	.00	100.0%
A1420 540180 Dues	1,200	0	1,200	678.00	.00	522.00	56.5%
A1420 540330 Legal Fees	65,000	0	65,000	38,327.38	17,744.87	8,927.75	86.3%
A1420 540331 Legal Fees-Adolesc	0	1,410	1,410	750.00	.00	660.00	53.2%
A1420 540390 Mileage Expense	100	0	100	100.00	.00	.00	100.0%
A1420 540420 Office Supplies	825	-260	565	226.11	.00	338.89	40.0%
A1420 540480 Postage	150	35	185	148.07	.00	37.38	79.8%
A1420 540485 Printing/Paper	400	0	400	114.43	.00	285.57	28.6%
A1420 540731 Training/State Req	200	260	460	285.00	.00	175.00	62.0%
A1420 581088 State Retirement F	17,918	0	17,918	16,145.43	.00	1,772.99	90.1%
A1420 583088 Social Security Fr	15,182	0	15,182	13,470.67	.00	1,711.51	88.7%
A1420 584088 Workers Compensati	3,673	0	3,673	3,819.66	.00	-146.64	104.0%*
A1420 585588 Disability Insuran	204	0	204	156.60	.00	46.98	76.9%
A1420 586088 Health Insurance F	49,507	0	49,507	66,433.86	.00	-16,926.48	134.2%*
A1420 588988 Eap Fringe	44	0	44	47.58	.00	-3.90	108.9%*
TOTAL Law	364,813	0	364,813	294,186.69	17,744.87	52,881.70	85.5%
TOTAL General Fund	364,813	0	364,813	294,186.69	17,744.87	52,881.70	85.5%
TOTAL REVENUES	-50,079	0	-50,079	-29,807.82	.00	-20,271.18	
TOTAL EXPENSES	414,892	0	414,892	323,994.51	17,744.87	73,152.88	
GRAND TOTAL	364,813	0	364,813	294,186.69	17,744.87	52,881.70	85.5%

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



TIOGA COUNTY, NEW YORK

Tioga County 2023 SAFETY BUDGET REPORT

FOR 2023 12

	ORIGINAL APPROP	TRNFRS/ ADJSTMTS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	PCT USE/COL
CI Liability Insurance Fund							
CI8042 504 Coordinator/Safety							
CI8042 424010 Interest And Earn	0	0	0	-1,636.31	.00	1,636.31	100.0%
CI8042 510010 Fulltime	57,523	0	57,523	32,307.05	.00	25,215.95	56.2%
CI8042 520190 Nursing Equipment	0	1,288	1,288	1,287.89	.00	.00	100.0%
CI8042 540140 Contracting Servi	164,500	-161,000	3,500	2,784.00	190.00	526.00	85.0%
CI8042 540140 M7674 Contracting	0	161,000	161,000	58,433.07	46,566.93	56,000.00	65.2%
CI8042 540340 Literature	250	0	250	.00	.00	250.00	.0%
CI8042 540410 Nursing Supplies	2,000	0	2,000	1,420.80	.00	579.20	71.0%
CI8042 540420 Office Supplies	400	0	400	201.42	.00	198.58	50.4%
CI8042 540480 Postage	75	0	75	.00	.00	75.00	.0%
CI8042 540640 Supplies (Not off	600	0	600	442.90	.00	157.10	73.8%
CI8042 540733 Training/All othe	3,500	-1,288	2,212	811.19	.00	1,400.92	36.7%
CI8042 581088 State Retirement	2,744	0	2,744	3,978.45	.00	-1,234.67	145.0%*
CI8042 583088 Social Security F	2,232	0	2,232	2,297.10	.00	-65.00	102.9%*
CI8042 584088 Workers Compensat	1,224	0	1,224	734.55	.00	489.79	60.0%
CI8042 585588 Disability Insura	0	0	0	39.15	.00	-39.15	100.0%*
CI8042 586088 Health Insurance	0	0	0	15,196.80	.00	-15,196.80	100.0%*
CI8042 588988 Eap Fringe	15	0	15	9.15	.00	5.41	62.8%
TOTAL 504 Coordinator/Safety	235,063	0	235,063	118,307.21	46,756.93	69,998.64	70.2%
TOTAL Liability Insurance Fund	235,063	0	235,063	118,307.21	46,756.93	69,998.64	70.2%
TOTAL REVENUES	0	0	0	-1,636.31	.00	1,636.31	
TOTAL EXPENSES	235,063	0	235,063	119,943.52	46,756.93	68,362.33	
GRAND TOTAL	235,063	0	235,063	118,307.21	46,756.93	69,998.64	70.2%

** END OF REPORT - Generated by Freyvogetl, Christine **

REFERRED TO: FINANCE, LEGAL AND SAFETY COMMITTEE

RESOLUTION NO. -23 RECOGNITION OF STEPHANIE CARRIGG'S
35 YEARS OF DEDICATED SERVICE TO
TIOGA COUNTY

WHEREAS: Stephanie Carrigg began her career as a Clerk Typist in the Department of Social Services on October 3, 1988, and was quickly promoted to Senior Typist on July 16, 1990, and then to Administrative Secretary on February 19, 1992, a position she held until November 1997; and

WHEREAS: Stephanie entered the Department of Social Services Law Department as Secretary to the First Assistant County Attorney on December 1, 1997, where she furthered her education throughout her employment with Tioga County; and

WHEREAS: Stephanie became a Paralegal in the Department of Social Services Law Department July 24, 2000, a position she held until December 27, 2012, when she became the Secretary to the District Attorney; and

WHEREAS: Stephanie came back to the Department of Social Services Law Department as a Paralegal on January 1, 2014, where she worked until her retirement; and

WHEREAS: Stephanie's commitment to detail and her wide breadth of knowledge has made her an indispensable asset to her co-workers, the Department of Social Services and anyone who has had the pleasure of working with her; and

WHEREAS: Stephanie Carrigg will retire on October 30, 2023; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Stephanie Carrigg for her 35 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding person, Stephanie Carrigg.

REFERRED TO: FINANCE, LEGAL & SAFETY COMMITTEE

RESOLUTION NO. -23 ESTABLISH A NEW BUDGET LINE,
MODIFY 2023 BUDGET AND TRANSFER FUNDS
PUBLIC DEFENDER

WHEREAS: The Public Defender has a need for a new chair; and

WHEREAS: The chair selected by the Public Defender costs \$211.23; and

WHEREAS: The Public Defender may have an additional need to purchase another chair before year-end; and

WHEREAS: Chairs must be purchased using a Chair expense line 520070 and the 2023 Public Defender budget does not have an established line; and

WHEREAS: Legislative approval is required for budget modifications; therefore be it

RESOLVED: That a 520070 Chairs line be established in the Public Defender budget and that the following funds be transferred for said purchase with excess funds available for an additional chair, if necessary.

From:	A1170.540140	Contracting Services	\$500.00
To:	A1170.520070	Chairs	\$500.00

REFERRED TO: FINANCE, LEGAL AND SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. APPOINT PARALEGAL LAW DEPARTMENT

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

WHEREAS: Due to the announced retirement of the current Paralegal as of October 31, 2023; 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 Erin Riddle to the title of Paralegal effective November 6, 2023, pending successful completion of the of civil service requirements at an annual Management/Confidential salary of \$52,227.

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