

Office of the County Attorney



FINANCE, LEGAL & SAFETY COMMITTEE

October 11, 2022

10:30 a.m.

- APPROVAL OF MINUTES: September 13, 2022

- FINANCIAL

- OLD BUSINESS
 - Litigation

- NEW BUSINESS
 - ILS/New Office Space
 - Taxes
 - Safety Trainings and Investigations
 - 2022 Insurance Renewal
 - Projects and Policies
 - ADA Building Compliance

- PERSONNEL

- RESOLUTIONS
 - AUTHORIZE THE SALE AND TRANSFER OF PROPERTIES FROM TIOGA COUNTY TO THE 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

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FINANCE, LEGAL AND SAFETY COMMITTEE

September 13, 2022

10:30am

ATTENDANCE:

Legislators: Chair Sauerbrey, Standing, Mullen, Ciotoli, Monell, and Weston

Staff: Legislative Clerk Haskell, County Attorney DeWind, Safety Officer Thorpe, Deputy Treasurer Chandler, Chief Accountant Jerzak, Accountant Schurter, Personnel Officer Parke, Treasurer McFadden, and ED&P Deputy Director Woodburn

APPROVAL OF THE MINUTES: Legislator Monell asked for a motion to approve the August 9, 2022 minutes. Legislator Mullen made the motion, seconded by Legislator Ciotoli and was unanimously carried.

FINANCIAL: Legal and Safety's budgets are tracking well however some of Legal's lines are nearly expended but should hold for the year.

OLD BUSINESS: In Rem Auction closings are almost completed and the 2023 Budget is in process.

NEW BUSINESS: The Memorandum of Understanding (MOU) between Tioga County Economic Development & Planning (ED&P) and the Tioga County Industrial Development Agency (IDA) was discussed in regards to how the funding for the Workforce Coordinator position will be funded. ED&P will invoice the IDA who will in turn submit a request for reimbursement to the Appalachian Regional Commission. Chief Accountant Jerzak confirmed the MOU is sufficient for auditing purposes and a resolution is not needed. Legislator Mullen stated local school districts will be funding this position after the grant funds are depleted.

The FOIL Officer continues to receive FOIL requests for the Board of Elections, ballot information and requests that the County extend their retention cycle for possible future litigation.

County Attorney DeWind presented Chris Moore's FOIL appeal requesting ballot information stating October 13, 2020 through November 8, 2020. This appeal was denied by all Legislators in attendance due to the ruling of Kosmider v. Whitney, 34 NY 3d 48 which provides that ballot images are not available absent a court order and the law states that they cannot be released until two years have passed.

New financial guidelines and contracting procedures are being examined and updated as needed and a previous possible site for the Motorola Tower Project is potentially available again.

Biweekly safety meetings with DPW are continuing. A variety of topics are discussed which is beneficial for insurance purposes. There were three new workplace violence investigations this month. The investigations have been founded and closed with recommendations proactively put in place by departments. The resolution to purchase an X-ray machine and magnetometer has been pushed to next month to enable more legislators to be present and the water at the Ronald E. Dougherty County Office Building has recently been tested.

There are no new litigation claims but there is still a property matter from the last In Rem. There is the possibility to settle and County Attorney DeWind would like Legislative permission to do so. All attending legislators verbally stated their support in settling.

Flood insurance policy renewals are in process however the premiums are not arriving in a consistent manner. A resolution will need to be done to transfer money into the liability fund to pay the 2022/2023 flood insurance premiums.

A notice of claim has been provided to the Broome County Sheriff's for the reimbursement of four thousand dollars (\$4,000) in training expenses for a corrections officer they hired away from Tioga County. Broome County has refused to reimburse Tioga County because the corrections officer is no longer working for Broome County.

The Open Meeting Executive law has expired. Video conferencing is no longer allowed but a local law can be adopted to allow virtual meetings however it

does not count towards quorum or voting. The attending Legislators stated if they cannot vote they do not want to adopt a local law to allow video conferencing.

PERSONNEL: None

RESOLUTIONS: AUTHORIZE CONTRACT BETWEEN RIVERSIDE FORENSIC PATHOLOGY, PLLC AND TIOGA COUNTY; CLOTHING ALLOWANCE FOR SAFETY OFFICER; MEMORANDIUM OF UNDERSTANDING BETWEEN TIOGA COUNTY AND TIOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY; these resolutions and MOU were moved into full Legislative session without further questions.

PROCLAMATIONS: None

ADJOURNMENT: Legislator Monell adjourned the Legal and Safety Committee meeting at 11:38am.

Respectfully submitted,

Christine Freyvogel

Secretary to the County Attorney

**Tioga County
2022 LEGAL BUDGET REPORT**

FOR 2022 11

	ORIGINAL APPROP	TRANSFRS/ ADJUSTMTS	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	-23,051.94	.00	-27,027.06	46.0%*
A1420 510010 Full Time	196,606	0	196,606	143,294.14	.00	53,311.86	72.9%
A1420 520200 Office Equipment	200	0	200	.00	.00	200.00	.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	0	400	.00	.00	400.00	.0%
A1420 540330 Legal Fees	50,000	0	50,000	38,494.87	6,800.00	4,705.13	90.6%
A1420 540390 Mileage Expense	100	0	100	.00	.00	100.00	.0%
A1420 540420 Office Supplies	475	0	475	455.91	.00	19.09	96.0%
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	275.00	.00	325.00	45.8%
A1420 581088 State Retirement F	17,918	0	17,918	13,415.00	.00	4,503.42	74.9%
A1420 583088 Social Security Fr	15,182	0	15,182	10,859.44	.00	4,322.74	71.5%
A1420 584088 Workers Compensati	3,673	0	3,673	2,938.20	.00	734.82	80.0%
A1420 585588 Disability Insuran	204	0	204	156.60	.00	46.98	76.9%
A1420 586088 Health Insurance F	49,507	0	49,507	47,094.40	.00	2,412.98	95.1%
A1420 588988 Eap Fringe	44	0	44	33.60	.00	10.08	76.9%
TOTAL Law	287,480	0	287,480	235,148.08	6,800.00	45,532.18	84.2%
TOTAL General Fund	287,480	0	287,480	235,148.08	6,800.00	45,532.18	84.2%
TOTAL REVENUES	-50,079	0	-50,079	-23,051.94	.00	-27,027.06	
TOTAL EXPENSES	337,559	0	337,559	258,200.02	6,800.00	72,559.24	
GRAND TOTAL	287,480	0	287,480	235,148.08	6,800.00	45,532.18	84.2%

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



**Tioga County
2022 SAFETY BUDGET REPORT**

FOR 2022 10							
	ORIGINAL APPROP	TRANFRS/ ADJUSTMTS	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	-23.09	.00	23.09	100.0%
CI8042 510010 Fulltime	50,500	0	50,500	37,038.85	.00	13,461.15	73.3%
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	1,040.76	.00	511.12	67.1%
CI8042 540420 Office Supplies	600	129	729	597.14	.00	131.70	81.9%
CI8042 540480 Postage	150	0	150	.00	.00	150.00	.0%
CI8042 540640 Supplies (Not Off	600	-2	598	562.64	.00	35.48	94.1%
CI8042 540660 Telephone	75	-54	21	21.16	.00	.00	100.0%
CI8042 540733 Training/All Othe	3,500	-500	3,000	1,816.69	.00	1,183.31	60.6%
CI8042 581088 State Retirement	2,744	0	2,744	3,225.40	.00	-481.62	117.6%*
CI8042 583088 Social Security F	2,232	0	2,232	2,828.07	.00	-595.97	126.7%*
CI8042 584088 Workers Compensat	1,224	0	1,224	979.40	.00	244.94	80.0%
CI8042 585588 Disability Insura	0	0	0	49.59	.00	-49.59	100.0%*
CI8042 586088 Health Insurance	0	0	0	8,241.60	.00	-8,241.60	100.0%*
CI8042 588988 Eap Fringe	15	0	15	11.20	.00	3.36	76.9%
TOTAL 504 Coordinator/Safety	65,215	0	65,215	58,039.41	.00	7,175.37	89.0%
TOTAL Liability Insurance Fund	65,215	0	65,215	58,039.41	.00	7,175.37	89.0%
TOTAL REVENUES	0	0	0	-23.09	.00	23.09	
TOTAL EXPENSES	65,215	0	65,215	58,062.50	.00	7,152.28	
GRAND TOTAL	65,215	0	65,215	58,039.41	.00	7,175.37	89.0%

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

REFERRED TO:

FINANCE/LEGAL COMMITTEE
ED&P COMMITTEE

RESOLUTION NO. -22

AUTHORIZE THE SALE AND TRANSFER OF PROPERTIES
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 properties acquired by Tioga County for nonpayment of taxes in the Villages of Newark Valley and Owego; and

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

WHEREAS: These acquisitions include the following properties:

58 Whig Street	Village of Newark Valley, NY	#64.15-2-10.10
10 Watson Avenue	Village of Newark Valley, NY	#64.15-2-56
247 Main Street	Village of Owego, NY	#128.08-4-41
437 Front Street	Village of Owego, NY	#129.05-4-12

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 each, a Quit Claim Deed conveying the properties transferred to Tioga County located in the Villages of Newark Valley and Owego to the Tioga County Property Development Corporation.