



FINANCE, LEGAL & SAFETY COMMITTEE

January 9, 2024

10:30 a.m.

- APPROVAL OF MINUTES: December 12, 2023
  
- FINANCIAL
  - Safety
  - Law
  
- OLD BUSINESS
  - Litigation
  - 2024 Insurance/Cyber Renewal
  
- NEW BUSINESS
  - Annual Trainings
  - Ethics Board
  - Employee Notices
  - Litigation
  
- PERSONNEL
  - Assistant Public Defender Appointment
  
- RESOLUTIONS
  - AUTHORIZE ACCEPTANCE OF YEAR SIX FUNDING FROM THE NYS OFFICE OF INDIGENT LEGAL SERVICES AND ACCEPT YEAR SIX FUNDING FOR HURRELL-HARRING GRANT AND AMEND 2024 BUDGET
  - AUTHORIZE CONTRACT WITH ALLEN TUNNEL CORPORATION DBA ATC TAXES
  - APPOINT ASSISTANT PUBLIC DEFENDER PUBLIC DEFENDER OFFICE
  
- PROCLAMATIONS
  - N/A
  
- EXECUTIVE SESSION
  
- ADJOURNMENT

# Office of the County Attorney



## FINANCE, LEGAL & SAFETY COMMITTEE

December 12, 2023

10:30 a.m.

### ATTENDANCE:

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

Staff: Legislative Clerk Haskell, County Attorney DeWind, Treasurer McFadden, Deputy Treasurer Chandler, Safety Officer Holbrook, Personnel Officer Parke, Public Defender Awad, Accountant Schurter

### • APPROVAL OF MINUTES:

- Legislator Ciotoli asked for a motion to approve the November 14, 2023, minutes. Legislator Brown made the motion seconded by Legislator Monell and was unanimously carried.

### • FINANCIAL:

- Legal and Safety's budgets are tracking well with funds being used before the end of the year. Legal is expecting some invoices for professional services but there is still available funds in Legal's budget to cover these fees.

### • OLD BUSINESS:

- Litigation: No new claims have been filed against the County. Mr. DeWind is still addressing claims from previous In Rem foreclosures. The claims against the Sheriff's Office are still on track with trials expected in 2024.

### • NEW BUSINESS:

- Resolutions: The resolutions were discussed with no questions from the Legislators.
- New Visions/Law & Government Academy runs an internship program for local high school students. Mr. DeWind has been contracted and asked to host a student from the Newark Valley High School. The program would run January 30 to Feb 21, 2024, every Tuesday and Wednesday from 8:00 AM till 12:00 PM. The Public Defender and District Attorney's Office have both offered to host the student for a week. Mr.

DeWind asked the Legislators for Legislative approval as required by County Policy which was granted.

- Mr. DeWind submitted Ms. Holbrook's Safety Officer's Report for 2023 for duties completed during this year. Legislator Standing asked Ms. Holbrook's opinion on Emergency Services purposed fly car program. Ms. Holbrook stated the program had merit.
  - Mr. DeWind met with Indigent Legal Services (ILS) to put a budget in place for a project that covers years six (6) to eight (8). Broome's ILS project is in flux and at this point has no plans to partner with ILS for a joint meeting space. ILS has looked at space in the Court Annex basement and the basement at 56 Main Street as a possible space if ILS is unable to secure an offsite location.
  - Mr. DeWind attended the CAASNY Winter meeting where In Rem updates for the coming year were discussed. Counties are still going to lose the overage which will now go into a separate account and landbank properties will no longer be able to purchase properties for one dollar (\$1 USD) from the County. Price evaluations will need to be conducted and there are three (3) separate pieces of legislation that should provide more detail on what this process will look like.
- PERSONNEL:
    - A candidate has been interviewed and has accepted the position of Secretary to the 1<sup>st</sup> Assistant County Attorney. They will start December 18, 2023.
- RESOLUTIONS:
    - APPOINT SECRETARY TO THE 1ST ASSISTANT COUNTY ATTORNEY LAW DEPARTMENT; EXECUTE LEASE OF PROPERTY LOCATED AT 171 MAIN STREET OWEGO, NEW YORK TO HOUSE PUBLIC DEFENDER'S OFFICE; RECOGNITION OF GEORGE C. AWAD, JR. 38 YEARS OF DEDICATED SERVICE TO TIOGA COUNTY; CREATE AND FILL A PART-TIME PARALEGAL POSITION IN THE TREASURER'S OFFICE (ASSIGNED COUNSEL); RECLASSIFY VACANT POSITION (PUBLIC DEFENDER); AUTHORIZE RETAINER AGREEMENT FOR PERSONNEL SERVICES; 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 Legal & Safety Committee at 11:19 A.M.

Respectfully submitted,

*Christine Freyvogel*

Secretary to the County Attorney



# TIOGA COUNTY, NEW YORK

## Tioga County 2023 LEGAL BUDGET REPORT

FOR 2023 13

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	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	-29,807.82	.00	-20,271.18	59.5%*
A1420 510010 Full Time	212,439	0	212,439	204,267.53	.00	8,171.47	96.2%
A1420 510020 Part Time/Temporar	45,000	0	45,000	35,538.48	.00	9,461.52	79.0%
A1420 510050 All Other(On Call,	2,000	-2,000	0	.00	.00	.00	.0%
A1420 520200 Office Equipment	450	0	450	429.39	.00	20.61	95.4%
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	228	1,428	1,428.00	.00	.00	100.0%
A1420 540330 Legal Fees	65,000	-228	64,772	53,518.94	7,199.66	4,053.40	93.7%
A1420 540331 Legal Fees-Adolesc	0	1,305	1,305	750.00	.00	555.20	57.5%
A1420 540390 Mileage Expense	100	105	205	204.80	.00	.00	100.0%
A1420 540420 Office Supplies	825	-260	565	563.45	.00	1.55	99.7%
A1420 540480 Postage	150	35	185	168.77	.00	16.68	91.0%
A1420 540485 Printing/Paper	400	0	400	399.96	.00	.04	100.0%
A1420 540731 Training/State Req	200	260	460	460.00	.00	.00	100.0%
A1420 581088 State Retirement F	17,918	0	17,918	21,160.23	.00	-3,241.81	118.1%*
A1420 583088 Social Security Fr	15,182	0	15,182	17,584.08	.00	-2,401.90	115.8%*
A1420 584088 workers Compensati	3,673	0	3,673	4,994.94	.00	-1,321.92	136.0%*
A1420 585588 Disability Insuran	204	0	204	203.58	.00	.00	100.0%
A1420 586088 Health Insurance F	49,507	0	49,507	86,941.50	.00	-37,434.12	175.6%*
A1420 588988 Eap Fringe	44	0	44	62.22	.00	-18.54	142.4%*
<b>TOTAL Law</b>	<b>364,813</b>	<b>0</b>	<b>364,813</b>	<b>400,022.60</b>	<b>7,199.66</b>	<b>-42,409.00</b>	<b>111.6%</b>
<b>TOTAL General Fund</b>	<b>364,813</b>	<b>0</b>	<b>364,813</b>	<b>400,022.60</b>	<b>7,199.66</b>	<b>-42,409.00</b>	<b>111.6%</b>
<b>TOTAL REVENUES</b>	<b>-50,079</b>	<b>0</b>	<b>-50,079</b>	<b>-29,807.82</b>	<b>.00</b>	<b>-20,271.18</b>	
<b>TOTAL EXPENSES</b>	<b>414,892</b>	<b>0</b>	<b>414,892</b>	<b>429,830.42</b>	<b>7,199.66</b>	<b>-22,137.82</b>	
<b>GRAND TOTAL</b>	<b>364,813</b>	<b>0</b>	<b>364,813</b>	<b>400,022.60</b>	<b>7,199.66</b>	<b>-42,409.00</b>	<b>111.6%</b>

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



# TIOGA COUNTY, NEW YORK

## Tioga County 2024 LEGAL BUDGET REPORT

FOR 2024 01

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	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	.00	.00	-50,079.00	.0%
A1420 510010 Full Time	223,698	0	223,698	.00	.00	223,698.00	.0%
A1420 510020 Part Time/Temporar	40,233	0	40,233	.00	.00	40,233.00	.0%
A1420 520200 Office Equipment	450	0	450	.00	.00	450.00	.0%
A1420 540010 Advertising	635	0	635	.00	.00	635.00	.0%
A1420 540040 Books	1,500	0	1,500	.00	.00	1,500.00	.0%
A1420 540180 Dues	2,400	0	2,400	.00	.00	2,400.00	.0%
A1420 540330 Legal Fees	65,000	0	65,000	.00	.00	65,000.00	.0%
A1420 540331 Legal Fees-Adolesc	2,000	0	2,000	.00	.00	2,000.00	.0%
A1420 540390 Mileage Expense	300	0	300	.00	.00	300.00	.0%
A1420 540420 Office Supplies	825	0	825	.00	.00	825.00	.0%
A1420 540480 Postage	150	0	150	.00	.00	150.00	.0%
A1420 540485 Printing/Paper	400	0	400	.00	.00	400.00	.0%
A1420 540731 Training/State Req	1,000	0	1,000	.00	.00	1,000.00	.0%
A1420 581088 State Retirement F	13,971	0	13,971	.00	.00	13,971.00	.0%
A1420 586088 Health Insurance F	76,972	0	76,972	.00	.00	76,972.38	.0%
<b>TOTAL Law</b>	<b>379,455</b>	<b>0</b>	<b>379,455</b>	<b>.00</b>	<b>.00</b>	<b>379,455.38</b>	<b>.0%</b>
<b>TOTAL General Fund</b>	<b>379,455</b>	<b>0</b>	<b>379,455</b>	<b>.00</b>	<b>.00</b>	<b>379,455.38</b>	<b>.0%</b>
<b>TOTAL REVENUES</b>	<b>-50,079</b>	<b>0</b>	<b>-50,079</b>	<b>.00</b>	<b>.00</b>	<b>-50,079.00</b>	
<b>TOTAL EXPENSES</b>	<b>429,534</b>	<b>0</b>	<b>429,534</b>	<b>.00</b>	<b>.00</b>	<b>429,534.38</b>	
<b>GRAND TOTAL</b>	<b>379,455</b>	<b>0</b>	<b>379,455</b>	<b>.00</b>	<b>.00</b>	<b>379,455.38</b>	<b>.0%</b>

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



Tioga County
2023 SAFETY BUDGET REPORT

FOR 2023 13

Table with 8 columns: ORIGINAL APPROP, TRNFRS/ADJSTMTS, REVISED BUDGET, YTD ACTUAL, ENCUMBRANCES, AVAILABLE BUDGET, PCT USE/COL. Rows include CI Liability Insurance Fund, CI8042 504 Coordinator/Safety, and various sub-items like Interest And Earn Fulltime, Nursing Equipment, etc.

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# TIOGA COUNTY, NEW YORK

## Tioga County 2024 SAFETY BUDGET REPORT

FOR 2024 01

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	PCT USE/COL
<b>CI Liability Insurance Fund</b>							
<b>CI8042 504 Coordinator/Safety</b>							
CI8042 510010 Fulltime	58,520	0	58,520	.00	.00	58,520.00	.0%
CI8042 540140 Contracting Servi	164,500	0	164,500	.00	.00	164,500.00	.0%
CI8042 540340 Literature	250	0	250	.00	.00	250.00	.0%
CI8042 540410 Nursing Supplies	2,000	0	2,000	.00	.00	2,000.00	.0%
CI8042 540420 Office Supplies	400	0	400	.00	.00	400.00	.0%
CI8042 540480 Postage	75	0	75	.00	.00	75.00	.0%
CI8042 540640 Supplies (Not Off	600	0	600	.00	.00	600.00	.0%
CI8042 540733 Training/All othe	3,500	0	3,500	.00	.00	3,500.00	.0%
TOTAL 504 Coordinator/Safety	229,845	0	229,845	.00	.00	229,845.00	.0%
TOTAL Liability Insurance Fund	229,845	0	229,845	.00	.00	229,845.00	.0%
TOTAL EXPENSES	229,845	0	229,845	.00	.00	229,845.00	
GRAND TOTAL	229,845	0	229,845	.00	.00	229,845.00	.0%

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



REFERRED TO: FINANCE/LEGAL COMMITTEE  
LEGISLATIVE WORKSESSION

RESOLUTION NO. -24 AUTHORIZE ACCEPTANCE OF YEAR SIX FUNDING  
FROM THE NYS OFFICE OF INDIGENT LEGAL  
SERVICES AND ACCEPT YEAR SIX FUNDING FOR  
HURRELL-HARRING GRANT AND  
AMEND 2024 BUDGET

WHEREAS: By Resolution No. 432-23 adopted on November 14, 2023, Tioga County entered into a three-year agreement with the New York State Office of Indigent Legal Services for distribution of funds to provide representation to persons legally entitled to counsel but unable to hire an attorney; and

WHEREAS: The allocated amount to Tioga County from NYS Office of Indigent Legal Services for the fiscal year April 2023 – March 2024 is \$761,014.42; and

WHEREAS: It is necessary for Tioga County to adopt the sixth-year funding budget for said distribution in said amount of \$761,014.42; and

WHEREAS: Said funding in the amount of \$761,014.42 needs to be appropriated and the 2024 budget be amended; therefore be it

RESOLVED: That the Tioga County Legislature hereby approves the six-year budget of said distribution in the amount of \$761,014.42; and be it further

RESOLVED: That upon execution of the sixth-year contract amendment, the ILS HH Grant of \$761,014.42 subtracting out the \$402,710.35 salary and fringe Tioga County has already appropriated the 2024 Budget be amended as follows:

Revenue Account: A1174 430260 State Aid Indigent \$ 761,014.42

Expense Account: A 1174 510010 Full Time Salary \$ 4,518.65

A 1174 510020 Part Time Salary \$ 73,993.00

A 1174 520200 Office Equipment \$ 885.00

A 1174 520250 Remodeling \$ 10,000.00

A 1174 520210 Other Furniture \$ 1,700.00

A 1174 520070 Chairs \$ 1,900.00

A 1174 520090 Computers \$ 1,100.00

A 1174 520150 Filing Cabinet \$ 115.00

A 1174 540030 Assigned Counsel \$ 10,000.00

A 1174 540040 Books \$ 3,500.00

A 1174 540140 Contracted Services	\$	43,000.00
A 1174 540140 HPCC Con Services	\$	10,000.00
A 1174 540180 Dues	\$	1,500.00
A 1174 540280 Investigations	\$	44,064.42
A 1174 540280 HPCC Investigations	\$	10,000.00
A 1174 540320 Leased Services	\$	2,000.00
A 1174 540390 Mileage	\$	5,000.00
A 1174 540420 Supplies	\$	3,800.00
A 1174 540550 Rent	\$	53,600.00
A 1174 540620 Software Expenses	\$	20,000.00
A 1174 540640 Other Supplies not office	\$	250.00
A 1174 540700 Transcripts	\$	8,000.00
A 1174 540700 HPCC Transcripts	\$	2,000.00
A 1174 540733 Training/CLE	\$	4,500.00
A 1174 581088 Retirement	\$	9,386.01
A 1174 583088 Social Security	\$	26,571.19
A 1174 585588 Disability	\$	179.35
A 1174 584088 Workers Comp	\$	9,493.10
A 1174 586088 Health Ins/HRA	\$	-2,865.65
A 1174 588988 EAP	\$	114.00

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. - 24 AUTHORIZE CONTRACT WITH  
ALLEN TUNNEL CORPORATION  
DBA ATC TAXES

WHEREAS: Allen Tunnel Corporation was identified as the preferred tax collection software vendor by Resolution No. 267-17; and

WHEREAS: The Treasurer's Office has been utilizing this software since its implementation in 2018 and desire to continue its use; and

WHEREAS: The initial contract's five-year maintenance period expired on 12/31/2023; therefore be it

RESOLVED: That the County of Tioga be authorized to contract with Allen Tunnel Corporation DBA ATC Taxes during the period of January 1, 2024, through December 31, 2029 at a cost not to exceed \$232,639 upon review by the County Attorney.

REFERRED TO: FINANCE, LEGAL AND SAFETY COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. -24 APPOINT ASSISTANT PUBLIC DEFENDER  
PUBLIC DEFENDER OFFICE

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

WHEREAS: As of January 1, 2024, the position of Assistant Public Defender has been vacant due to promotion; and

WHEREAS: The Public Defender has recruited for a replacement and after interviewing, a satisfactory candidate has been identified; and

WHEREAS: Mr. James Davis has over 14 years of relevant legal experience including extensive experience in upstate New York Courts with every stage of representation of indigent defendants and including felony trial experience, and further comes with excellent references from his current employer; therefore be it

RESOLVED: That the Public Defender is hereby authorized to appoint James Davis to the title of Assistant Public Defender, with a start date of January 29, 2024, at an annual Management/Confidential salary of \$86,644; and be it further

RESOLVED: That in accordance with Tioga County's Civil Service Rules, Mr. Davis shall serve a probationary period of eight to fifty-two weeks; and be it further

RESOLVED: That this resolution will be null and void if Mr. Davis fails to pass the County mandated criminal background check.