



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- Litigation: The City of New York lawsuit has been withdrawn without prejudice but could be refilled at a later date if the County's emergency orders were to change.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