



Tioga County Worksession Minutes **July 6, 2023 – 1:00 p.m.**

Legislators Present:

Legislator Brown
Legislator Ciotoli
Legislator Flesher
Legislator Monell
Legislator Mullen
Legislator Roberts
Chair/Legislator Sauerbrey
Legislator Standinger

Legislators Absent:

Legislator Weston

Guests:

Lisa Baker, CSEA President

Staff present:

Peter DeWind, County Attorney
Cathy Haskell, Legislative Clerk
Amy Eiklor, Deputy Legislative Clerk
Linda Parke, Personnel Officer
Gary Howard, Sheriff
Mike Middaugh, Director of Veterans Services (*Arrived at 1:12 p.m. & Departed at 1:49 p.m.*)

Call Meeting to Order: Chair Sauerbrey opened the meeting at 1:00 p.m. The Personnel Committee reconvened for the approval of the Personnel Legislative Committee meeting minutes for April, May, and June. Regular worksession began at 1:01 p.m.

County Administrator Discussion: Chair Sauerbrey stated Livingston County's Administrator, Ian Coyle, and NYSAC President, Stephen Acquario, presented valuable information regarding the role of County Administrator. Chair Sauerbrey reported Mr. Coyle offers a program that helps local governments hire County Administrators and provides mentoring services to help them acclimate to the position. She explained that if the Legislature agrees to move forward, the position of County Administrator would need to be created, a Local Law adopted, and a County Administrator budget line created. Chair Sauerbrey asked the Legislators if they would be interested in continuing the process of a County Administrator

in Tioga County. On a straw poll vote, all Legislators in attendance agreed to move forward with the process.

Approval of Worksession Minutes: On motion of Legislator Roberts, seconded by Legislator Monell, the June 22, 2023 minutes were unanimously approved.

Action Items: Currently, we have none.

Legislative Support: Legislative Clerk Haskell reported the following:

- **Approval of Minutes:** On motion of Legislator Roberts, seconded by Legislator Brown and unanimously carried, the June 8, 2023 Legislative Support minutes were approved.
- **Financial:**
 - The Legislative Office has expended 44% of their 2023 budget, which is slightly less than this time last year.
 - Accounts Payable for June 2023 - 837 invoices, totaling \$1,560,833.17.
 - Second Quarter of 2023 Accounts Payable – 2,280 invoices, totaling \$4,515,805.19.
 - Halfway through 2023 – 4,538 invoices, totaling \$12,463,605.16.
 - P-Card transactions for June 2023 – 165 invoices, totaling \$54,830.37.
 - Second Quarter of 2023 P-Card transactions – 499 invoices, totaling \$134,170.22.
 - Halfway through 2023 – 954 P-Card invoices, totaling \$267,022.76.
- **Old Business:**
 - **Sales Tax Extender Bill:** Ms. Haskell reported the Sales Tax Extender Bill passed the Senate and Assembly. However, the Bill is back to the Senate as of June 5th. It is Ms. Haskell's understanding that it's protocol if a Bill first passes in the Assembly, which this one did, it then must return to the Senate in order to get the Bill to the Governor for signature. The Bill is awaiting Governor Hochul's signature. In the meantime, Ms. Haskell drafted a resolution that was reviewed by County Attorney DeWind and Tioga County's assigned NYS Tax and Finance attorney, who has approved the resolution. Ms. Haskell hopes to have the resolution adopted in August in order to meet NYS Tax and Finance's September 1st deadline. If the Governor does not sign the Bill in time, Tioga County would need to request a waiver from NYS Tax and Finance to have the deadline extended. Ms. Haskell and Tioga County have done their part, it's just a matter of waiting on the Governor.

➤ **New Business:**

- **Department Head Evaluations:** Ms. Haskell reminded the Legislators that Department Head evaluations are due back to Personnel by September 8th.
- **Local Law Introductory No. B & No. C of 2023:** Local Law No. B of 2023 provides a tax exemption for volunteer firefighters and ambulance workers. The Local Law will be introduced at the July 11th Legislature meeting. At that meeting, a resolution will be adopted to set the Public Hearing. The Public Hearing will be held at the beginning of the second July worksession on July 20th. The Local Law will be adopted at the August 15th Legislature meeting. The Local Law will go into effect January 1, 2024.

Legislator Monell asked for a brief explanation of the Local Law. Ms. Haskell reported the Local Law allows volunteer firefighters and ambulance workers to receive a 10% reduction on their county property tax. County Attorney DeWind reported local municipalities and school districts must pass their own exemption. It will be up to individual fire departments to determine eligibility for the exemption. However, eligible individuals must meet a two-year minimum service requirement. Legislator Monell inquired if there were any financial figures or estimates pertaining to the exemption. Legislator Mullen replied the impact was minimal and stated Real Property Director, Steve Palinosky, would have more financial information regarding the exemption.

Local Law Introductory No. C of 2023 allows for the collection of hotel/motel tax. ED&P Director Tinney reported at the ED&P committee that there are no recommended changes to the Local Law from the last time it was adopted. The Local Law is currently under review with County Attorney DeWind. The Local Law will be introduced at the August 15th Legislature meeting and a resolution will be adopted at that meeting to set the Public Hearing. The Public Hearing will be held at the second August worksession on August 24th. The Local Law will be adopted at the September 12th Legislature meeting. The Local Law will go into effect on December 1st of this year and is good for three years.

- **2024 Legislative Office Budget:** Ms. Haskell reported Budget Officer Bailey sent out the Budget Directives and Calendar on June 26th. Ms. Haskell is currently working on the Legislative Office's 2024 budget. Ms. Haskell spoke with Commissioner of Public Works, Gary Hammond, about the chairs in the Legislative Conference Room. The current Legislative Conference Room chairs originally came out of the Public Works Capital budget. Ms. Haskell asked Commissioner Hammond if he would be able to purchase new chairs from the Public Works budget. Commissioner Hammond was agreeable and requested the current Legislative Conference Room chairs be transferred to the Public Works Conference Room.

- **Personnel:** Legislative Clerk Haskell will be on vacation July 24th – July 28th. She will be periodically checking her email during that time.

Resolutions: Ms. Haskell reviewed the agenda and resolutions for the July 11th Legislature meeting with discussion occurring on the following:

- **Resolution Urging the Governor to Veto A.04282B/S.3505B to Move Certain Local Elections to Even-Numbered Years:** Ms. Haskell reported if this legislation remains in place, it will greatly impact Tioga County due to staggered terms. The legislation would push local elections to even-numbered years and Tioga County would have to amend its Local Law. This legislation usurps the Home Rule powers of local governments that is protected in New York's Constitution. County Attorney DeWind expects lawsuits to arise from this legislation.
- **Approve Technical Assistance Provided to Ti-Ahwaga Community Players:** Legislator Monell inquired if this technical assistance resolution can be pulled. Ms. Haskell stated the reason this resolution is presented is because it pertains to non-county grant assistance. Legislator Roberts stated the presentation of department technical assistance resolutions will be updated following next month's meeting. Legislator Mullen reported he anticipates technical assistance to be presented in one resolution instead of individual resolutions.
- **Approve Technical Assistance Provided to Tioga County Industrial Development Agency and the Tioga County Chamber of Commerce:** Legislator Monell asked if this resolution can be pulled from the agenda packet. Ms. Haskell recommended pulling the resolution from the packet as it does not pertain to a non-county grant related activity, which is the purpose of these types of resolutions. This resolution is not grant related. All Legislators in attendance agreed to pull this resolution and it will not be presented for Legislature consideration on July 11th.
- **Authorize Sale of County Owned Properties Acquired for Delinquent Taxes:** Ms. Haskell mentioned the public auction is on August 10th and the Legislature meeting is on August 15th. There is a possibility that there may not be enough time to prepare the resolutions and receipt the funds before the August 15th meeting. Therefore, a Special Meeting may need to be called on August 24th.
- **Authorize Purchases Outside County Policies for Strengthening Public Health Infrastructure and Workforce – Public Health:** Ms. Haskell reported a resolution was passed last month appropriating grant funding for Public Health. Most of the grant was put into a salary line, but this resolution allows for the remainder of the funds, about \$2,500, to be used for certain purchases. County policy restricts the purchase of certain items, but the grant allows for such purchases. With this resolution, Public Health is asking permission to purchase outside the parameters of county policy, but within allowable grant expenditures. A section of Tioga County's financial rules regarding the purchase of certain supplies, food, beverages, gift cards, and small electronics will be amended via resolution at the July 11th meeting.

- Requesting Tioga County Veterans' Service Agency be Allowed to Exceed Food & Beverage Purchase Guidelines:** With the updated policy coming forth on July 11th, Director of Veterans Services, Mike Middaugh, presented a resolution seeking permission to exceed the \$150 per event food and beverage dollar limit. Chair Sauerbrey stated the policy change is mainly due to a current audit by the NYS Comptroller's Office and the updates are necessary to align policy with purchasing practices. Though some purchases are using grant funding, the policy still needs to be followed. Ms. Haskell reiterated that the Legislature has the fiduciary responsibility to oversee the finances of the county. Legislator Monell inquired about the amounts for the events within this resolution. Veterans Director Middaugh explained that he has a grant that allows him to travel to Ft. Drum where he meets with Veterans from all over New York State. Oftentimes, Director Middaugh will use grant funds to take transitioning service members to Ft. Drum and the grant pays for food, travel, and lodging. The grant also permits Director Middaugh to hold events where he purchases food and beverages for outreach or other grant permitted events. Director Middaugh reiterated all the expenditures within the resolution are grant funded and contain no local share. Director Middaugh anticipates a similar resolution to come forth every month for his events.
- Amend Employee Handbook: Section III. Financial Rules; Subsection H. Purchase of Food, Beverage, Supplies and Small Electronics:** Ms. Haskell reported this policy was renamed to include gas and gift cards. The purchase of those items is addressed in the updated policy. Regardless of the funding source, the policy states purchases over \$150 for permissible events require a resolution. The policy update allows departments to purchase previously non-permitted items such as tissues, cleaning supplies, and hand sanitizer. The policy update goes into effect on July 11th.
- Authorize Contract with Axon Enterprise, Inc. for Body Worn Cameras – Sheriff's Office:** Ms. Haskell reported there was discussion at the Public Safety committee regarding this resolution. The Sheriff's Office received a grant for \$50,000, which would be used to offset a portion of this contract. Legislator Flesher stated this company was chosen as they provide storage of footage, and the technology is compatible with the tasers. The Owego Police Department currently uses Axon body worn cameras and are pleased with the product and company. Legislator Standinger explained that this company and their technology was endorsed by Tioga County's Chief Information Officer. Ms. Haskell reported the Sheriff's Office has a pending grant, not yet awarded, of \$50,000 they hope will be awarded to further offset the cost. Chair Sauerbrey proposed using Fund Balance to pay the remaining balance of the contract. Legislator Mullen suggested using funds from the seizure of crime proceeds account through the District Attorney's Office. The Legislators agreed to include the resolution in the agenda packet for Legislature consideration at the July 11th meeting. Funding for the remaining balance of the contract will be discussed down the road.

Other:

- State of Emergency Declaration Extension:** Chair Sauerbrey reported the State of Emergency Declaration Extension is set to expire on July 9th. The State of Emergency Order, which is renewed every five days, is also set to expire on July 9th. County Attorney DeWind stated counties throughout New York are all over the place in regard to their

State of Emergency Declarations and Orders. The Legislators in attendance agreed to extend both the State of Emergency Declaration and the State of Emergency Order.

Executive Session: Eight Legislators were in attendance with Legislator Weston being absent. Personnel Officer Parke, County Attorney DeWind, CSEA President Baker and Legislative Clerk Haskell remained in attendance. Motion by Legislator Ciotoli, seconded by Legislator Brown, to move into Executive Session to discuss matters pertaining to the appointment and promotion of particular individuals at 1:50 p.m. Motion carried. CSEA President Baker departed at 2:11 p.m. Sheriff Howard arrived at 2:11 p.m. Sheriff Howard and Personnel Officer Parke departed at 2:37 p.m. Motion by Legislator Monell to adjourn, seconded by Legislator Brown. Executive Session adjourned at 2:51 p.m.

Meeting adjourned at 2:51 p.m.

Next Worksession scheduled for Thursday, July 20, 2023, at 10:00 a.m.

Respectfully submitted,

Amy Eiklor

Deputy Legislative Clerk