



## **Tioga County Worksession Minutes** **August 8, 2024 – 1:00 p.m.**

### **Legislators Present:**

Legislator Brown – *arrived @ 1:08 p.m.*  
Legislator Ciotoli  
Legislator Monell  
Legislator Mullen  
Legislator Roberts  
Chair/Legislator Sauerbrey  
Legislator Standinger

### **Legislators Absent:**

Legislator Flesher

### **Guests:**

Irene Graven, Town of Owego Attorney – *departed @ 1:10 p.m.*

### **Staff present:**

Peter DeWind, County Attorney  
Jackson D. Bailey II, County Administrator  
Cathy Haskell, Legislative Clerk  
Heather Vroman, Director of Public Health – *departed @ 1:20 p.m.*  
Denis McCann, Public Health Director of Administrative Services – *arrived @ 1:25 p.m.*  
Andrea Klett, County Clerk  
Linda Parke, Personnel Officer

**Call Meeting to Order:** Chair Sauerbrey opened the meeting at 1:02 p.m.

**Barton Solar Farm PILOT Agreement:** Town of Owego Attorney Graven reported the Barton Solar Farm PILOT Agreement is the same as the previously adopted Farmer Brown Solar PILOT Agreement between the Town of Owego and County of Tioga. Micro Grid Solutions is the company presenting these agreements. Ms. Graven reported she received confirmation from the company that they are working directly with the Owego-Apalachin School District on their own agreement. Ms. Graven reported this solar farm will be located on Jacobs Road, Apalachin, NY and is the same megawatts and size as the Farmer Brown Solar Farm.

County Attorney DeWind reported the calculation is the same and leaves equity on the table for the school district to negotiate their own agreement.

All Legislators agreed to move forward with this PILOT agreement and a resolution was presented for Legislature consideration at the August 13, 2024 Legislature meeting.

**Tioga Castings Property Update:** Chair Sauerbrey reported she met with the Village of Owego, Owego Nazarene Church pastor, County Administrator, County Attorney, and staff from Social Services, Mental Hygiene, and Public Health on July 25, 2024 regarding the Tioga Castings property.

Public Health Director Vroman reported additional soil samples were collected and test results showed high levels of contamination. Ms. Vroman reported the NYS DEC did a site visit on July 11, 2024 and the County requested a written response based on this site visit, which was received. The letter referred to the original 2012 letter indicating the levels of contamination are appropriate and within proper levels for what this site location is zoned, which is Industrial/Commercial.

Chair Sauerbrey reported this site has been remediated to the point where it can be used for Industrial/Commercial use and was never intended for habitation; therefore, we need to have the premises vacated for safety reasons. Chair Sauerbrey reported the Village of Owego has expressed interest in acquiring this property to house their Public Works trucks.

Chair Sauerbrey reported there are two potential ways to acquire this property; request the owner to sign the property over or move the property to foreclosure and the County could acquire ownership with the written agreement that the Village of Owego would proceed with property acquisition from the County. Concern was expressed regarding the County being in the chain of title.

Ms. Vroman reported a Special Board of Health meeting was held earlier this week to discuss the soil sample testing. The Board decided that by their next meeting scheduled for September 19, 2024, they plan to initiate a Board of Health Order to evict the individuals residing on the premises because of the imminent threat to Public Health safety.

Legislator Mullen reported we need to post and notify these individuals now that by September 19, 2024 they have to vacate the premises and we should consider fencing off the property.

Chair Sauerbrey reported the individuals will be offered alternative housing accommodation, if interested.

The Legislature was in favor of expediting the pursuit of vacating the individuals from the premises and requesting the County Attorney's help in this effort.

Ms. Vroman reported in the event the area experiences significant flooding due to the impending rain expected this weekend, this process may need to be expedited due to the potential for elevated contaminated levels.

Legislator Standinger reported the discussion with the Board of Health indicated a notification process occurring before a removal order.

Following the issuance of the Board of Health Order and removal, Legislator Roberts inquired if violators would be arrested for trespassing.

Legislator Mullen reported we could make a public statement indicating the soil has been tested resulting in high levels of contamination, the property is not zoned for residential habitation, and the County and Village of Owego are prepared to take steps to have the premises vacated.

**County Administrator Report/2025 Budget Update:** County Administrator Bailey presented his 2024 YTD Budget noting the budget is tracking well. Other than training and purchasing supplies, Mr. Bailey did not forecast any significant expenses within his budget.

For the 2025 County Administrator budget, Mr. Bailey reduced some of his programmatic lines such as chairs, increased his training line for attendance at two NYSAC Conferences and NYSAC Finance School, and increased the County Government Services Expo training line an additional \$500.00.

Overall, Mr. Bailey reported all the Departments have submitted their 2025 budgets with the Finance and Legal Departments presenting them next week. Mr. Bailey will be working with departments that budget for worst case scenarios to see if they can reduce certain line items and determine if they have any additional funding mechanisms throughout the County to offset some of the increases.

As of now, the General Fund Balance appropriation for 2025 is \$6 million dollars, noting this does not take into consideration the \$1 million dollar increase for retirement, potential for \$1 million dollar increase for health insurance depending on how this is negotiated, and potential \$1 million dollars for contractual salary increases. Mr. Bailey reported the \$6 million dollar appropriation is fluid depending on the outcomes of these areas. Mr. Bailey reported if everything comes in as forecasted, the year-end fund balance projection is an estimated \$32 million dollars. Mr. Bailey will continue to work with Department Heads to determine if there are any incremental savings and working with the Treasurer's Office to analyze revenues. At the next Legislative Worksession, Mr. Bailey anticipates having a rough analysis of salaries, fringe, insurance, and outside agency requests.

Mr. Bailey distributed a worksheet addressing grant funding and expenses for the Veterans Office. Mr. Bailey proposed reclassifying some of the grant funded expenses to ARPA to cover areas of deficiencies. All Legislators were in favor of Mr. Bailey's proposal. Mr. Bailey will work with the Director and the Treasurer's Office to make the necessary adjustments.

Mr. Bailey reported his short-term goals include departmental visits, mentor training with consultant, Ian Coyle, attendance at the NYSAC Fall Conference and preparing a final budget for adoption in December. Long-term goals include reviewing County policies for revisions/clarifications and updating the Financial Guidelines.

### **Legislature Meeting Date Change – September 2024:**

Ms. Haskell reported we have three Legislators attending the NYSAC Fall Conference from September 9-11, 2024, therefore will not have a quorum for the Regular Ninth Legislature Meeting on September 10, 2024. Ms. Haskell proposed rescheduling the Legislature meeting to Thursday, September 12, 2024 and inquired if there would be a quorum for this date. Five Legislators acknowledged availability for the rescheduled date of September 12, 2024. Ms. Haskell will properly notice the revised meeting date and send an updated Legislature Meeting schedule to the Legislators.

**Approval of Worksession Minutes:** On motion of Legislator Monell, seconded by Legislator Brown, the July 3, 2024 minutes were unanimously approved.

**Action Items:**

**ACTION ITEM #1 – 5/23/24 Legislative Worksession – Confidential Databases/Software Programs -**

County Attorney DeWind reported he has spoken to the Departments who have confidential databases and most of them have internal policies that cover access to their databases including a policy that was put in place at the Sheriff's Office to cover the CLEAR Program. Several of the databases are monitored by State agencies and their internal regulations including the Department of Social Services who has a whole separate annual confidentiality training and agreement. Basically, all the databases have an individual who is responsible to double check who is investigating or looking at things they should not be. Mr. DeWind reported the Legislature could adopt a policy indicating employees are only permitted to look at databases when and to the extent they are permitted. Mr. DeWind explained that a policy revision may not be immediate, as we are waiting to address other revisions to this policy. Legislators expressed there was no immediate urgency but did want the policy revised at some point to address this issue.

The Legislature was in favor of County Attorney DeWind speaking to Chief Information Officer Loveland regarding the amendment of the Comprehensive Security Policy to include language regarding access and usage of confidential databases/software program and disciplinary action for improper usage or access to unauthorized users. **This action item will be carried forward to the August 22, 2024 Legislative Worksession.**

**Legislative Support:** Legislative Clerk Haskell will type the Legislative Support minutes and will be sent to the Legislators as a separate document.

**Resolutions:** Ms. Haskell reviewed the agenda and resolutions for the August 13, 2024 Legislature meeting with the following discussion:

- ***H17 – Award Bid for Tandem Truck – Public Works*** – Legislator Monell requested the RESOLVED statement be amended to reflect a total of \$657,812.00 is being spent for two trucks. Ms. Haskell will notify Public Works of the requested resolution amendment.

**Other:**

- ***Chamber of Commerce Legislative Breakfast*** - Chair Sauerbrey reported all Legislators received information regarding the upcoming Chamber of Commerce Legislative Breakfast on September 26, 2024 from 8:00 – 10:00 a.m. at the Pumpelly House. This event is free of charge, but reservations are required.
- ***Employee Recognition Luncheon*** – Chair Sauerbrey reported the Employee Recognition Luncheon will be held on the same day as the Legislative Breakfast at 12:00 p.m. at Donoli's Restaurant. There is a \$20.00 charge.

**Executive Session:** Seven Legislators were in attendance along with Legislative Clerk Haskell, County Administrator Bailey, County Attorney DeWind, Personnel Officer Parke, County Clerk Klett, Public Health Director Vroman, and Public Health Director of

Administrative Services McCann. Motion by Legislator Standinger, seconded by Legislator Monell, to move into Executive Session to discuss matters leading to the appointment of an individual, matters leading to the discipline of a particular individual, contract negotiations, and potential litigation matters at 2:04 p.m. Motion carried. Motion by Legislator Ciotoli, seconded by Legislator Roberts, to adjourn. Executive Session adjourned at 3:08 p.m.

Meeting adjourned at 3:08 p.m.

Next Worksession scheduled for Thursday, August 22, 2024, at 10:00 a.m.

Respectfully submitted,

*Cathy Haskell*

Legislative Clerk