



FINANCE, LEGAL & SAFETY COMMITTEE

June 13, 2023

10:30 a.m.

- APPROVAL OF MINUTES: May 9, 2023

- FINANCIAL
 - Safety
 - Law

- OLD BUSINESS
 - Litigation
 - In Rem
 - Motorola tower project
 - Historical Artifact

- NEW BUSINESS
 - Amended and new policies
 - Resolutions
 - ILS year 6-8 / lease of assigned counsel space
 - Title VI recertification
 - Risk Management audit
 - Disadvantaged Business Enterprise Program
 - Compliance
 - State of Emergency and Orders

- PERSONNEL
 - N/A

- RESOLUTIONS
 - AMEND EMPLOYEE HANDBOOK: ADD NEW POLICY TO SECTION IX. SAFETY RULES; SUBSECTION P. ENTITLED SUN SAFETY PLAN
 - AMEND RESOLUTION NO. 193-18 AS AMENDED BY RESOLUTION NO. 45-23; ADOPTION OF TIOGA COUNTY TITLE VI PLAN, ENVIRONMENTAL JUSTICE PLAN, LIMITED ENGLISH PROFICIENCY PLAN, DATA COLLECTION PLAN, ADA TRANSITION PLAN AND EMPLOYEE TRAINING PLAN

- APPOINT DBE LIAISON OFFICER
- PROCLAMATIONS
 - N/A
- EXECUTIVE SESSION
- ADJOURNMENT

Office of the County Attorney

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FINANCE, LEGAL AND SAFETY COMMITTEE

May 9, 2023

10:30 A.M.

ATTENDANCE:

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

Staff: Legislative Clerk Haskell, County Attorney DeWind, Treasurer McFadden, Chief Accountant Jerzak, Accountant Schurter, Safety Officer Holbrook, and Personnel Officer Parke

APPROVAL OF THE MINUTES: Legislator Ciotoli asked for a motion to approve the April 11, 2023, minutes. Legislator Monell made the motion seconded by Legislator Standinger and was unanimously carried.

FINANCIAL: Safety's budget will need funds transferred into the health insurance object line due to monies not being appropriated for this object line in the 2023 budget. Legal has submitted a resolution to create an object line for afterhours arraignments of adolescent offenders and the transfer of monies from the "All-Other" object line to the newly created "Legal Fees-Adolescent Offender" budget line.

OLD BUSINESS:

- **Litigation:** Denial of a Motion to Dismiss in a pending matter has been appealed by both parties with the case being adjourned to November 6, 2023, and a 50H hearing was held yesterday in the Legislative conference room on another claim. Mr. DeWind continues to monitor all litigation claims.
- **Ethics Board:** There are two Democratic candidates submitted for Legislative approval. All applications received for this Board will be kept on file for future consideration.
- **In Rem:** The Supreme Court may be leaning to return auction overages to homeowners with a decision possibly being made in the next few months. Mr. McFadden stated some counties have not opted into Article 11 for In Rem procedure. They allow a ninety (90) day window for mortgage companies and homeowners to file a claim. After three (3) years the counties can keep the auction proceeds of these properties. Options for In Rem will be looked at once the field settles and there is a clearer picture of the benefits of different models. There are approximately thirty-nine (39)

properties for this year's In Rem however almost sixty percent (60%) of the properties are abandoned.

- Motorola Tower Project: Letters have been sent to prospective landowners, properties have been reviewed and the County Attorney's Office is working with Emergency Management on shelters and RFPs for this project.

NEW BUSINESS:

- Amend and new policies: Mr. DeWind briefly discussed the changes to the Sexual Harassment Prevention Policy and Restricting Firearms and Other Weapons in or on County Buildings, Worksites, and Vehicles. The Respirable Crystalline Silica Exposure Control Plan is a new policy that is required by PESH.
- Resolutions: Assistant County Attorney Lanouette is in the process of recruiting a second attorney for nighttime arraignments of adolescent offenders. CAP court justices have traditionally been compensated for nighttime arraignments. Mr. DeWind will reach out to OCA to facilitate payment arrangements through the newly created "Legal Fees-Adolescent Offender" budget line.
- Financial Disclosures for Boards and Section A employees are due May 15, 2023.
- Cyber Policy: Coalition, the County's cyber insurance carrier, has been doing a deep dive into the County's exposure with shared service agreements with local municipalities. Future contracts will potentially need to include language requiring municipalities to secure cyber insurance.
- Historic Artifact: Commissioner Hammond has visually inspected the bell to determine the best means of retrieval and is making diligent efforts to ensure the bell is removed before the property is sold. Tioga County Historian Emma Sedore has done substantial research to document that this bell is indeed the Bell of Sessions that originally hung in the Courthouse's southwest tower. Chair Sauerbrey stated the bell is "a significant artifact" and the County is excited to have it returned.
- ILS Budget: The ILS Executive Budget includes an adjustment for assigned counsel rate increase. The County will have to front end approximately three hundred thousand dollars (\$300,000.00 USD). At this time, it is unclear when the grant money will arrive to cover the significant rate increase.

RESOLUTIONS: APPOINT MEMBER TO THE ETHICS BOARD; AMEND EMPLOYEE HANDBOOK: SECTION 35. TIOGA COUNTY SEXUAL HARASSMENT PREVENTION POLICY; ESTABLISH NEW BUDGET LINE, MODIFY 2023 BUDGET AND TRANSFER FUNDS LAW DEPARTMENT; AMEND EMPLOYEE HANDBOOK: SECTION IX. SAFETY RULES,

SUBSECTION M. RESTRICTING FIREARMS AND OTHER WEAPONS IN OR ON COUNTY BUILDINGS, WORKSITES OR VEHICLES; APPOINT MEMBER TO THE ETHICS BOARD; AMEND EMPLOYEE HANDBOOK: ADD NEW POLICY TO SECTION IX. SAFETY RULES; SUBSECTION O., ENTITLED RESPIRABLE CRYSTALLINE SILICA EXPOSURE CONTROL PLAN; ACCEPT INDIGENT LEGAL SERVICES AWARD AND AMEND 2023 BUDGET: these resolutions 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 11:35 A.M.

Respectfully submitted,

Christine Freyvogel

Secretary to the County Attorney



TIOGA COUNTY, NEW YORK

Tioga County 2023 SAFETY BUDGET REPORT

FOR 2023 07

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	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	-621.47	.00	621.47	100.0%
CI8042 510010 Fulltime	57,523	0	57,523	12,922.81	.00	44,600.19	22.5%
CI8042 540140 Contracting Servi	164,500	-161,000	3,500	2,020.00	954.00	526.00	85.0%
CI8042 540140 M7674 Contracting	0	161,000	161,000	20,590.95	84,409.05	56,000.00	65.2%
CI8042 540340 Literature	250	0	250	.00	.00	250.00	.0%
CI8042 540410 Nursing Supplies	2,000	0	2,000	1,226.27	.00	773.73	61.3%
CI8042 540420 Office Supplies	400	0	400	161.70	.00	238.30	40.4%
CI8042 540480 Postage	75	0	75	.00	.00	75.00	.0%
CI8042 540640 Supplies (Not Off	600	0	600	274.69	.00	325.31	45.8%
CI8042 540733 Training/All Othe	3,500	0	3,500	417.19	.00	3,082.81	11.9%
CI8042 581088 State Retirement	2,744	0	2,744	1,591.38	.00	1,152.40	58.0%
CI8042 583088 Social Security F	2,232	0	2,232	918.84	.00	1,313.26	41.2%
CI8042 584088 Workers Compensat	1,224	0	1,224	293.82	.00	930.52	24.0%
CI8042 585588 Disability Insura	0	0	0	15.66	.00	-15.66	100.0%*
CI8042 586088 Health Insurance	0	0	0	6,078.72	.00	-6,078.72	100.0%*
CI8042 588988 Eap Fringe	15	0	15	3.66	.00	10.90	25.1%
TOTAL 504 Coordinator/Safety	235,063	0	235,063	45,894.22	85,363.05	103,805.51	55.8%
TOTAL Liability Insurance Fund	235,063	0	235,063	45,894.22	85,363.05	103,805.51	55.8%
TOTAL REVENUES	0	0	0	-621.47	.00	621.47	
TOTAL EXPENSES	235,063	0	235,063	46,515.69	85,363.05	103,184.04	
GRAND TOTAL	235,063	0	235,063	45,894.22	85,363.05	103,805.51	55.8%

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



TIOGA COUNTY, NEW YORK

Tioga County 2023 LAW BUDGET REPORT

FOR 2023 07

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	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	-9,935.94	.00	-40,143.06	19.8%*
A1420 510010 Full Time	212,439	0	212,439	81,707.01	.00	130,731.99	38.5%
A1420 510020 Part Time/Temporar	45,000	0	45,000	13,326.93	.00	31,673.07	29.6%
A1420 510050 All Other(On Call,	2,000	-2,000	0	.00	.00	.00	.0%
A1420 520200 Office Equipment	450	0	450	.00	.00	450.00	.0%
A1420 540010 Advertising	100	27	127	127.00	.00	.00	100.0%
A1420 540040 Books	500	-27	473	434.75	.00	38.25	91.9%
A1420 540180 Dues	1,200	0	1,200	678.00	.00	522.00	56.5%
A1420 540330 Legal Fees	65,000	0	65,000	17,957.50	24,150.00	22,892.50	64.8%
A1420 540331 Legal Fees-Adolesc	0	2,000	2,000	.00	.00	2,000.00	.0%
A1420 540390 Mileage Expense	100	0	100	100.00	.00	.00	100.0%
A1420 540420 Office Supplies	825	-85	740	181.27	.00	558.73	24.5%
A1420 540480 Postage	150	0	150	75.87	.00	74.13	50.6%
A1420 540485 Printing/Paper	400	0	400	114.43	.00	285.57	28.6%
A1420 540731 Training/State Req	200	85	285	285.00	.00	.00	100.0%
A1420 581088 State Retirement F	17,918	0	17,918	8,623.23	.00	9,295.19	48.1%
A1420 583088 Social Security Fr	15,182	0	15,182	7,297.03	.00	7,885.15	48.1%
A1420 584088 Workers Compensati	3,673	0	3,673	2,056.74	.00	1,616.28	56.0%
A1420 585588 Disability Insuran	204	0	204	86.13	.00	117.45	42.3%
A1420 586088 Health Insurance F	49,507	0	49,507	35,672.40	.00	13,834.98	72.1%
A1420 588988 Eap Fringe	44	0	44	25.62	.00	18.06	58.7%
TOTAL Law	364,813	0	364,813	158,812.97	24,150.00	181,850.29	50.2%
TOTAL General Fund	364,813	0	364,813	158,812.97	24,150.00	181,850.29	50.2%
TOTAL REVENUES	-50,079	0	-50,079	-9,935.94	.00	-40,143.06	
TOTAL EXPENSES	414,892	0	414,892	168,748.91	24,150.00	221,993.35	
GRAND TOTAL	364,813	0	364,813	158,812.97	24,150.00	181,850.29	50.2%

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

REFERRED TO: FINANCE, LEGAL AND SAFETY COMMITTEE

RESOLUTION NO. -23 AMEND EMPLOYEE HANDBOOK:
ADD NEW POLICY TO SECTION IX. SAFETY RULES;
SUBSECTION P. ENTITLED SUN SAFETY PLAN

WHEREAS: The "New York State Public Employee Sun Safety Law" was enacted on August 18, 2006 as an amendment to Section 218-a of the New York State Labor Law. The law requires New York State public employers to provide sun safety information to employees who spend more than a total of 5 hours per week outdoors; and

WHEREAS: Employees who work outside in the sun are more at risk to skin exposures that may include blemishes, sun freckles and wrinkles. Continued exposure to sun over time can cause damaged skin to become cancerous; and

WHEREAS: The Safety Officer in cooperation with Tioga County Public Health has written a policy to address training and to advocate for sun safety measures for Tioga County employees; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the adoption of the Sun Safety Plan; and be it further

RESOLVED: That the Employee Handbook is hereby amended to add a new policy to Section IX, Subsection p. entitled Sun Safety Plan.

p. SUN SAFETY PLAN

SUN SAFETY PLAN

CONTENTS:

- I. INTRODUCTION
- II. PURPOSE
- III. POLICY APPLICATION
- IV. ENVIRONMENTAL CONTROLS
- V. TRAINING AND COMMUNICATION
- VI. POLICY EVALUATION

I. INTRODUCTION

This Sun Safety Plan is established to promote skin cancer prevention technology, promote sun safety measures and to comply with applicable NYS Labor Law requirements.

II. PURPOSE

Occupational sun safety programs are a critical component of national efforts to prevent skin cancer, given outdoor workers' increased risk for skin cancer. Encouraging and providing examples of good sun safety behaviors in outdoor workers helps create a healthy and safe workforce.

III. POLICY APPLICATION

This policy applies to all departments where outdoor work assignments are required and there is a risk of exposure to UV radiation as a result of these activities.

IV. ENVIRONMENTAL CONTROLS

Hats, Protective Clothing, Sunglasses and Sunscreen: For all outdoor activities employees will be encouraged to wear sun protective clothing that includes full brimmed hats, long sleeve shirts and pants, sunglasses that offer full spectrum protection from UVA and UVB rays and carry and use sunscreen and lip balm with a minimum of SPF 15.

V. TRAINING AND COMMUNICATION

All outdoor employees will receive annual sun safety training. Sun safety policy guidelines will be communicated through posters, pamphlets, newsletters and meetings.

VI. POLICY EVALUATION

Evaluation of this policy will be ongoing as a collaborative effort between the Safety Officer and Public Health.

REFERRED TO: PERSONNEL COMMITTEE
LEGISLATIVE WORKSESSION
FINANCE, LEGAL & SAFETY COMMITTEE

RESOLUTION NO. -23 AMEND RESOLUTION NO. 193-18 AS AMENDED BY
RESOLUTION NO. 45-23; ADOPTION OF TIOGA
COUNTY TITLE VI PLAN, ENVIRONMENTAL JUSTICE
PLAN, LIMITED ENGLISH PROFICIENCY PLAN, DATA
COLLECTION PLAN, ADA TRANSITION PLAN AND
EMPLOYEE TRAINING PLAN

WHEREAS: The Tioga County Legislature adopted the Tioga County Title VI Plan, Environmental Justice Plan, Limited English Proficiency Plan, Data Collection Plan, ADA Transition Plan, and Employee Training Plan by way of Resolution No. 193-18 on August 17, 2018, and amended the Plan by way of Resolution No. 45-23 on January 10, 2023; and

WHEREAS: Tioga County has applied for recertification of the County's Title VI Plan; and

WHEREAS: The Department of Transportation is requiring minor revisions to the County's Title VI Plan as follows:

- The content page needs to be updated to reflect the addition of "Letters"
- "Title VI Reporting" page incorrectly states the Personnel Director as the Title VI Coordinator instead of Personnel Officer; and
- "The Tioga County Title VI Plan Complaint Form" and "Title VI Notice to the Public" are required to include the name and address of the Federal Transit Authority; and
- The addition of "Letter Acknowledging Receipt of Complaint", "Letter Notifying Complainant that the Complaint Is Not Substantiated", and "Letter Notifying Complainant that the Complaint Is Substantiated" is to be added to the Tioga County Title VI Plan.

Therefore be it

RESOLVED: That Resolution No. 193-18 as amended by Resolution No. 45-23, the Tioga County Title VI Plan, is hereby amended as follows:

- The content page is updated to include "Complaint Procedures, Complaint Form, Letters"
- "Title VI Reporting" is updated to Personnel Officer and the appointment of the County Attorney's designee as a Title VI Coordinator

- That Title VI Program Specialists are the Planning Director, the Deputy Commissioner of Social Services, the Commissioner of Public Works, and the Safety Officer
- "The Tioga County Title VI Plan Complaint Form" and "Title VI Notice to the Public" is updated with the name and address for the Federal Transit Administration
- "Letter Acknowledging Receipt of Complaint", "Letter Notifying Complainant that the Complaint Is Not Substantiated", and "Letter Notifying Complainant that the Complaint Is Substantiated" be added to the Tioga County Title VI Plan;

And be it further

RESOLVED: That the remainder of the Tioga County Title VI Plan remains unchanged.

REFERRED TO:

FINANCE, LEGAL AND SAFETY COMMITTEE
PUBLIC WORKS

RESOLUTION NO. -23

APPOINT DBE LIAISON OFFICER

WHEREAS: The Department of Transportation (DOT) requires the establishment of a Disadvantaged Business Enterprise Program (DBE) due to Tioga County receiving financial assistance from the DOT; and

WHEREAS: As a condition of receiving this assistance Tioga County has signed assurances that it will comply with 49 CFR Part 26; and

WHEREAS: The DBE Policy requires the appointment of a DBE Liaison Officer; and

WHEREAS: The Deputy Commissioner of Public Works has agreed to implement and monitor the DBE Program in coordination with other appropriate officials; therefore be it

RESOLVED: That the Deputy Commissioner of Public Works be and hereby is appointed the DBE Liaison Officer for Tioga County.