



Tioga County Worksession Minutes **October 5, 2023 – 1:00 p.m.**

Legislators Present:

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

Legislators Absent:

Legislator Roberts

Guests:

None

Staff present:

Peter DeWind, County Attorney
Cathy Haskell, Legislative Clerk
Amy Eiklor, Deputy Legislative Clerk
Jackson Bailey, Budget Officer (*Departed at 1:15 p.m.*)
Linda Parke, Personnel Officer
Jeremy Loveland, Chief Information Officer (*Departed at 1:26 p.m.*)
Lori Morgan, Director of Community Services (*Departed at 1:52 p.m.*)

Call Meeting to Order: Chair Sauerbrey opened the meeting at 1:00 p.m.

2024 Budget Update – Budget Officer Bailey: Mr. Bailey distributed a budget packet to the Legislators and reported the following budget information:

- Final salary and fringe amounts are pending and will be discussed at the October 19th meeting.
- Total balance to be raised by Real Property Tax is \$26,296,389.

- Total current appropriated fund balance is estimated at \$8,718,494.19, which includes, among other appropriations, the following:
 - \$2.5 million Capital Appropriation for truck storage facility
 - \$1 million for Waverly Mental Hygiene Clinic renovations
 - \$500,000 for high profile criminal cases
 - \$925,000 estimated salary increases
 - \$1,000 for County Administrator job fair initiative
 - \$25,000 increase in insurance premiums (flood, general liability, cyber)

Budget Officer Bailey asked the Legislature if they were comfortable with appropriating \$2.5 million for the truck storage facility. Chair Sauerbrey proposed reducing that figure to \$500,000. Commissioner of Public Works Hammond can report back with more detailed plans and figures for the project. Legislator Mullen stated he is not proposing but would like to keep the potential for bonding the project on the table in the future. Legislator Standinger reported he visited the current structure and though it's old, it appears to be structurally sound and withstood over forty inches of snowfall in the past. Legislator Ciotoli stated that Commissioner Hammond did not have an issue with reducing the amount appropriated. The project is included in Commissioner Hammond's five-year plan, and he views the project as a long-term goal. On a straw poll vote, the Legislators agreed to reduce the truck storage facility appropriation from \$2.5 million to \$500,000 for 2024. Budget Officer Bailey will reduce the figure, which will take the appropriated fund balance amount to \$6,718,494.19. He reiterated that figure does not include fringe benefit estimates or ARPA appropriations.

Legislator Monell asked for more information about the Waverly Mental Hygiene project. Chair Sauerbrey replied that the \$1 million appropriation will be used to improve the interior space of the Village of Waverly wing that Mental Hygiene will be leasing in the future. Mental Hygiene expects to rent the space for a period of twenty years at a similar rate to what they were paying for the previous lease on another property in Waverly. Director of Community Services Morgan stated the Village of Waverly space is twice as big as the previous rental space. Legislator Mullen reported that the Village of Waverly used a large portion of their ARPA funds to renovate the exterior of the building.

Budget Officer Bailey appropriated \$500,000 for high profile criminal cases. Chair Sauerbrey stated that figure was just a starting point as the total amount could be much higher. She inquired about what department the appropriation will be housed in. Budget Officer Bailey replied he put the funds in the District Attorney's budget unless the Legislature instructs otherwise. Assigned Counsel, the Law Department, and Sheriff's Office are expected to tap into that amount, at which time a resolution will be passed to transfer the funds to other budgets. Budget Officer Bailey said if the Legislature would feel more comfortable, he can house the funds in the County Attorney's budget. He stated a project code will be used to track the expenditures from that fund. The Legislature agreed to the \$500,000 appropriation

and Budget Officer Bailey will work with County Attorney DeWind on the proper department to house the funds.

Budget Officer Bailey reported insurance premiums are expected to increase by \$25,000. This is not for health insurance, but for flood, general liability, and cyber insurance. Legislator Mullen asked how much Tioga County pays in various insurances each year. Budget Officer Bailey replied the figure is over \$538,000.

Chair Sauerbrey asked Budget Officer Bailey about IT's hardware/software account. Funds were used from that account this year to pay for various projects and Chair Sauerbrey would like to replenish those funds. Budget Officer Bailey replied that he included the replenishment in the appropriations of the Capital budget.

The Budget is currently at Level 3, the Legislative Level, which will roll to Level 4, the Tentative Level, at the conclusion of the October 19th meeting. Budget Officer Bailey will report back to the Legislature on October 19th where he will discuss fringe benefits, ARPA appropriations, and the final tax cap. He will also provide updated figures on the estimated fund balance, reserves, and indebtedness.

NY Citizens Audit Resolution: Legislative Clerk Haskell reported she received a resolution from the NY Citizens Audit group. The organization had representatives that spoke during Privilege of the Floor at the September 12th Legislative meeting. The group is asking the Legislature to adopt a resolution asking for an audit of the New York State 2022 General Election. Legislator Standinger stated the typical process would be to bring forth a resolution to the appropriate Legislative Standing Committee. In this instance, the appropriate committee would be Administrative Services. Due to an election, the Board of Elections is unable to attend the November Administrative Services committee meeting. Legislator Mullen asked Ms. Haskell to send him the resolution and he will present it for Legislature consideration at the Administrative Services committee meeting on November 7th.

Update on Migrant/Homeless Crisis Out of NYC: Chair Sauerbrey reported she was recently on a call with officials from New York City. During the call, she learned that the Mayor of New York City indicated he would be sending homeless individuals to locations upstate in order to make room for the influx of migrants. The homeless individuals out of NYC can receive housing vouchers for up to five years in areas throughout New York State. Chair Sauerbrey stated that local leaders outside of New York City were extremely upset about the move as it is similar to relocating migrants. One County Executive on the call likened it to a "bait and switch" move. At this time, it is unclear if homeless individuals will relocate to Tioga County. She wanted to inform and prepare the Legislature should they arrive. Chair Sauerbrey is in contact with Commissioner of Social Services Yetter regarding the possible impact the relocation of the homeless will have on the Department of Social Services. She will continue to communicate with Commissioner Yetter as Tioga County Department of Social Services is already understaffed and unable to accommodate Tioga County's existing homeless population. Chair Sauerbrey stated once the temperature drops below thirty-two degrees, Code Blue goes into effect which requires Social Services to shelter the homeless.

Chair Sauerbrey reported that President Biden has allowed Venezuelan migrants to receive working papers in New York State only. Numerous local businesses already employ migrants

with proper working papers. Chair Sauerbrey received numerous phone calls from constituents expressing their concerns over the migrant issue. She assures residents that busloads of migrants are not being dropped off in Tioga County.

Use of Building: Chair Sauerbrey received a request from Broome-Tioga BOCES for use of the building at 56 Main Street. BOCES would like to use the building for a Capital project public vote on November 29th from noon until 8:00 p.m. BOCES chose 56 Main Street as Ronald E. Dougherty was a former BOCES Board President and the building is named in his honor. Typically, the building is not open for public use after 5:00 p.m. due to security concerns. Chair Sauerbrey stated the only way the building can be considered for use after-hours is if the outside entity paid for security to remain onsite for the duration of use. BOCES is willing to pay for the security needed for after-hours voting. The estimated security cost for BOCES would be \$350 - \$400. Chair Sauerbrey acknowledged that approving this request will set a precedent for other outside entities. However, the precedent will be set with the caveat that the organization will pay for two security guards to remain onsite.

Legislator Flesher inquired what the Capital project is. Ms. Haskell stated BOCES is proposing the construction of additional building/classroom space and update infrastructure on their main campus, which requires a public vote. Ms. Haskell clarified that 56 Main Street is one of three polling locations within the (15) school districts serviced by Broome-Tioga BOCES. Legislator Monell asked what role the security guards will play in the process. County Attorney DeWind verified the security guards will make sure members of the public do not wander beyond the polling site. The guards will conduct a security sweep of the building at the conclusion of the vote. The security guards have access to interior and exterior cameras, which includes the parking lot.

The Legislators asked for clarification from BOCES on where other polling locations will be. They would also like to know who would be voting at 56 Main Street, in terms of school districts in order to get a better estimate of the number of people expected to show up to vote. At the conclusion of the meeting, Ms. Haskell will reach out to BOCES and ask them for clarification. Ms. Haskell will then email the Legislators the answers to those questions. On a straw poll vote, the Legislators agreed to allow BOCES to use 56 Main Street as a polling location for a Capital project public vote with the understanding that BOCES will pay for the cost of two after-hours security guards.

UPDATE: Following the meeting, Ms. Haskell emailed the BOCES Chief Operations Officer and emailed Legislators with additional information regarding the capital project and public vote.

Approval of Worksession Minutes: On motion of Legislator Monell, seconded by Legislator Brown, the September 21, 2023 minutes were unanimously approved.

Action Items: Currently, we have none.

Legislative Support: Ms. 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 October 10, 2023 Legislative meeting with discussion occurring on the following:

- **Resolution Supporting Senate Bill S.7645 that Repeals Certain Provisions of the Executive Law Establishing a Fee for Background Checks on Certain Firearm and Ammunition Purchases:** Ms. Haskell reported this resolution was not presented in any committee, but she wanted to bring it forward and ask the Legislature if they would like to add the resolution to the packet. A few counties throughout New York State have passed similar resolutions. There were no objections to adding the resolution to the packet for Legislature consideration at the October 10th meeting.
- **Set Public Hearing 2024 Budget:** The Public Hearing on the tentative 2024 Budget will be held on Tuesday, November 14th at 10:00 a.m. in the Hubbard Auditorium.
- **Amend Resolution No. 370-23; Create (1) Full-Time Cleaning Supervisor Position and (7) Full-Time Cleaner I Positions – Department of Public Works:** Ms. Haskell stated this resolution increases the hourly rate of the newly created cleaner positions. She stated the intention is for the cleaners to begin this month. For the first few days, they will work from 9:00 a.m. – 5:00 p.m. to become acclimated to the buildings and familiarize themselves with staff. Their regular schedule is anticipated to be 4:00 a.m. - 12:30 p.m. The goal is for the cleaners to be present during a portion of the workday so staff can interact with them and reach out if they need anything. County Attorney DeWind reported the previously contracted cleaning company is aware the contract will be terminated.
- **Unfund (1) Full-Time Vacant Clinical Social Worker and Create (1) Full-Time Mental Hygiene Compliance Officer – Mental Hygiene:** Ms. Haskell reported this resolution did not go through the Health and Human Services Committee but went through the Personnel committee earlier today. Legislator Ciotoli asked if the position would oversee and ensure the work being done at Mental Hygiene is done correctly. Director of Community Services Morgan responded, yes. She explained the position is already budgeted for and just needs to be in the appropriate classification. There were no objections to moving the resolution forward for Legislature consideration at the October 10th meeting.

Other:

- **State of Emergency Declaration Extension:** Chair Sauerbrey reported the State of Emergency Declaration Extension expires this weekend. She asked the Legislators for their thoughts on extending it. Legislator Monell asked County Attorney DeWind what his thoughts were, as there are several pending lawsuits on the matter. County Attorney DeWind replied that the State of Emergency Order has already been dropped but the State of Emergency Declaration in place allows for the passing of more appropriate orders. Chair Sauerbrey stated that most calls she's received are in support of the State of Emergency Declaration.

With the potential for New York City to relocate homeless individuals upstate, Legislator Mullen inquired if the language within the Declaration can be changed to include

homelessness or displaced individuals. County Attorney DeWind stated the wording can be changed in the State of Emergency Declaration to address the potential homeless issue. Ms. Haskell pointed out that the current Declaration contains language pertaining to a housing crisis. County Attorney DeWind stated he would consider the migrant and homeless issue to be covered under the current housing crisis language within the Declaration. He suggested extending the Declaration as it doesn't cause any additional legal issues. On a straw poll vote, the Legislators agreed to extend the State of Emergency Declaration for an additional thirty days.

Executive Session: Eight Legislators were in attendance with Legislator Roberts being absent. County Attorney DeWind, Legislative Clerk Haskell, and Personnel Officer Parke remained in attendance. Motion by Legislator Brown, seconded by Legislator Mullen, to move into Executive Session to discuss matters pertaining to the appointment and promotion of particular individuals at 1:56 p.m. Motion carried. Motion by Legislator Ciotoli to adjourn, seconded by Legislator Monell. Executive Session adjourned at 2:37 p.m.

Meeting adjourned at 2:37 p.m.

Next Worksession scheduled for Thursday, October 19, 2023, at 10:00 a.m.

Respectfully submitted,

Amy Eiklor

Deputy Legislative Clerk