



## **Tioga County Worksession Minutes** **September 5, 2024 – 1:00 p.m.**

### **Legislators Present:**

Legislator Ciotoli  
Legislator Flesher  
Legislator Monell  
Legislator Roberts (*arrived @ 1:12 p.m.*)  
Chair/Legislator Sauerbrey  
Legislator Standinger (*arrived @ 1:08 p.m.*)

### **Legislators Absent:**

Legislator Brown  
Legislator Mullen

### **Guests:**

None

### **Staff present:**

Peter DeWind, County Attorney  
Cathy Haskell, Legislative Clerk  
Jackson D. Bailey II, County Administrator  
Gary Hammond, Commissioner of Public Works (*departed @ 2:22 p.m.*)  
Justin Ruggiero, Deputy Commissioner of Public Works (*departed @ 2:22 p.m.*)  
Linda Parke, Personnel Officer

**Call Meeting to Order:** Chair Sauerbrey opened the meeting at 1:05 p.m.

### **County Administrator Report / 2025 Budget Update:**

County Administrator Bailey provided the following County Administrator and 2025 Budget Reports:

#### **County Administrator Report:**

***Probation Department Visit*** – Mr. Bailey reported his first departmental visit was with the Probation Department August 28-30, 2024. Mr. Bailey reported he had a very thorough experience learning about the staff, how long they have worked for Probation, and their roles within the department. Mr. Bailey reported he was involved in their day-to-day operations through home visits, court arraignments, and reviewing case files, with staff providing very knowledgeable and detailed information in all facets. Mr. Bailey completed his visit with an overview meeting with Probation Director Cain, which he gained a different

perspective of the mission and purpose of the department and how they serve the community. Mr. Bailey reported he was highly impressed with the overall operations of the department noting Mr. Cain is on top of every aspect of the daily operations of the department and what the staff is doing. Mr. Bailey reported Mr. Cain creates and promotes a very good office culture; he is right on the ground floor with his staff with an open-door policy for his staff to approach him. Mr. Bailey reported the staff's knowledge skillsets were incredibly impressive, and all were able to answer any questions or concerns I asked. While doing home visits, the Probation Officers knew how to handle each situation. Mr. Bailey thanked Mr. Cain for opening his doors and informing him on the operations of the department. The whole Department expressed appreciation for his visit so that he could have a better understanding of their roles and mission. Mr. Bailey thanked the Legislature for allowing him the opportunity to be a part of this experience.

Legislator Standinger reported Probation Officer Cain set the bar high. He is certainly an excellent leader, and I know a lot of us could take lessons from him.

Mr. Bailey reported he is looking forward to meeting the other Departments noting the Personnel Office will be his next department visit and he will be contacting Personnel Officer Parke soon to schedule.

### **2025 Budget Update:**

**Budget Level** - Budget is currently at Level 2 (Budget Officer). Departments can no longer enter or revise their budgets. Any changes will need to go through their respective Legislative Standing Committees and County Administrator for approval.

### **Outside Agency Funding –**

- **Newark Valley Historical Society:** Submitted their increase request of \$200.00 along with a letter substantiating the request for increased funding.
- **Library Taxation:** Spoke with Real Property and they will be generating a list of all library taxation that is received by the individual libraries.
- **Spencer-Van Etten Food Pantry Request:** Spoke with the Southern Tier Food Bank to get a better understanding of how they disburse funds to individual counties. The County can, if they choose, contribute to the Southern Tier Food Bank and specifically request funds be disbursed to only Tioga County food pantries. The individual food pantries would contact the Southern Tier Food Bank to request funding. Mr. Bailey reported the \$80,000 amount that was identified in the letter was just an example of what other counties have contributed to the Southern Tier Food Bank for the food pantries in their county. Regarding the Spencer-Van Etten food pantry, Legislator Monell inquired as to how many people are being served. Chair Sauerbrey reported if the Legislature decides to move forward with adding the Southern Tier Food Bank as an outside agency, it will be a commitment. Mr. Bailey reported he will send the Legislature the statistics he received regarding the number of people being served.
- **Tioga Opportunities:** Submitted increase request of 5% (\$5,700).
- **Libraries:** Submitted a total increase of \$1,300 for all libraries.
- **Historical Societies:** Submitted a total increase of \$5,700 for all historical societies.
- **Soil & Water:** Submitted their increase request of 10% (\$31,900).
- **CCE:** Submitted their increase request of \$5,000.

Chair Sauerbrey inquired as to when County Administrator Bailey will need a Legislative decision on how to proceed with the outside agency requests. Mr. Bailey reported the beginning of November (prior to the tentative budget public hearing) at the latest.

### **2025 Capital Budget –**

Mr. Bailey reported the 2025 Capital Budgets have been presented to and approved by the ITCS and Public Works Legislative Standing Committees. Mr. Bailey reviewed the 2025 Capital Budget line-by-line with the Legislature addressing building repairs, equipment, computers, software, and vehicles to determine if any changes are required. Budgetarily, Mr. Bailey reported he has no concerns with this capital budget utilizing the reserves. All Legislators were in favor of the 2025 Capital Budget as presented.

Mr. Bailey reported the next Budget Update on September 19, 2024 will include the following:

- Management/Confidential 2025 Salary Recommendations
- 2025 Legislative Salaries
- Brief Narrative on Sales Tax and Projected Interest

Following the September 19, 2024 meeting, the 2025 budget will roll from Level 2 (County Administrator) to Level 3 (Legislative).

**Approval of Worksession Minutes:** On motion of Legislator Ciotoli, seconded by Legislator Monell, the August 22, 2024 minutes were unanimously approved.

### **Action Items:**

#### **ACTION ITEMS FROM MAY 23, 2024:**

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

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. The Legislature expressed there was no immediate urgency but did want the policy revised at some point to address this issue. **This action item will be carried forward to the September 19, 2024 Legislative Worksession.**

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

**Resolutions:** Ms. Haskell reviewed the agenda and resolutions for the September 12, 2024 Legislature meeting. Ms. Haskell reported she notified the Commissioner of Social Services this morning of a September 30, 2024 contract expiration and offered an opportunity for him to submit a resolution for presentation at today's Worksession. Ms. Haskell presented the resolution on behalf of the Department, and all Legislators were in favor of incorporating the resolution into the meeting agenda for Legislature consideration at the September 12, 2024 Legislature meeting.

## Other:

- **NYSAC Conference:** Chair Sauerbrey reminded the Legislature that three (3) Legislators and the County Administrator will be attending next week's conference in Monticello, NY from September 9-11, 2024.
- **Sheriff Canine Program** – Legislator Flesher reported Undersheriff Hallett attended this week's Public Safety Legislative Standing Committee expressing an interest that the Sheriff's Office would like to reinstate their canine program, however, they are coming after the 2025 Sheriff's budget was presented and submitted. They are estimating \$52,000 to start the program which includes the purchase of the dog, vehicle fitting equipment, and other program incidentals. The Undersheriff was asking the Legislature for their approval to start this program, and the Public Safety Legislative Standing Committee decided they were in favor of the canine program, however, not having the funds identified in their 2025 budget this would have to wait for the next budget cycle and possible implementation in 2026. Legislator Standinger reported the Public Safety Legislative Standing Committee further requested more finite details regarding the program expense. Legislator Flesher reported after the initial program start up estimated cost of \$52,000, they are estimating an annual expense of \$10,000 which includes the mandatory half-hour overtime they must pay the deputy, per the Garcia Act, veterinary care, food, training, etc. Chair Sauerbrey reported the Sheriff's Office was unable to stay at the zero-budget increase directive for 2025. Legislator Flesher reported, to date, the Sheriff's Office has had 12 canine calls this year and they have had to reach out to other agencies for assistance. The request for interagency assistance is starting to get thin and, to date, they have not been charged for the service, but this could change. This topic will be re-addressed in 2025 during the 2026 budget preparation. County Attorney DeWind reported there will be some insurance impact regarding this program should it come to fruition.
- **Courthouse Request for Installation of Acoustical Ceiling & Wall Tiles** – Commissioner of Public Works Hammond reported the State has requested the County's approval to install acoustical tiles on the ceiling and walls of the main courtroom in the courthouse to better enhance the sound quality of when they are conducting trials via videoconferencing. Chair Sauerbrey reported the State is trying to do this in all the courthouses, but Mr. Hammond reported some counties are pushing back. The County's concern is the possible defacing of the historical lath and plaster ceiling and walls and changing the character and integrity of the historical building.

County Attorney DeWind reported he has been in virtual court proceedings, and confirmed it is difficult to hear, but this could possibly be fixed using a better television and sound system. Chair Sauerbrey believes there is a way through technology that they can install a sound system as an alternative. Mr. Hammond reported he was informed by the court system that all technological advances have been reviewed.

Mr. DeWind reported we have an agreement that allows utilization of our courthouse to the Office of Court Administration, and it requires the County to do the basic maintenance and emergency maintenance with some reimbursement. If the Legislature is interested in granting approval for this request, the decision will need to be made to specifically allocate risk. The agreement states for emergency repairs, the County can get up \$15,000 per contract cycle. The County could enter into a

side agreement that puts 100% liability on the court system for substantial damages due to the installation of the tiles.

Mr. DeWind reported this request was initially brought forth a few months ago and is now coming back to the forefront, as he has received a series of phone calls from the court system asking to move this request forward.

Legislator Flesher reported preserving Tioga County history is important.

On a straw poll vote, all Legislators were in favor of denying this request due to concerns expressed regarding the defacing of the ceiling and walls. Mr. DeWind will contact the court system regarding the Legislator's decision.

- **Tioga Castings Site Update** – Chair Sauerbrey reported we continue to work on the issue at the Tioga Castings remediated brownfield site. According to the DEC documents, this site can be used for industrial but is not intended for habitation. Public Health is moving ahead with their plan to try and move these individuals out of the area with the assistance of the County Attorney, Board of Health, and the committee of several County departments and agencies, Village of Owego, and local church pastor.

County Attorney DeWind reported there is an upcoming Board of Health meeting, and the plan is for them to come up with an Order but then we will have to devise a process for informing the owner and/or site occupants that they need to relocate due to safety concerns.

Chair Sauerbrey reported he spoke with the Sheriff requesting his support. Chair Sauerbrey further spoke with Mr. Hammond about debris removal and site cleanup as the process moves forward and specific details are determined.

- **Probation Department Goals:** Legislator Flesher reported he met with Probation Director Cain just prior to this meeting and he addressed a couple of future goals he would like the Legislature to take under consideration.
  - **25 Year Retirement System:** Probation is going to have access to a 25-year retirement system. Mr. Cain is interested in exploring this option to determine the County's cost. The concern is that we could easily lose staff to other surrounding counties regarding a salary issue, but if it is a salary and retirement issue it may be difficult to retain our staff. Or it could be an added benefit to recruit staff if our County participates and others surrounding counties do not. He has a great team now and they are young, so retirement is not going to be an issue for years to come. Mr. Flesher reported more information will come through Mr. Cain at the Public Safety Legislative Standing Committee.
  - **Firearms/Pepper Spray:** Mr. Flesher reported Probation Officers currently do not have any use of force tools. Mr. Cain would like to move to a non-lethal tool (pepper spray) for all his staff. Additionally, he would like to consider the possibility of allowing half of his staff to carry a firearm. The environment that Probation is dealing with has shifted greatly from the past and one of the things that is hard for him to do is tell his people to wear bullet-proof vests but not allow other tools for protection. Mr. Flesher reported part of the process of arming staff is passing a psychological evaluation and that is not part of

the Probation hiring process currently. Chair Sauerbrey asked County Attorney whether this would be an insurance concern. Personnel Officer Parke reported the psychological testing is very expensive and arming staff will increase the County's Workers' Compensation. Personnel Officer reported when the time comes this will need to be negotiated with the union.

Mr. Flesher reported these are long-term goals that the Probation Department has been thinking about and would like to explore in the future.

**Executive Session:** With no confidential topics of discussion, an Executive Session was not necessary.

Meeting adjourned at 2:30 p.m.

Next Worksession scheduled for Thursday, September 19, 2024 at 10:00 a.m.

Respectfully submitted,

*Cathy Haskell*

Legislative Clerk