

# Office of the County Attorney

Ronald E. Dougherty County Office Building 56 Main Street Owego, NY 13827

Peter J. DeWind County Attorney ☎ 607 687 8253 📠 607 223 7003 🌐 [www.TiogaCountyNY.com](http://www.TiogaCountyNY.com)



## FINANCE, LEGAL & SAFETY COMMITTEE

January 13, 2026

10:30 A.M.

- APPROVAL OF MINUTES: December 09, 2025
- FINANCIAL
  - Safety
  - Law
- OLD BUSINESS
  - Litigation and Claims
  - Annual Compliance Trainings
- NEW BUSINESS
  - Soil and Water Conservation Lease
  - Proposed MOU with Sub-Municipalities for CDL Drug Screening
  - Remote Work Agreements
  - Ethics Board Appointments
  - Open Meeting Law
  - Family Court Litigation
- PERSONNEL
  - 3<sup>rd</sup> Assistant County Attorney Vacancy
- RESOLUTIONS
  - EXECUTE LEASE AND EASEMENT AGREEMENT OF PROPERTY LOCATED AT CANDOR HILL ROAD, CANDOR, NEW YORK TO INSTALL POWER LINES FOR THE RADIO TOWER PROJECT
  - AUTHORIZING LEGISLATIVE CHAIR SIGNATURE ON NEW ENERGY EQUITY, LLC AS AGENT FOR PROJECT OWNER, TIOGA CSG1, LLC PAYMENT IN LIEU OF TAX (PILOT) AGREEMENT
  - EXTEND TERM OF LEASE WITH THE TIOGA COUNTY SOIL AND WATER CONSERVATION DISTRICT
  - ENTER INTO CONTRACT WITH EVOLUTION CONSULTING, LLC FOR CDL DRUG AND ALCOHOL TESTING

- PROCLAMATIONS
  - N/A
- EXECUTIVE SESSION
- ADJOURNMENT

**DRAFT**

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### FINANCE, LEGAL AND SAFETY COMMITTEE

December 09, 2025

10:30 A.M.

#### ATTENDANCE:

Legislators: Chair Sauerbrey, Ciotoli, Monell, Standinger, Roberts, Flesher, Brown, Bunce, Aronstam

Staff: Legislative Clerk Haskell, County Attorney DeWind, Treasurer McFadden, Deputy Treasurer Chandler, Chief Accountant Schurter, Safety Officer Holbrook, Personnel Officer Parke, Public Defender Cline, Assistant Public Defender Siata, ILS Administrator Graven

Guest(s): JoEllen Rose

**APPROVAL OF THE MINUTES:** Legislator Monell asked for a motion to approve November 12, 2025, minutes. Legislator Ciotoli made the motion seconded by Legislator Brown and was unanimously carried.

**FINANCIAL:** Safety's budget is tracking well. Legal's budget is tracking well except for the "Legal Fees" budget line.

#### OLD BUSINESS:

- **Litigation and Claims:** There have been no new claims submitted.
- **Annual Compliance Training:** The annual training courses are due at the end of this year for employees.
- **PESH Walkthrough:** Ms. Holbrook stated the Pesh walkthrough was completed last month and went well.

#### NEW BUSINESS:

- **56 Main Street Construction:** Construction is ongoing and will continue throughout the beginning of next year.

#### PERSONNEL:

- **3<sup>rd</sup> Assistant County Attorney Vacancy and Assistant Public Defender Vacancies:** There continues to be no interest in these positions.
- **Public Defender Appointment:** A resolution has been submitted to appoint Assistant Public Defender Siata to this position due to Public Defender Cline's retirement.

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RESOLUTIONS: AUTHORIZE THE APPOINTMENT OF PUBLIC DEFENDER; RECOGNITION OF THOMAS R. CLINE 12 YEARS OF DEDICATED SERVICE TO TIOGA COUNTY; ENTER INTO CONTRACT WITH CATAMOUNT CONSULTING FOR AUDIOGRAMS; AUTHORIZE APPOINTMENT OF CASE MANAGER (PART TIME) ASSIGNED COUNSEL OFFICE; AMEND EMPLOYEE HANDBOOK: SECTION II-ETHICS RULES: ADD SUBSECTION A. NEPOTISM POLICY; TRANSFER FUNDS AND MODIFY 2025 BUDGET FOR THE ILS FOURTH FAMILY DEFENSE GRANT were moved into full Legislative session without further questions.

PROCLAMATIONS: N/A

EXECUTIVE SESSION: N/A

ADJOURNMENT: Legislator Monell adjourned the Finance, Legal and Safety Committee meeting at 11:13 A.M.

Respectfully submitted,

*Christine Freyvogel*

Paralegal to the County Attorney



# Tioga County, New York

## Tioga County 2026 SAFETY BUDGET REPORT

FOR 2026 12

	ORIGINAL APPROP	TRANFRS/ ADJUSTMTS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	PCT USE/COL
<b>CI Liability Insurance Fund</b>							
<b>CI8042 504 Coordinator/Safety</b>							
CI8042 510010 Fulltime	63,188	0	63,188	.00	.00	63,188.00	.0%
CI8042 540070 Car Maintenance	1,000	0	1,000	.00	.00	1,000.00	.0%
CI8042 540140 Contracting Servi	164,500	0	164,500	.00	.00	164,500.00	.0%
CI8042 540220 Automobile Fuel	200	0	200	.00	.00	200.00	.0%
CI8042 540340 Literature	50	0	50	.00	.00	50.00	.0%
CI8042 540410 Nursing Supplies	2,000	0	2,000	.00	.00	2,000.00	.0%
CI8042 540420 Office Supplies	400	0	400	.00	.00	400.00	.0%
CI8042 540480 Postage	75	0	75	.00	.00	75.00	.0%
CI8042 540640 Supplies (Not Off	600	0	600	.00	.00	600.00	.0%
CI8042 540733 Training/All Othe	2,500	0	2,500	.00	.00	2,500.00	.0%
CI8042 581088 State Retirement	9,040	0	9,040	.00	.00	9,040.00	.0%
CI8042 583088 Social Security F	4,854	0	4,854	.00	.00	4,854.00	.0%
CI8042 584088 Workers Compensat	1,145	0	1,145	.00	.00	1,145.00	.0%
CI8042 585588 Disability Insura	55	0	55	.00	.00	55.00	.0%
CI8042 586088 Health Insurance	18,101	0	18,101	.00	.00	18,101.00	.0%
CI8042 588988 Eap Fringe	15	0	15	.00	.00	15.00	.0%
TOTAL 504 Coordinator/Safety	267,723	0	267,723	.00	.00	267,723.00	.0%
TOTAL Liability Insurance Fund	267,723	0	267,723	.00	.00	267,723.00	.0%
TOTAL EXPENSES	267,723	0	267,723	.00	.00	267,723.00	.0%
GRAND TOTAL	267,723	0	267,723	.00	.00	267,723.00	.0%

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



# Tioga County, New York

## Tioga County 2026 LEGAL BUDGET REPORT

FOR 2026 12

	ORIGINAL APPROP	TRANFRS/ ADJUSTMTS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	PCT USE/COL
<b>A General Fund</b>							
<b>A1420 Law</b>							
A1420 412706 Shared Services-At	-50,079	0	-50,079	.00	.00	-50,079.00	.0%
A1420 510010 Full Time	190,013	0	190,013	.00	.00	190,013.00	.0%
A1420 510020 Part Time/Temporar	43,098	0	43,098	.00	.00	43,098.00	.0%
A1420 520200 Office Equipment	450	0	450	.00	.00	450.00	.0%
A1420 540000 Contract Expense	500	0	500	.00	51.73	448.27	10.3%
A1420 540010 Advertising	250	0	250	.00	.00	250.00	.0%
A1420 540040 Books	1,500	0	1,500	.00	.00	1,500.00	.0%
A1420 540180 Dues	2,400	0	2,400	.00	.00	2,400.00	.0%
A1420 540330 Legal Fees	65,000	0	65,000	.00	51,269.00	13,731.00	78.9%
A1420 540331 Legal Fees-Adolesc	1,500	0	1,500	.00	.00	1,500.00	.0%
A1420 540390 Mileage Expense	500	0	500	.00	242.15	257.85	48.4%
A1420 540420 Office Supplies	510	0	510	.00	.00	510.00	.0%
A1420 540480 Postage	150	0	150	.00	.00	150.00	.0%
A1420 540485 Printing/Paper	400	0	400	.00	.00	400.00	.0%
A1420 540731 Training/State Req	1,500	0	1,500	.00	.00	1,500.00	.0%
A1420 581088 State Retirement F	33,351	0	33,351	.00	.00	33,351.00	.0%
A1420 583088 Social Security Fr	17,908	0	17,908	.00	.00	17,908.00	.0%
A1420 584088 Workers Compensati	4,223	0	4,223	.00	.00	4,223.00	.0%
A1420 585588 Disability Insuran	202	0	202	.00	.00	202.00	.0%
A1420 586088 Health Insurance F	66,779	0	66,779	.00	.00	66,779.00	.0%
A1420 588988 Eap Fringe	54	0	54	.00	.00	54.00	.0%
<b>TOTAL Law</b>	<b>380,209</b>	<b>0</b>	<b>380,209</b>	<b>.00</b>	<b>51,562.88</b>	<b>328,646.12</b>	<b>13.6%</b>
<b>TOTAL General Fund</b>	<b>380,209</b>	<b>0</b>	<b>380,209</b>	<b>.00</b>	<b>51,562.88</b>	<b>328,646.12</b>	<b>13.6%</b>
<b>TOTAL REVENUES</b>	<b>-50,079</b>	<b>0</b>	<b>-50,079</b>	<b>.00</b>	<b>.00</b>	<b>-50,079.00</b>	
<b>TOTAL EXPENSES</b>	<b>430,288</b>	<b>0</b>	<b>430,288</b>	<b>.00</b>	<b>51,562.88</b>	<b>378,725.12</b>	
<b>GRAND TOTAL</b>	<b>380,209</b>	<b>0</b>	<b>380,209</b>	<b>.00</b>	<b>51,562.88</b>	<b>328,646.12</b>	<b>13.6%</b>

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

REFERRED TO:

FINANCE/LEGAL COMMITTEE  
PUBLIC SAFETY COMMITTEE

RESOLUTION NO. -26

EXECUTE LEASE AND EASEMENT AGREEMENT OF  
PROPERTY LOCATED AT CANDOR HILL ROAD,  
CANDOR, NEW YORK TO INSTALL POWER LINES  
FOR THE RADIO TOWER PROJECT

WHEREAS: It is necessary for Tioga County to enter into an easement agreement, to install power lines for the Radio Tower Project; and

WHEREAS: Motorola Solutions, as part of the installation and upgrade of the Emergency Services Communication Network has approved the use of Candor Tower located at 85 Benton Road, Candor, New York for upgrades to this communication tower; and

WHEREAS: The owner of the property adjacent to the Candor Tower, Robert B. Galberd, has agreed to enter into a lease and easement agreement for a portion of the property to Tioga County for the installation of underground power lines; therefore be it

RESOLVED: That the Chair of the Legislature or their authorized representative is hereby authorized to sign a lease and easement agreement with Robert B. Galberd for the property located at Candor Hill Road, Candor, New York which lease shall commence based on the date of the fully executed Lease Agreement.

REFERRED TO:

LEGAL/FINANCE COMMITTEE

RESOLUTION NO. -26

EXTEND TERM OF LEASE WITH THE  
TIOGA COUNTY SOIL AND WATER  
CONSERVATION DISTRICT

WHEREAS: Resolution No. 356-93, as amended by Resolution No. 254-95 authorized Tioga County to enter into an agreement with the Tioga County Soil and Water Conservation District (SWCD) for use of vacant land to construct SWCD offices on the County Farm along Route 38 which allowed the Tioga SWCD to relocate from their space within the County Office Building; and

WHEREAS: Resolution No. 331-05, authorized the County to enter into ten-year lease for this property which is now the office for the Tioga SWCD at 183 Corporate Drive commencing January 01, 2006, through and including December 31, 2015, and further provided for the option of up to four additional ten-year renewals; and

WHEREAS: Resolution No. 201-07 amended said lease effective August 14, 2007, to provide a small additional space for the construction of a storage building bringing the total parcel to 2.37 acres; and

WHEREAS: Resolution No. 49-15 authorized the first extension of the 2006 lease commencing January 01, 2016, and running through the end of 2025; and

WHEREAS: Tioga SWCD has advised the County of its desire to continue its tenancy for a further ten years; and

WHEREAS: SWCD is not in default of any material provisions of the Lease; therefore be it

RESOLVED: That the aforementioned Lease is hereby extended for an additional ten-year period to expire December 31, 2035, unless otherwise extended as approved by the County Attorney with the option of up to two remaining ten-year renewals.



REFERRED TO:

FINANCE, LEGAL AND SAFETY COMMITTEE  
LEGISLATIVE WORKSESSION

RESOLUTION NO. -26

AUTHORIZING LEGISLATIVE CHAIR SIGNATURE ON  
NEW ENERGY EQUITY, LLC AS AGENT FOR  
PROJECT OWNER, TIOGA CSG1, LLC PAYMENT IN  
LIEU OF TAX (PILOT) AGREEMENT

WHEREAS: New Energy Equity, LLC, as Agent for Project Owner, Tioga CSG 1, LLC (the "Owner"), has submitted a Notice of Intent to the Town of Newark Valley that it plans to build and operate a "Solar Energy System" with an expected total capacity of approximately 2.54 Megawatts AC; and

WHEREAS: The project location is situated on a portion of the property located on 625 Whig Street, Tax Map Number 53.00-1-43.13 and Whig Street, Tax Map Number 53.00-1-42.10, Town of Newark Valley, County of Tioga, State of New York; and

WHEREAS: The Taxing Jurisdiction is defined as the Town of Newark Valley, the Newark Valley School District, and the County of Tioga; and

WHEREAS: The Taxing Jurisdiction has not opted out of Real Property Tax Law (RPTL) Section 487; and

WHEREAS: The Taxing Jurisdiction has indicated its intent to require Payment in Lieu of Tax (PILOT) Agreements with New Energy Equity, LLC, as Agent for Project Owner, Tioga CSG 1, LLC; and

WHEREAS: Pursuant to RPTL 487, the Taxing Jurisdiction has agreed to place the project as exempt upon the assessment rolls of the Taxing Jurisdiction; and

WHEREAS: New Energy Equity, LLC as Agent for Project Owner, Tioga CSG1, LLC has agreed to make an annual lump sum payment to the Taxing Jurisdiction in lieu of real property taxes for a period of fifteen (15) consecutive fiscal tax years; and

WHEREAS: The annual payment shall be in the aggregate amount of \$1,250 per Megawatt of Capacity and thereafter annual payments shall escalate by two percent (2%) per year; and

WHEREAS: The annual payments for the Taxing Jurisdiction shall be made payable to the Town of Newark Valley, mailed to the Town of Newark Valley, and are due no later than January 31<sup>st</sup> of each year; and

WHEREAS: The Town of Newark Valley shall be responsible for distributing the annual payments to the County of Tioga; and

WHEREAS: The Taxing Jurisdiction has agreed that the said payments shall be disbursed to the Town of Newark Valley, the Newark Valley School District, and County of Tioga in equal portions; therefore be it

RESOLVED: That the Tioga County Legislature agrees to authorize the Legislative Chair to sign the Payment in Lieu of Tax (PILOT) Agreement between New Energy Equity, LLC, as Agent for Project Owner, Tioga CSG 1, LLC, the Town of Newark Valley, the Newark Valley School District, and County of Tioga.

REFERRED TO:

FINANCE, LEGAL & SAFETY COMMITTEE

RESOLUTION NO. -26

ENTER INTO CONTRACT WITH  
EVOLUTION CONSULTING, LLC FOR  
CDL DRUG AND ALCOHOL TESTING

WHEREAS: Federal law requires random drug and alcohol testing of CDL drivers performing "safety sensitive" tasks; and

WHEREAS: Tioga County has coordinated with towns and villages within Tioga County to have testing done by an outside agency; and

WHEREAS: Tioga County has obtained three quotes for random drug and alcohol testing of CDL drivers performing "safety sensitive" tasks.

WHEREAS: The proposal from Evolution Consulting, LLC, to perform this service is the most cost effective; therefore, be it

RESOLVED: That the Tioga County Legislature authorizes the Tioga County Safety Officer to enter into a one-year contract for 2026 with Evolution Consulting, LLC to perform this service at the rates indicated:

Complete DOT/Non-DOT Random Testing Program:

- Random Selection of Employees Calculated Quarterly (50% for drug, 10% for alcohol)
- All Random Drug & Alcohol Tests performed quarterly on-site
- Record Management
- DOT Audit Assistance
- Regulatory Updates
- MIS Reports
- Collection Site Management
- Supervisor Training
- Laboratory and MRO Set-up with own Laboratory Account
- Online Access to Reporting 24 hours a day
- Assistance with Mediation Between MRO and DER

Additional Charges: Pre-employment, post-accident, reasonable suspicion, follow-up, or return to duty tests:

Fees

- 5 Panel Oral \$ 65.00 (non-DOT)
- 5 Panel Urine \$ 55.00 (DOT/non-DOT)
- Post Accident \$150.00 within normal business hours, +\$0.70 per mile.
- Post Accident \$150.00 outside of normal business hours, +\$0.70 per mile.

- Training \$150.00 (as Required).
- Drug and Alcohol Policy \$250.00.
- Employee no show fee \$40.00 after 1/2 hour wait
- Alcohol BAC \$32.00
- Additional charges for clinic pass-through fees will apply
- Fee includes lab collection fees and MRO review
- Yearly Data Protection Service Fee- \$250.00 Due at contract signing and annually during the term of the agreement.