



Tioga County Legislative Worksession Minutes March 21, 2019 – 10:00 a.m.

Legislators Present:

Legislator Balliet
Legislator Hollenbeck
Legislator Monell (*arrived @ 10:05 a.m.*)
Legislator Mullen
Legislator Roberts
Chair/Legislator Sauerbrey
Legislator Sullivan
Legislator Weston

Legislators Absent:

Legislator Standinger

Guests:

Jen Rodriguez, Reporter, Morning Times
Amy Hogan, Fox 40 News

Staff Present:

County Attorney Peter DeWind
Legislative Clerk Maureen Dougherty
Deputy Legislative Clerk Cathy Haskell
Director of Veterans Service Agency John Holton
Public Health Director Lisa McCafferty
Personnel Officer Bethany O'Rourke (*arrived @ 10:04 a.m.*)
Chief Accountant/Budget Officer Rita Hollenbeck (*arrived @ 10:12 a.m.*)

Fourth Special Legislative Meeting of 2019 -

Chair Sauerbrey called the Fourth Special Legislature Meeting of 2019 to order at 10:00 a.m. with eight Legislators present, Legislator Standinger being absent, for Legislature consideration of the following resolutions:

- ✓ **Designating Tioga County as a Purple Heart County**
- ✓ **Authorize, Create & Fill Position – District Attorney's Office**

Special Meeting adjourned at 10:10 a.m. with regular worksession immediately following.



Approval of Worksession Minutes – March 7, 2019 -

Legislator Sullivan motioned to approve the March 7, 2019 Legislative Worksession minutes as written, seconded by Legislator Hollenbeck with Legislators Balliet, Hollenbeck, Monell, Mullen, Roberts, Sauerbrey, Sullivan, and Weston voting yes with Legislator Standingger being absent. Motion carried.

Action Items:

There are currently no action items at this time.

Other –

- ✓ **Welcome Home Vietnam Veterans Day-** Chair Sauerbrey reported the event on March 29, 2019 includes laying of the wreath at the Courthouse memorial park in the morning, program at the Owego VFW with the unveiling of the Purple Heart County sign, and lunch to follow. All Legislators are invited.
- ✓ **New Public Health Dental Van –** Chair Sauerbrey reported all Legislators should have received a ribbon-cutting announcement for the new dental van on Tuesday, April 9, 2019, at 1:00 p.m. at the County Office Building following the regular Legislature meeting. Chair Sauerbrey reported NYS Office of Community Renewal, Appalachian Regional Commission, and Floyd Hooker Foundation are the project contributors. Public Health Director McCafferty reported she saw the van yesterday and it is very impressive.
- ✓ **Driver Safety Training –** Chair Sauerbrey reported she forwarded the email from the County's Safety Officer to all Legislators indicating this training is a requirement in order to claim mileage reimbursements. Chair Sauerbrey reported Legislators Balliet, Monell, Sauerbrey, and Sullivan are due to take this training this year.
- ✓ **AIM Funding –** Chair Sauerbrey reported the Legislature recently passed a resolution and forwarded to the Governor's Office in opposition of his AIM funding proposal where counties are responsible for paying towns and villages their AIM funding. Chair Sauerbrey reported it was her understanding through communication with NYSAC that this proposal would not come to fruition at this time, as the Assembly and Senate no longer supported this proposal. However, this has since changed and this proposal is now back on the table. Chair Sauerbrey reported she received an email yesterday from Stephen Acquario, NYSAC, indicating it appears counties will be responsible for AIM funding to towns and villages although the details are not clear. Chair Sauerbrey reported AIM funding is connected to the Internet sales tax bill that has not yet been passed. Chair Sauerbrey reported the Governor believes that with the new Internet sales tax it will be a windfall for counties, therefore, they can afford to cover the cost of the



AIM funding to towns and villages. Chair Sauerbrey reported AIM funding for Tioga County in 2018-2019 is \$492,605 and payment is required by the end of this calendar year. The email indicated only the towns would need to be paid by the end of the year, therefore, unsure whether the State plans to cover the village cost.

Legislator Sullivan asked Budget Officer Hollenbeck how much the County is currently budgeting for sales tax. Ms. Hollenbeck reported approximately \$19 million.

Legislator Mullen reported if the County is required to pay the AIM funding it should not go into effect until such time the County receives the windfall from the Internet sales tax so we have the ability to do so.

Based on the potential fiscal impact document Chair Sauerbrey received, Tioga County is expected to receive \$548,531 in Internet sales tax; however, this is yet to be seen. Legislators questioned how this amount is projected since there are no established trends.

Legislator Sullivan reported the AIM funding connected to the Internet sales tax bill that has not been passed sounds similar to the ILS funding the County had to upfront and wait for State reimbursement. Legislator Sullivan inquired as to whether the AIM funding proposal is in conjunction with the Internet sales tax going into effect. Chair Sauerbrey reported the obligation for AIM funding is this year, but the Internet sales tax bill would not go into effect until next year.

Legislator Weston reported, in reality, it is not a windfall, but more like pass through funding.

Ms. Hollenbeck reported even though the AIM funding is potentially connected to the Internet sales tax it really isn't, as the proposal is for counties to be responsible for making towns and villages whole for their AIM funding regardless of whether there is a windfall of Internet sales tax. In addition, Tioga County local law outlines a percentage of the collected sales tax to be distributed and currently \$6 million dollars is distributed to the towns and villages. Ms. Hollenbeck questioned whether our local law would require an amendment to include Internet sales tax as part of this distribution when the State passes this bill.

Chair Sauerbrey reported Tioga County's highest municipality receiving AIM funding is the Town of Owego at \$145,000 and the least municipality is the Village of Nichols at \$8,000.

Legislator Weston inquired as to what the total percentage impact on the County budget would be for this year if we need to make the towns and villages whole for



their AIM funding of \$500,000. Ms. Hollenbeck reported the tax levy is \$24 million dollars. Ms. Hollenbeck reported the percentage impact is approximately 2.5%.

Legislator Mullen reported the Legislature has been discussing making municipalities' whole in regards to property tax for the past couple of years and this is the same concept.

- ✓ **Move Over Law** – In light of the terrible tragedy that occurred last week on Route 17 in Nichols, NY, Legislator Sullivan wanted to gain a better understanding of NYS Move Over Law.

Legislator Sullivan reported a recommendation was made for installation of signage to allow motorists more knowledge and awareness of this law, therefore, inquired as to whether the County has the ability to make this request.

Legislator Mullen reported the County can make the request with NYS DOT and one of the County's main contacts for this request would be Emergency Services Director Simmons. Legislator Mullen further reported a county Sheriff is the only authority in the county that can close a highway down completely. Legislator Mullen reported State Troopers can temporarily shut down sections of the highway in the event of an accident, but only the Sheriff can close the entire highway.

Legislator Sullivan reported the signage would be informational only. Legislator Roberts expressed concern that this type of signage may give law enforcement and highway maintenance workers a false sense of security, as they need to be on guard at all times when on major highways. Instead of signage, it may be better to have law enforcement present to direct traffic.

Legislator Sullivan reported she understands the County can petition the State, but wanted a better understanding as to what was in the County's purview.

The Move Over Law is for all roads and identifies that all motorists must move over to the opposing lane if they have the ability to safely do so.

Legislator Sullivan inquired as to whether the County has any signage regarding the Move Over Law. Legislators were unaware of any county signage.

Chair Sauerbrey reported the Governor's Office is very much aware of this tragedy and believes this will be used to heighten awareness.

Legislature



Executive Session –

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

Meeting adjourned at 10:31 a.m.

Next worksession scheduled for Thursday, April 4, 2019, at 1:00 p.m.

Respectfully submitted,

Cathy Haskell

Deputy Legislative Clerk