



Tioga County Worksession Minutes **May 4, 2023 – 1:00 p.m.**

Legislators Present:

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

Legislators Absent:

Legislator Monell
Legislator Roberts
Legislator Weston

Guests:

None

Staff present:

Peter DeWind, County Attorney
Cathy Haskell, Legislative Clerk
Amy Eiklor, Deputy Legislative Clerk (*Arrived at 2:03 p.m.*)
Gary Howard, Sheriff (*Departed at 2:14 p.m.*)
Linda Parke, Personnel Officer
Kelly Quick, Civil Service Technician (*Departed at 1:40 p.m.*)
LeeAnn Tinney, Director of ED&P (*Arrived at 2:03 p.m.*)
Brian Cain, Director of Probation (*Arrived at 2:03 p.m.*)

Call Meeting to Order: Chair Sauerbrey opened the meeting at 1:03 p.m.

Executive Session: Six Legislators were in attendance with Legislators Monell, Roberts, and Weston being absent. Legislative Clerk Haskell, Personnel Officer Parke, Civil Service Technician Quick, Sheriff Howard, and County Attorney DeWind remained in attendance. Motion by Legislator Brown, seconded by Legislator Mullen, to move into Executive Session to discuss contract negotiations and employment matters at 1:03 p.m. Motion carried. Civil Service Technician Quick departed Executive Session at 1:40 p.m. Motion by Legislator Flesher to adjourn, seconded by Legislator Mullen. Executive Session adjourned at 2:00 p.m.

On a straw poll vote, all Legislators in attendance agreed to authorize Personnel Officer Parke to proceed with the salary study and financial calculations.

Body Worn Cameras: Sherriff Howard reported the Sheriff's Office recently received a \$50,000 grant that has already been appropriated. He contacted Axon, the company that provides the Sheriff's Office their tasers, regarding body cameras. Axon provided a quote for thirty body cameras, for a total of \$184,788.47, which is the price over the course of five years. Sheriff Howard broke down the proposed payment schedule:

- Year 1 – 2 payments totaling \$65,896.61
- Year 2 - \$27,997.86
- Year 3 - \$29,117.77
- Year 4 - \$30,282.48
- Year 5 - \$31,493.75

All cameras are under warranty, which covers broken or damaged cameras. The cameras are replaced at no additional cost and all cameras are upgraded every two years. The cameras are placed on a docking station for charging. The docking stations also upload data from the cameras to the cloud storage.

Sheriff Howard reviewed Broome County's policy and their Sheriff's Office keeps basic data for a period of six months. After six months, the footage is purged. Footage that contains important or potentially litigating material is kept indefinitely in an online storage database. The footage is kept entirely confidential and limited access is granted for viewing. If a video is needed for a court case, the data can be transferred to a flash drive. Legislator Flesher inquired about the cost of data storage. Sheriff Howard stated the cost includes unlimited data. County Attorney DeWind asked if Tioga County wanted less data storage if Axon would give a discount. Sheriff Howard couldn't say for sure, but he believes they would give a discount. However, if unlimited data is not purchased, then it runs the risk of running out of data. In reviewing Broome County's policy, Sheriff Howard discovered the cameras are recording constantly. When the Officer turns the camera on, it is actually turning the audio portion on. Sheriff Howard stated the video recording loops every 120 seconds.

Legislator Standinger asked if this purchase requires a request for proposal (RFP). Sheriff Howard responded Axon is on a New York State Bid and an RFP is not required. County Attorney DeWind verified Axon is on a New York State Contract. Legislator Standinger suggested consulting with Chief Information Officer, Jeremy Loveland, on data transferring.

Legislator Ciotoli asked what the statute of limitations for complaints involving footage on body worn cameras is in New York State. County Attorney responded for Civil Rights claims, the statute of limitations is four years. Sheriff Howard stated if any footage is questionable, it would be saved in case of a complaint down the road. Legislator Mullen stated body worn cameras may help exonerate officers that are the subject of a false complaint.

Sherriff Howard is looking for approval from the Legislature to move forward in obtaining another quote and a contract with Axon. All Legislators in attendance gave Sheriff Howard approval to move forward with obtaining a quote and a contract with Axon on body worn cameras.

Approval of Worksession Minutes: On motion of Legislator Ciotoli, seconded by Legislator Brown, the April 20, 2023 minutes were unanimously approved.

Action Items: Currently, we have none.

Legislative Support: Legislative Clerk Haskell reported the following:

- **Approval of Minutes:** On motion of Legislator Mullen, seconded by Legislator Brown and unanimously carried, the April 6, 2023 Legislative Support minutes were approved.
- **Financial:**
 - The Legislative Office has expended 27.9% of their 2023 budget, which is slightly less than at this time last year. Chair Sauerbrey reported she has asked Ms. Haskell to include funding for new chairs for the Legislative Conference Room in next year's budget.
 - Accounts Payable for April 2023 - 734 invoices, totaling \$2,007,879.69.
 - First Quarter of 2023 Accounts Payable – 2,258 invoices, totaling \$7,947,799.07.
 - P-Card transactions for April 2023 – 189 invoices, totaling \$36,928.47.
 - First Quarter of 2023 P-Card transactions – 455 invoices, totaling \$132,852.54.

Ms. Haskell stated if there are issues with invoices, they do not get approved. Legislator Standinger asked Ms. Haskell if she is getting pushback from any departments. Ms. Haskell replied, yes, there is some pushback as departments are held accountable to the current policy. Chair Sauerbrey stated it has become evident that some employees are not aware of, don't read, or don't understand certain policies. She emphasized that it is the Legislature's responsibility to provide fiscal oversight of Tioga County funds. Current policies are being looked at and could possibly be updated in the near future. Ms. Haskell agreed and stated it is important that everyone understands that the Legislature is the policy making body. The job of County Auditor is to enforce the policies made by the Legislature. Legislator Standinger commended Ms. Haskell and Ms. Eiklor for their work auditing invoices for Tioga County.

- **Old Business:**
 - Sales Tax Extender - Ms. Haskell received the Bill numbers for Assembly and Senate two-year extender. A resolution will be presented to the Tioga County Legislature this month and once it passes, Ms. Haskell will prepare the Home Rule Request Forms. They will then be sent to the Assemblyman to handle distribution to the Assembly and Senate. The next step is to wait for the Governor to sign. While waiting, Ms. Haskell will prepare a resolution, to be adopted no later than August.
 - Board of Ethics Vacancies – There are two resolutions that will be presented to the Legislature this month that will fill the two current vacancies on the Board of Ethics.

- Ms. Haskell reminded the Legislators to complete the Cyber Security Awareness Training or IT will restrict account access.
- Annual Financial Disclosure Forms are due to the County Attorney's Office by May 15th.

➤ **Personnel:**

- Legislative Clerk Conference – Ms. Haskell will attend the Legislative Clerk's Conference from May 17th – May 19th in Cortland. Ms. Haskell has attended the Legislative Clerk's Conference for the past two years and participated in their training certification program sponsored by NYSAC. The continuing education program focuses on professional development aimed at the topics associated with the role of Legislative Clerk. She will receive her certification on May 17th. Ms. Haskell will periodically check her email while away at the conference.
- Ms. Haskell will be taking vacation from May 22nd – May 26th and will have email access.

Resolutions: Ms. Haskell reviewed the agenda and resolutions for the May 9, 2023 Legislature meeting. She reported there was not a quorum at the ED&P, Public Works, Public Safety, and Personnel committee meetings. In order for the resolutions from those committees to move forward, the Legislature needs to agree to include them in the May 9 agenda packet. Discussion occurred on the following resolutions:

- **Home Rule Request in Support of S05804-A/A05775A: Extending the Current and Imposing Additional Sales and Compensating Use Taxes by the County of Tioga:** Ms. Haskell stated the Governor will no longer entertain three-year extensions; therefore, this resolution includes a two-year extension.
- **Opposing Senate Bill 6282 which would Prohibit Probation Departments from Collecting Fees Associated with Probation:** Ms. Haskell reported other counties are passing similar resolutions. This resolution did not go through a committee, but was talked about at the Public Safety, Probation & DWI committee meeting. In order for the resolution to move forward, the Legislature has to agree to include it in the May 9 agenda packet. Probation Director, Brian Cain, explained the proposed Bill would not allow Probation Departments to collect any fees associated with Probation. This includes fees for DWI supervision, general supervision, urine testing, sex offender polygraph testing, and electronic monitoring, to name a few. Tioga County collects, on average, \$10,000 per year in DWI supervision fees. That amount totals over \$10 million throughout New York State. Mr. Cain reported his Probation Department used to receive 45% in funding from New York State. He currently receives less than 10% in funding from the State. Probation is a mandated service yet receives such little funding from the State to run the department. Ms. Haskell asked the Legislators if there were any objections to moving this resolution forward. There were no objections, and the resolution will be presented for Legislature consideration at the May 9, 2023 meeting.

- **Corporate Compliance Program in Mental Hygiene:** Ms. Haskell asked the Legislators if there were any objections to moving this resolution forward. There were no objections, and the resolution will be presented for Legislature consideration at the May 9, 2023 meeting.
- **Authorization to Renew the Agreement with Towns to Accept Household Electronic Waste from Tioga County Residents:** Ms. Haskell asked the Legislators if there were any objections to moving this resolution forward. There were no objections, and the resolution will be presented for Legislature consideration at the May 9, 2023 meeting.
- **Award Contract Strategic Operations Plan:** Ms. Haskell asked the Legislators if there were any objections to moving this resolution forward. There were no objections, and the resolution will be presented for Legislature consideration at the May 9, 2023 meeting.
- **Authorize Contract Extension with Triad Group, LLC for Workers' Compensation Administration:** Ms. Haskell asked the Legislators if there were any objections to moving this resolution forward. There were no objections, and the resolution will be presented for Legislature consideration at the May 9, 2023 meeting.
- **Amend Resolution No. 34-23 - Transfer Funds to Fund and Fill Vacant Network Administrator Position within Information Technology and Communication Services Department:** Ms. Haskell reported the original resolution funded the position of Network Administrator. The Chief Information Officer was not able to fill the position and would like to transfer funds from that position into other accounts. Legislator Ciotoli mentioned there were no qualified candidates at that salary range. Legislator Brown stated part of the reason was Lockheed Martin had multiple openings for the same position, but at a much higher salary.
- **Approve Technical Assistance Provided to the Campville Fire Department:** Ms. Haskell asked the Legislators if there were any objections to moving this resolution forward. There were no objections, and the resolution will be presented for Legislature consideration at the May 9, 2023 meeting.
- **Approve Technical Assistance Provided to the Joshua House by way of Tioga County Youth Bureau:** Ms. Haskell asked the Legislators if there were any objections to moving this resolution forward. There were no objections, and the resolution will be presented for Legislature consideration at the May 9, 2023 meeting.
- **Approve Technical Assistance Provided to the Joshua House by way of Tioga County United Way:** Ms. Haskell asked the Legislators if there were any objections to moving this resolution forward. There were no objections, and the resolution will be presented for Legislature consideration at the May 9, 2023 meeting.

- **Approve Technical Assistance Provided to the Candor Emergency Squad:** Ms. Haskell asked the Legislators if there were any objections to moving this resolution forward. There were no objections, and the resolution will be presented for Legislature consideration at the May 9, 2023 meeting.
- **Approve Technical Assistance Provided to INSPIRE-SVE:** Ms. Haskell asked the Legislators if there were any objections to moving this resolution forward. There were no objections, and the resolution will be presented for Legislature consideration at the May 9, 2023 meeting.
- **Transfer Funds 2023 Budget – Solid Waste:** Ms. Haskell asked the Legislators if there were any objections to moving this resolution forward. There were no objections, and the resolution will be presented for Legislature consideration at the May 9, 2023 meeting.
- **Transfer Funds/Fund Self-Insurance Plan Reserve:** Ms. Haskell asked the Legislators if there were any objections to moving this resolution forward. There were no objections, and the resolution will be presented for Legislature consideration at the May 9, 2023 meeting.
- **Amend Resolution No. 171-23 - Reclassify Records Management Clerk Position in Mental Hygiene:** Ms. Haskell asked the Legislators if there were any objections to moving this resolution forward. There were no objections, and the resolution will be presented for Legislature consideration at the May 9, 2023 meeting.
- **Authorize Position Reclassification – Public Works:** Ms. Haskell asked the Legislators if there were any objections to moving this resolution forward. There were no objections, and the resolution will be presented for Legislature consideration at the May 9, 2023 meeting.
- **Authorize Position Reclassification – Public Works:** Ms. Haskell asked the Legislators if there were any objections to moving this resolution forward. There were no objections, and the resolution will be presented for Legislature consideration at the May 9, 2023 meeting.
- **Authorize Appointment of Civil Service Technician Trainee & Sr. Civil Service Technician (Personnel Department):** Ms. Haskell asked the Legislators if there were any objections to moving this resolution forward. There were no objections, and the resolution will be presented for Legislature consideration at the May 9, 2023 meeting.
- **Authorize Appointment of Civil Service Assistant (Personnel Department):** Ms. Haskell asked the Legislators if there were any objections to moving this resolution forward. There were no objections, and the resolution will be presented for Legislature consideration at the May 9, 2023 meeting.

- **Amend Employee Handbook: Section IV. Personnel Rules, Subsection R. Entitled Tioga County Sexual Harassment Prevention Policy:** Ms. Haskell reported this policy was amended last month. However, the New York State Department of Labor released a new revision that very same day. The policy is amended in its entirety.

Other:

- **Corporate Drive Fishing Access:** Chair Sauerbrey reported Deputy Commissioner of Public Works, Rich Perkins, proposed a public fishing access point at the end of Corporate Drive. Commissioner of Public Works, Gary Hammond, recommended naming the location in honor of Rich Perkins' wife, who recently passed away. Chair Sauerbrey asked the Legislators if there were any objections to that. There were no objections. Ms. Haskell stated there is money in the Legislator Fund that will be used to send flowers or a memorial donation.

Executive Session: With no further confidential matters to discuss, an additional Executive Session was not necessary.

Legislator Mullen motioned, seconded by Legislator Brown, to adjourn the meeting at 2:41 p.m.

Next Worksession scheduled for Thursday, May 18, 2023, at 10:00 a.m.

Respectfully submitted,

Amy Eiklor

Deputy Legislative Clerk