

Office of the County Attorney



FINANCE, LEGAL & SAFETY COMMITTEE

June 11, 2024

10:30 a.m.

- APPROVAL OF MINUTES: May 14, 2024

- FINANCIAL
 - Safety
 - Law

- OLD BUSINESS
 - Litigation
 - In Rem
 - Assigned Counsel Space
 - Ethics Board

- NEW BUSINESS
 - Public Defender's Report
 - Safety's Officer's Report
 - Safety vehicle
 - Flagger Training Program
 - Tioga Tobacco Asset Securitization Meeting
 - The County Attorneys' Association of the State of New York (CAASNY) Spring Meeting
 - Fair Housing Program
 - Juvenile Delinquency Cases
 - Department of Social Services (DSS) Firearm and Expungement Cases
 - Elected Official Terms

- PERSONNEL
 - 2nd Assistant County Attorney
 - Secretary to the 1st Assistant County Attorney

- RESOLUTIONS
 - AMEND RESOLUTION NO. 158-24; AUTHORIZATION TO RENEW CONTRACT WITH THOMSON REUTERS (WESTLAW) FOR A ONE YEAR SUBSCRIPTION TO WEST PROFLEX

- PROCLAMATIONS
 - None
- EXECUTIVE SESSION
- ADJOURNMENT

Office of the County Attorney



FINANCE, LEGAL & SAFETY COMMITTEE

May 14, 2024

10:30 a.m.

ATTENDANCE:

Legislators: Chair Sauerbrey, Ciotoli, Monell, Roberts, Standinger, Mullen, Flesher, Brown

Staff: County Attorney DeWind, Treasurer McFadden, Safety Officer Holbrook, Personnel Officer Parke, Accountant Schurter, Chief Accountant Douglas, ILS Administrator Graven, Public Defender Cline, Commissioner of Public Works Hammond, Paralegal Humes

- APPROVAL OF MINUTES:
 - Legislator Ciotoli asked for a motion to approve the April 9, 2024, minutes. Legislator Mullen made a motion to approve the minutes and was seconded by Legislator Brown and was unanimously carried.
- FINANCIAL
 - Safety budget is tracking well. Legal has had some recent expenditures due to the need to purchase several Universal Serial Bus units (USB) to provide body camera footage to counsel. The "Legal Fees" budget line could potentially need an influx of funds due to outside counsel costs.
- OLD BUSINESS
 - Litigation: There is now new legislation on how to address old claims from previous In Rem auctions. The County's outside counsel is currently discussing a motion to dismiss an ongoing lawsuit, but it will be dependent on the Court to decide the retroactive period. The estate claim has not moved forward and is considered resolved by New York Municipal Insurance Reciprocal (NYMIR). There were four claims for damages caused by a pothole on West River Road. These claims were denied due to the County filling the pothole the next day after receiving the first complaint.
- NEW BUSINESS

- Insurance: The County uses two separate liability funds to pay for insurance premiums and claims. The claims fund should be fine however the premium fund will need to be watched due to the recent purchase of departmental vehicles and damage caused to equipment.
- Contracts: The County Attorney's Office runs the MUNIS portion of contracts for the County. Currently there is no follow-up to ensure departments are inputting their contracts into MUNIS. Legislator Mullen would like a quarterly report of missing MUNIS contracts sent to committee department chairs. This would allow three months for departments to enter their contracts into MUNIS. Legislator Standinger agreed with Legislator Mullen and stated, "compliance should be mandatory".
- Translation Services: Currently the County Attorney's Office is paying for translation services for the courts and some social service departments. Free translation services are required by New York State and by bringing the billing in house the County Attorney's Office can track language needs for Title VI accountability.
- Assigned Counsel Space Options: Mr. DeWind and Ms. Graven discussed Indigent Legal Services (ILS) was in their second five-year agreement for the Hurel Haring grant. Tioga County ILS was working with Broome County ILS for a joint meeting space to conduct research and client meetings. Broome has dropped out due to leadership changes necessitating Tioga County ILS to reexamine their budget for this space and adapt it accordingly. Mr. DeWind and Ms. Graven briefly explained the benefits and drawbacks to three viable options: 1) basement area of the Court annex which would need to be rehabilitated, has flooded previously, and would require people to enter and exit through the clerk's office; 2) and 3) space at 56 Main Street would require the eviction of a current tenant and is not next to court. Ms. Graven clarified this meeting space would be working space only and would have very limited office equipment in it. There would not be a printer/copier nor would paper files be stored on site. Mr. Hammond was asked if his employees would be able to build out the space at the Court Annex with ILS's budgeted funds. Mr. Hammond stated his employees can build out the space without issue and if the space were to flood the space could be rehabilitated

quickly. Chair Sauerbrey confirmed with Ms. Graven that staff would be bringing their own equipment and technology for client meetings and research and there would be limited furniture in this space. Option 1, the basement space in the Court Annex, was approved and will begin moving forward.

- In Rem-new requirements and dates: Mr. Humes stated the new In Rem law amends article 11 and is retroactive to May 25, 2023, requiring the distribution of overages for previous auctions. Mr. Humes further explained the County is now required to send two notices to delinquent taxpayers and change the publication date of the petition. This would require that the auction be pushed back a month to September. These notices will need to be in the twelve common languages of New York State. The County's notice will be in English but will have a link to the Treasurer's website for other languages. The second notice is now required to be sent out a month before the redemption period. This would require the notice to be sent out in July. Next year's petition will now need to be filed at the eighteenth month instead of at twenty-four months creating closings and title searches for the next year to occur at the same time. Mailings costs will increase, and the County is now required to post signs. Mr. Humes will research the cost of reusable yard signs; however, these signs will probably need to be replaced on a yearly basis. The County is allowed to charge for mailings, maintenance fees (mowing, snow removal, etc.), and can claim a title search fee of two hundred and fifty dollars (\$250 USD) or two percent (2%) of the sum of taxes. Surplus funds will be determined by the public sale amount minus interest, penalties, and taxes which the court will distribute to the owner, estate, or family members. Mr. DeWind would like to see auction property sale prices as a fair market value negating the need for auction properties to be assessed by an outside agency. Legislator Mullen stated rotating real estate agencies could provide the County with a market analysis alleviating the need for appraisals.
- Election law: Changes to the election law are now requiring the need to change some of the County's elected positions to three-year terms instead of four-year terms. Mr. DeWind and Ms. Haskel are waiting on direction from the State Board of Elections which could require amending the local election law to reflect these changes.

- PERSONNEL

- Appoint 1st Assistant County Attorney
- Increase hours and adjust compensation for 3rd Assistant County Attorney
- DSS Attorney Vacancy
- Secretary to the County Attorney's vacation May 21-June 4

- RESOLUTIONS

- AUTHORIZATION TO RENEW CONTRACT WITH THOMSON REUTERS (WESTLAW) FOR A ONE YEAR SUBSCRIPTION TO WEST PROFLEX, ACCEPT INDIGENT LEGAL SERVICES AWARD AND AMEND 2024 BUDGET, APPOINT 1ST ASSISTANT COUNTY ATTORNEY LAW DEPARTMENT, AMEND RESOLUTION NO.187-19; INCREASE HOURS AND RATE OF PAY FOR 3RD ASSISTANT COUNTY ATTORNEY (LAW DEPARTMENT), TRANSFER OF FUNDS 2024 BUDGET MODIFICATION DISTRICT ATTORNEY, APPORTIONING FORFEITURE OF CRIME PROCEEDS FOR DRUG ENFORCEMENT ACTIVITIES, APPORTIONING FORFEITURE OF CRIME PROCEEDS FOR DRUG ENFORCEMENT ACTIVITIES were moved into full Legislative Session without further questions.

- PROCLAMATIONS

- None

- EXECUTIVE SESSION

- Mr. DeWind asked to enter into executive session to discuss salary adjustments. Legislator Monell made the motion and was seconded by Legislator Flesher at 11:42 A.M. Legislator Monell made the motion to exit executive session and was seconded by Legislator Brown at 11:55 A.M.

- ADJOURNMENT



TIOGA COUNTY, NEW YORK

Tioga County 2024 LEGAL BUDGET REPORT

FOR 2024 12

	ORIGINAL APPROP	TRANFRS/ ADJSTMNTS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	PCT USE/COL
A General Fund							
A1420 Law							
A1420 412706 Shared Services-At	-50,079	0	-50,079	-9,746.52	.00	-40,332.48	19.5%*
A1420 510010 Full Time	223,698	0	223,698	85,381.05	.00	138,316.95	38.2%
A1420 510020 Part Time/Temporar	40,233	0	40,233	15,356.10	.00	24,876.90	38.2%
A1420 520200 Office Equipment	450	0	450	.00	.00	450.00	.0%
A1420 540010 Advertising	635	0	635	.00	.00	635.00	.0%
A1420 540040 Books	1,500	0	1,500	26.50	.00	1,473.50	1.8%
A1420 540180 Dues	2,400	0	2,400	862.00	.00	1,538.00	35.9%
A1420 540330 Legal Fees	65,000	0	65,000	21,751.60	24,150.00	19,098.40	70.6%
A1420 540331 Legal Fees-Adolesc	2,000	0	2,000	.00	.00	2,000.00	.0%
A1420 540390 Mileage Expense	300	0	300	.00	.00	300.00	.0%
A1420 540420 Office Supplies	825	0	825	161.63	.00	663.37	19.6%
A1420 540480 Postage	150	0	150	28.17	.00	121.83	18.8%
A1420 540485 Printing/Paper	400	0	400	.00	.00	400.00	.0%
A1420 540731 Training/State Req	1,000	0	1,000	425.00	.00	575.00	42.5%
A1420 581088 State Retirement F	13,971	3,815	17,786	11,510.18	.00	6,275.74	64.7%
A1420 583088 Social Security Fr	0	15,479	15,479	7,799.11	.00	7,679.61	50.4%
A1420 584088 Workers Compensati	0	4,385	4,385	2,022.24	.00	2,362.90	46.1%
A1420 585588 Disability Insuran	0	178	178	86.13	.00	92.06	48.3%
A1420 586088 Health Insurance F	76,972	409	77,381	40,138.34	.00	37,242.87	51.9%
A1420 588988 Eap Fringe	0	58	58	26.84	.00	30.83	46.5%
TOTAL Law	379,455	24,323	403,779	175,828.37	24,150.00	203,800.48	49.5%
TOTAL General Fund	379,455	24,323	403,779	175,828.37	24,150.00	203,800.48	49.5%
TOTAL REVENUES	-50,079	0	-50,079	-9,746.52	.00	-40,332.48	
TOTAL EXPENSES	429,534	24,323	453,858	185,574.89	24,150.00	244,132.96	
GRAND TOTAL	379,455	24,323	403,779	175,828.37	24,150.00	203,800.48	49.5%

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



TIOGA COUNTY, NEW YORK

Tioga County 2024 SAFETY BUDGET REPORT

FOR 2024 12

	ORIGINAL APPROP	TRNFRS/ ADJSTMTS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	PCT USE/COL
CI Liability Insurance Fund							
CI8042 504 Coordinator/Safety							
CI8042 424010 Interest And Earn	0	0	0	-356.19	.00	356.19	100.0%
CI8042 510010 Fulltime	58,520	0	58,520	22,336.00	.00	36,184.00	38.2%
CI8042 540140 Contracting Servi	164,500	-160,000	4,500	2,111.50	688.50	1,700.00	62.2%
CI8042 540140 M7674 Contracting	0	170,855	170,855	53,921.85	106,078.15	10,854.88	93.6%
CI8042 540340 Literature	250	0	250	.00	.00	250.00	.0%
CI8042 540410 Nursing Supplies	2,000	0	2,000	468.55	.00	1,531.45	23.4%
CI8042 540420 Office Supplies	400	0	400	143.24	.00	256.76	35.8%
CI8042 540480 Postage	75	0	75	.64	.00	74.36	.9%
CI8042 540640 Supplies (Not Off	600	0	600	348.53	.00	251.47	58.1%
CI8042 540733 Training/All Othe	3,500	0	3,500	975.03	.00	2,524.97	27.9%
CI8042 581088 State Retirement	0	4,687	4,687	3,009.38	.00	1,677.81	64.2%
CI8042 583088 Social Security F	0	2,747	2,747	1,735.41	.00	1,011.69	63.2%
CI8042 584088 Workers Compensat	0	878	878	505.56	.00	372.93	57.5%
CI8042 585588 Disability Insura	0	46	46	28.71	.00	17.76	61.8%
CI8042 586088 Health Insurance	0	18,369	18,369	11,902.55	.00	6,466.12	64.8%
CI8042 588988 Eap Fringe	0	12	12	6.71	.00	4.84	58.1%
TOTAL 504 Coordinator/Safety	229,845	37,594	267,439	97,137.47	106,766.65	63,535.23	76.2%
TOTAL Liability Insurance Fund	229,845	37,594	267,439	97,137.47	106,766.65	63,535.23	76.2%
TOTAL REVENUES	0	0	0	-356.19	.00	356.19	
TOTAL EXPENSES	229,845	37,594	267,439	97,493.66	106,766.65	63,179.04	
GRAND TOTAL	229,845	37,594	267,439	97,137.47	106,766.65	63,535.23	76.2%

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

Safety Office

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



Doreen Holbrook Safety Officer ☎ 607 687 8238 📠 607 223 7007 🌐 www.TiogaCountyNY.gov

June 2024 Safety Report

Budget is tracking well.

June 1-7 is CPR/AED Awareness Week stressing the importance of CPR and AED use. According to the Red Cross more than 1,600 suffer from cardiac arrest each day. Knowing CPR and how to use an AED could save a life.

3 CPR classes are currently set up in the next month to recertify the staff and ancillary providers at the Health Department. Looking into collaboration with the Sheriff's office for at least quarterly course offerings for any interested personnel. Having AEDs in the buildings, it is important to have a representative portion of staff trained in their use.

June is designated as National Safety Month by the National Safety Council.

I attended the National Safety Council train the trainer program to be able to deliver the course and certify the flaggers at DPW. Having an in-house trainer is going to be more efficient and allow for more consistent and ongoing training. Online courses cost approximately \$75+/person with no actual skills evaluation or review of state specific information. On-site training starts at around \$130/student with a set minimum number of students required. I can now issue certification documents for any class size and provide both lectures, knowledge retention and skills evaluations. Conducting the course onsite also allows for incorporating state and department specific guidance so that everyone gets consistent information. Certifications cards are good for 4 years. Much more cost effective than getting an outside vendor. 9 Flaggers certified on June 5, 2024 at DPW.

Permethrin clothing treatment for prevention of tick bites was distributed to DPW staff after training by Health Department was completed. Collaboration with the Health Department was possible for acquisition of supplies. This is done to comply with OSHA Sec. 31-370. Duties of employer and employee. (a) Each employer shall furnish to each of his employees' employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his employees. Tickborne illness is a recognized hazard in the workplace. Training is provided annually, and repellent is available as additional PPE to all personnel on a voluntary basis.

Poison ivy and other dangerous plants training provided to DPW staff. Distributed poison ivy wash to mitigate symptoms following exposure and prevent further injury. The urushiol oil from poison ivy can stay active on surfaces for up to five years, including on dead plants. Due to this, the mechanic staff that works on mowers and other road equipment was also trained and supplied poison ivy wash in case of incidental contact.

Currently working with the Health Department Public Health Educators for ordering and distribution of sun safe products again. This year's ask is for sunscreen for our outdoor workers. Limited supplies have been distributed out of the safety office, but I am hoping that ongoing needs can be met via grant funds available via other agencies.

Now have county car available for visitation and transport of materials between job sites. Will need to look at 2025 budget to fund ongoing availability.

REFERRED TO: LEGAL/FINANCE COMMITTEE

RESOLUTION NO. -24 AMEND RESOLUTION NO. 158-24;
AUTHORIZATION TO RENEW CONTRACT WITH
THOMSON REUTERS (WESTLAW) FOR A ONE YEAR
SUBSCRIPTION TO WEST PROFLEX

WHEREAS: The County Attorney was authorized by way of Resolution No. 158-24 to execute a renewal contract with Thomson Reuters for a one-year subscription to WEST PROFLEX legal research services for the period of July 1, 2024 through June 2025; and

WHEREAS: The County has the option to enter into a three-year contract with Thomson Reuters for significant savings; and

WHEREAS: The services provided through this subscription will be utilized by personnel in the County Attorney's office, Public Defender's office, District Attorney's office, and Department of Social Services; therefore be it

RESOLVED: That Resolution No. 158-24 is hereby amended to a three-year contract with Thomson Reuters for WEST PROFLEX legal research services for the period of July 1, 2024 through June 2027 at a total cost of \$38,851.80.

It's a fact CPR saves lives!

Each year in the U.S., more than
390,000 people
suffer sudden cardiac arrest
Fewer than 6% of sudden cardiac arrest victims survive*

What happens when
you stop breathing?
Without oxygen

4 Permanent
brain damage
MINUTES: sets in

8-10 Brain death
MINUTES: can occur



When CPR is provided immediately after sudden cardiac arrest, a victim's chance of survival can

DOUBLE or TRIPLE

Before you start

1. Check for responsiveness

- Tap the shoulder and shout, "Are you OK?"



2. If victim isn't breathing or only gasps occasionally, contact emergency services

- If others are nearby, have someone call 911
- If you are alone, call 911, provide details and begin CPR
- Lay the victim on their back and kneel next to their head and shoulders



CPR for adults and children 8 and older

If not breathing or only gasping

Position Keep your elbows straight and position your hands one on top of the other in the center of the chest	Give 30 rapid chest compressions To a depth of at least 2 inches, at a rate of 100-120 compressions per minute. Let the chest rise completely after each compression
Tilt the head and lift the chin 	Give 2 rescue breaths Each lasting 1 second

Continue cycle of 30 compressions and 2 rescue breaths until:

- Victim wakes up
- An AED is brought to the scene and is ready to use
- Professional help arrives and takes over

CPR for young children and infants

If not breathing or only gasping

Position INFANTS TO AGE 1 Position first 2 fingers or 2 thumbs just below the nipple line YOUNG CHILDREN Position one or two hands in the center of the chest	Give 30 rapid chest compressions Let the chest rise completely after each compression INFANTS TO AGE 1 & YOUNG CHILDREN Press down 1/3 of the chest's depth, at a rate of at least 100 per minute
Tilt the head and lift the chin 	Give 2 rescue breaths INFANTS TO AGE 1 Make a complete seal over the mouth and nose, then give 2 rescue breaths YOUNG CHILDREN Pinch the nose shut and make a complete seal over the mouth, then give 2 rescue breaths

Continue cycle of 30 compressions and 2 rescue breaths until:

- Victim wakes up
- An AED is brought to the scene and is ready to use
- Professional help arrives and takes over

Compression-only CPR

If the rescuer is unable or unwilling to provide rescue breaths, perform compressions continuously at a rate of 100-120 compressions per minute.

nsc
Member

NSC First Aid training saves lives!

Learn more about classroom, online and onsite training at nsc.org/firstaid