



FINANCE, LEGAL & SAFETY COMMITTEE

November 14, 2023

10:30 a.m.

ATTENDANCE:

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

Staff: Legislative Clerk Haskell, County Attorney DeWind, Treasurer McFadden, Deputy Treasurer Chandler, Safety Officer Holbrook, Personnel Officer Parke, Paralegal Riddle, Civil Service Technician Quick, Public Defender Awad, Accountant Schurter, Budget Officer Bailey,

- APPROVAL OF MINUTES:
 - Legislator Ciotoli asked for a motion to approve the October 10, 2023, minutes. Legislator Monell made the motion seconded by Legislator Brown and was unanimously carried.

- FINANCIAL:
 - Legal and Safety's budgets are tracking well with funds being used before the end of the year. There are potential additional charges for litigation, however, there are sufficient funds in the legal fees line to cover these charges.

- OLD BUSINESS:
 - Litigation: The Harris trial was scheduled to start last week however it has been postponed until the Spring. Mr. Martin and Mr. DeWind will possibly need to spend a week at the trial. A decision needs to be made on the Sheriff's subpoena to determine if an objection will be filed. Mr. DeWind is monitoring the situation and may have to hire outside counsel to file objections. Public Health has an upcoming health hearing, depositions are being collected in a lead lawsuit against counties, and the JUUL lawsuit is continuing.

- NEW BUSINESS:
 - 2024 Insurance Renewal has started and is in process. It is more extensive than in prior years and cyber insurance is a worry given the number of high profile attacks on municipal systems.

- The PESH follow-up inspection was completed with no new findings or recommendations. Thanks were extended to safety officer Holbrook for her work in connection with the successful follow up visit.
- Indigent Legal Services (ILS) is looking for potential space for meeting with clients and working between court cases. Broome County has recently stalled on this project necessitating the need for ILS to explore the possibility of going it alone without the joint County parts of the project. That may include using space in a county building due to restricted funding. ILS currently has fifteen thousand dollars (\$15,000 USD) earmarked for furnishing that must be spent by March 31, 2024, otherwise the monies must be returned to the State. There is space at 56 Main Street and the Court Annex, however flood restrictions need to be investigated to determine if this space is a viable option.
- Resolutions: Mr. Awad and Mr. DeWind discussed the ILS grant application, appointment of Thomas Cline, and the authorization of a contract between NYS Office of Indigent Legal Services and Tioga County. The Safety Office's resolutions for audiograms, DOT drug screening policy, and DOT drug screen contract were also discussed.
- Class-action lawsuit against McKinsey & Company, Inc options: This lawsuit is opioid related. The County can enter into this lawsuit; however, it is the recommendation of Napoli Shkolnik to opt out since they feel they can reach a higher settlement due to representing other New York counties. Two hundred and fifty million dollars have been earmarked for settlement between fifty (50) states. Legislators unanimously agree to opt out of this lawsuit.
- Ms. Holbrook has identified a need to install a NARCAN box in the Board of Elections. This box would be located next to the AED in the Board of Elections Office.
- Mr. DeWind discussed the potential impact the Tioga Downs arson fire could have financially on the Public Defender's Office.

- PERSONNEL:

- None

- RESOLUTIONS:

- ENTER INTO CONTRACT WITH CATAMOUNT CONSULTING FOR AUDIOGRAMS; ENTER INTO CONTRACT WITH EVOLUTION CONSULTING,

LLC FOR CDL DRUG AND ALCOHOL TESTING; AMEND EMPLOYEE HANDBOOK: SECTION IX. SAFETY RULES, SUBSECTION I. TIOGA COUNTY COMMERCIAL DRIVER LICENSE DRUG AND ALCOHOL TESTING; APPLY FOR INDIGENT LEGAL SERVICES GRANT; AUTHORIZE CONTRACT BETWEEN NYS OFFICE OF INDIGENT LEGAL SERVICES AND TIOGA COUNTY; ESTABLISH NEW BUDGET LINE, MODIFY 2023 BUDGET AND TRANSFER FUNDS SAFETY OFFICE; AUTHORIZE APPOINTMENT OF PUBLIC DEFENDER (PUBLIC DEFENDER were moved into full Legislative Session without further questions.

- PROCLAMATIONS
 - None

- EXECUTIVE SESSION
 - Mr. DeWind asked for an executive session to discuss personnel matters. Legislator Mullen made the motion to enter executive session, seconded by Legislator Brown at 11:15 A.M. Legislator Flesher made the motion to exit from executive session and was seconded by Legislator Brown at 11:50 A.M.

- ADJOURNMENT:
 - Legislator Ciotoli adjourned the Legal & Safety Committee at 11:50 A.M.

Respectfully submitted,

Christine Freyvogel

Secretary to the County Attorney