

Office of the County Attorney



FINANCE, LEGAL & SAFETY COMMITTEE

February 11, 2025

10:30 A.M.

- APPROVAL OF MINUTES: January 14, 2024

- FINANCIAL
 - Safety
 - Law

- OLD BUSINESS
 - Litigation
 - In Rem
 - CDL Pre and Post Trip Inspection Training
 - Annual Trainings

- NEW BUSINESS
 - Annual Policy Review/Attestation and Statement of Financial Disclosure for Schedule A Employees

- PERSONNEL
 - 3rd Assistant County Attorney vacancy

- RESOLUTIONS
 - AUTHORIZE APPOINTMENT OF 2nd and 4th ASSISTANT DISTRICT ATTORNEY DISTRICT ATTORNEY'S OFFICE

- PROCLAMATIONS
 - None

- EXECUTIVE SESSION

- ADJOURNMENT

Office of the County Attorney

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FINANCE, LEGAL & SAFETY COMMITTEE

January 14, 2025

10:30 A.M.

ATTENDANCE:

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

Staff: Legislative Clerk Haskell, County Attorney DeWind, Treasurer McFadden, Deputy Treasurer Chandler, Safety Officer Holbrook, Personnel Officer Parke, Chief Accountant Schurter, County Administrator Bailey, Public Defender Cline, District Attorney Martin

- **APPROVAL OF MINUTES:**
 - Legislator Ciotoli asked for a motion to approve December 10, 2024, minutes. Legislator Brown made the motion seconded by Legislator Mullen and was unanimously carried.

- **FINANCIAL:**
 - Legal and Safety: Legal and Safety's budgets are tracking well at this time. Legal's "Legal Fees" object line will need to be closely monitored as there is already a possibility that the money in this line will not be sufficient for the year.

- **OLD BUSINESS:**
 - Litigation: Outside counsel has been handling the In Rem lawsuits concerning how far back in time the obligation to return excess funds will reach. There are motions to dismiss pending and most of the Counties have been sued in some capacity. Unexpected outside counsel expenses have arisen for a case that was dismissed but recent decisions allowed the Plaintiffs to file motions to resurrect the matter. Our response papers have been filed with oral arguments coming up this Spring which will result in unforeseen expenses. A Federal case regarding out-of-state possession permits is continuing and is being handled internally for the time being. The Attorney General's Office is involved and we are working with other counties and may join them

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as a cost-saving matter in retaining counsel if this case continues due to the specialized Constitutional nature of the claims.

- Even Year Election Law: Mr. DeWind is waiting to see what happens with the appeal of this new law which was ruled unconstitutional. At this time the Court of Appeals has not accepted the case or stayed the lower Court's ruling. Everyone is well aware that petitions will need to be carried soon for the upcoming election cycle.
- In Rem: Mr. Humes is continuing to work on tax foreclosure cases and on any surplus value claims for which we are still working out the process with the Courts.
- **NEW BUSINESS:**
 - Ethics Board Members: Two positions will expire in March. Both board members have agreed to serve a second term.
 - Insurance Renewal: The renewal is moving forward with minimal increases.
 - Annual Trainings: There are less than eight (8) employees who need to complete their trainings.
 - CDL Pre and Post Trip Inspection Training: A request was made for pre and post trip training. The State Police will be conducting this training to address any questions Public Works might have.
 - Property Donation: Mr. DeWind spoke about the request of a member of the public to donate their property. There is currently back property taxes owed and it could eventually end up in the In Rem foreclosure petition. Legislators would like to explore the options regarding land/property donations.
 - High Profile Case: There are housing, training, overtime, and medical charges for 2024 that will need to be accrued. District Attorney Martin gave a brief overview of current cases his office is currently prosecuting. Experts have had to be flown in to testify for one of the high profile cases adding to costs. However, Mr. Martin feels costs should start decreasing as these trials wrap up. Public Defender Cline stated his office does not handle appeals as this is handled out of Albany. Mr. Cline stated his costs have been submitted with one of the invoices to be paid from a grant while the remainder taken from the Public Defender's budget.
 - As of April 1, 2025, the Herrell Haring grant has been increased significantly. Mr. Cline is working with Personnel to adjust the Data

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Officer position, all of which will be covered by grant money at zero cost to the County.

- PERSONNEL:
 - Paralegal Position: A suitable candidate has been recruited for this position in the DSS Legal office and the request is to hire them starting in February.

- RESOLUTIONS:
 - UNFUND SECRETARY TO COUNTY ATTORNEY AND CREATE AND FILL (1) FULL-TIME PARALEGAL COUNTY ATTORNEY'S OFFICE; AMEND EMPLOYEE HANDBOOK: ADD NEW POLICY TO NEW SECTION XIV. ENTITLED ACCESS TO PUBLIC RECORDS; APPOINT PARALEGAL LAW DEPARTMENT were moved into full Legislative Session without further questions.

- PROCLAMATIONS
 - N/A

- EXECUTIVE SESSION
 - N/A

- ADJOURNMENT:
 - Legislator Ciotoli adjourned the Legal & Safety Committee at 11:37 A.M.

Respectfully submitted,

Christine Freyvogel

Paralegal to the County Attorney



TIOGA COUNTY, NEW YORK

Tioga County 2025 LEGAL BUDGET REPORT

FOR 2025 12

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	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	.00	.00	-50,079.00	.0%
A1420 510010 Full Time	231,528	0	231,528	16,330.63	.00	215,197.37	7.1%
A1420 510020 Part Time/Temporar	41,641	0	41,641	2,871.79	.00	38,769.21	6.9%
A1420 520200 Office Equipment	450	0	450	.00	.00	450.00	.0%
A1420 540000 Contract Expense	500	0	500	.00	.00	500.00	.0%
A1420 540010 Advertising	635	0	635	.00	.00	635.00	.0%
A1420 540040 Books	1,500	0	1,500	631.61	.00	868.39	42.1%
A1420 540180 Dues	2,400	0	2,400	634.00	.00	1,766.00	26.4%
A1420 540330 Legal Fees	65,000	0	65,000	5,510.75	38,775.00	20,714.25	68.1%
A1420 540331 Legal Fees-Adolesc	1,500	0	1,500	.00	.00	1,500.00	.0%
A1420 540390 Mileage Expense	300	0	300	.00	.00	300.00	.0%
A1420 540420 Office Supplies	825	0	825	.00	.00	825.00	.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	1,000	0	1,000	.00	.00	1,000.00	.0%
A1420 581088 State Retirement F	27,207	0	27,207	2,350.62	.00	24,856.38	8.6%
A1420 583088 Social Security Fr	20,191	0	20,191	2,208.82	.00	17,982.18	10.9%
A1420 584088 workers Compensati	4,780	0	4,780	537.24	.00	4,242.76	11.2%
A1420 585588 Disability Insuran	204	0	204	19.98	.00	184.02	9.8%
A1420 586088 Health Insurance F	94,872	0	94,872	11,508.06	.00	83,363.94	12.1%
A1420 588988 Eap Fringe	64	0	64	7.08	.00	56.92	11.1%
TOTAL Law	445,068	0	445,068	42,610.58	38,775.00	363,682.42	18.3%
TOTAL General Fund	445,068	0	445,068	42,610.58	38,775.00	363,682.42	18.3%
TOTAL REVENUES	-50,079	0	-50,079	.00	.00	-50,079.00	
TOTAL EXPENSES	495,147	0	495,147	42,610.58	38,775.00	413,761.42	
GRAND TOTAL	445,068	0	445,068	42,610.58	38,775.00	363,682.42	18.3%

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



TIOGA COUNTY, NEW YORK

Tioga County 2025 SAFETY BUDGET REPORT

FOR 2025 12

	ORIGINAL APPROP	TRANFRS/ ADJUSTMTS	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	-502.49	.00	502.49	100.0%
CI8042 510010 Fulltime	60,568	0	60,568	4,177.08	.00	56,390.92	6.9%
CI8042 540070 Car Maintenance	1,000	0	1,000	.00	.00	1,000.00	.0%
CI8042 540140 Contracting Servi	4,500	0	4,500	.00	2,900.00	1,600.00	64.4%
CI8042 540140 M7674 Contracting	160,000	161,000	321,000	10,457.69	149,542.31	161,000.00	49.8%
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	89.97	.00	1,910.03	4.5%
CI8042 540420 Office Supplies	400	0	400	142.66	.00	257.34	35.7%
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	354.07	.00	2,145.93	14.2%
CI8042 581088 State Retirement	7,113	0	7,113	1,088.37	.00	6,024.63	15.3%
CI8042 583088 Social Security F	4,477	0	4,477	484.66	.00	3,992.34	10.8%
CI8042 584088 workers compensat	1,195	0	1,195	134.31	.00	1,060.69	11.2%
CI8042 585588 Disability Insura	68	0	68	6.66	.00	61.34	9.8%
CI8042 586088 Health Insurance	28,133	0	28,133	3,413.61	.00	24,719.39	12.1%
CI8042 588988 Eap Fringe	16	0	16	1.77	.00	14.23	11.1%
TOTAL 504 Coordinator/Safety	272,895	161,000	433,895	19,848.36	152,442.31	261,604.33	39.7%
TOTAL Liability Insurance Fund	272,895	161,000	433,895	19,848.36	152,442.31	261,604.33	39.7%
TOTAL REVENUES	0	0	0	-502.49	.00	502.49	
TOTAL EXPENSES	272,895	161,000	433,895	20,350.85	152,442.31	261,101.84	
GRAND TOTAL	272,895	161,000	433,895	19,848.36	152,442.31	261,604.33	39.7%

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

REFERRED TO:

FINANCE COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. -25

AUTHORIZE APPOINTMENT OF 2nd and
4th ASSISTANT DISTRICT ATTORNEY
DISTRICT ATTORNEY'S OFFICE

WHEREAS: A new 4th Assistant District Attorney position was created as part of the 2025 Budget process; and

WHEREAS: The 4th Assistant District Attorney duties are remote and include appeals and administrative filings, including but not limited to discovery compliance and responses; and

WHEREAS: The 2nd Assistant District Attorney, Torrance Schmitz, wishes to transition to the 4th Assistant District Attorney position; and

WHEREAS: The District Attorney seeks to fill the 4th Assistant District Attorney position with Torrance Schmitz; and

WHEREAS: The District Attorney seeks to immediately fill the 2nd Assistant District Attorney vacancy by promoting the 3rd Assistant District Attorney, Lillian Reardon, to the position of 2nd Assistant District Attorney; therefore be it

RESOLVED: That Tioga County District Attorney is hereby authorized to appoint Torrance Schmitz to the position of 4th Assistant District Attorney at an annual salary of \$88,825 effective February 13, 2025; and be it further

RESOLVED: That the Tioga County District Attorney is hereby authorized to appoint Lillian Reardon to the position of 2nd Assistant District Attorney at an annual salary of \$107,750 effective February 13, 2025.