

Office of the County Attorney



FINANCE, LEGAL & SAFETY COMMITTEE

June 10, 2025

10:30 A.M.

- APPROVAL OF MINUTES: May 13, 2025
- FINANCIAL
 - Safety
 - Law
- OLD BUSINESS
 - Litigation
- NEW BUSINESS
 - DSS Legal Appeal Decision
 - NYMIR Annual Walk-Through
- PERSONNEL
 - 3rd Assistant County Attorney vacancy
- RESOLUTIONS
 - EXECUTE LEASE AND EASEMENT AGREEMENT OF PROPERTY LOCATED AT PROSPECT ROAD, WAVERLY, NEW YORK TO MAINTAIN AN ACCESS ROAD FOR THE RADIO TOWER PROJECT
 - AMEND 2025 BUDGET & TRANSFER OF FUNDS FOR LAW DEPARTMENT
 - AUTHORIZATION TO CONTINUE CONTRACT WITH THOMSON REUTERS (WESTLAW) FOR A TWO YEAR SUBSCRIPTION TO WEST PROFLEX
 - AUTHORIZE SALARY INCREASE FOR PART-TIME ASSIGNED COUNSEL ADMINISTRATOR ASSIGNED COUNSEL OFFICE
 - AUTHORIZE ACCEPTANCE OF AMENDED FUNDING FROM THE NYS OFFICE OF INDIGENT LEGAL SERVICES AND ACCEPT THE AMENDED FUNDING FOR HURRELL-HARRING GRANT AND AMEND 2025 BUDGET
 - AUTHORIZE SALARY INCREASE FOR ASSISTANT PUBLIC DEFENDER FOR FAMILY COURT PUBLIC DEFENDER'S OFFICE
 - AUTHORIZE ACCEPTANCE OF FIRST YEAR FOURTH FAMILY DEFENSE GRANT FROM THE NYS OFFICE OF INDIGENT LEGAL SERVICES
 - RESOLUTION AUTHORIZING A MEMORANDUM OF UNDERSTANDING BETWEEN TIOGA COUNTY AND PENNSYLVANIA STATE POLICE FOR THE

RADIO TOWER PROJECT

- PROCLAMATIONS
 - N/A
- EXECUTIVE SESSION
- ADJOURNMENT

Office of the County Attorney



FINANCE, LEGAL & SAFETY COMMITTEE

May 13, 2025

10:30 A.M.

ATTENDANCE:

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

Staff: Legislative Clerk Haskell, County Attorney DeWind, Treasurer McFadden, Safety Officer Holbrook Personnel Officer Parke, Deputy Treasurer Chandler, Chief Accountant Schurter

Guests: Andrew Aronstam

• APPROVAL OF MINUTES:

- Legislator Monell asked for a motion to approve April 15, 2025, minutes. Legislator Ciotoli made the motion seconded by Legislator Brown and was unanimously carried.

• FINANCIAL:

- Legal and Safety: Safety's budget is tracking well currently. However, Legal's budget will be impacted by two upcoming out-of-town trials that will necessitate Mr. DeWind staying out of town. Currently, Legal's budget does not have the funds to absorb the additional costs of lodging, food, and mileage.

• OLD BUSINESS:

- Litigation: The Treasurer's has a resolution for a sellback of an In Rem property. The money for this property is in Escrow and the taxes have been paid in full. Another In Rem property was pulled out of last year's auction due to a bankruptcy filing. This property will have stipulations placed upon it with the County holding title and the homeowner responsible for taxes and upkeep of the property.

• NEW BUSINESS:

- County Attorney's Association of the State of New York (CAASNY) Spring Meeting: Mr. DeWind will be attending this conference next week.

- Workplace Violence Assessments: Ms. Holbrook and Union Representative Baker conducted the yearly workplace violence assessments. Active Shooter training has been assigned to all County employees, and this training will be pushed out on a yearly basis. Chair Sauerbrey would like to see live active shooter training for all buildings and would like support of the Legislators to which the Legislators voiced their support of.
- PERSONNEL:
 - 3rd Assistant County Attorney: There have been no new applications for this position.
 - Safety Officer's Vacation: May 16 to May 23, 2025
- RESOLUTIONS: TRANSFER OF FUNDS 2025 BUDGET MODIFICATION DISTRICT ATTORNEY was moved into full Legislative Session without further questions.
- PROCLAMATIONS
 - N/A
- EXECUTIVE SESSION
 - N/A
- ADJOURNMENT:
 - Legislator Monell adjourned the Legal & Safety Committee at 10:56 A.M.

Respectfully submitted,

Christine Freyvogel

Paralegal to the County Attorney



TIOGA COUNTY, NEW YORK

Tioga County 2025 SAFETY BUDGET REPORT

FOR 2025 12

	ORIGINAL APPROP	TRANFRS/ 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	-3,296.20	.00	3,296.20	100.0%
CI8042 510010 Fulltime	60,568	0	60,568	22,741.88	.00	37,826.12	37.5%
CI8042 540070 Car Maintenance	1,000	0	1,000	.00	.00	1,000.00	.0%
CI8042 540140 Contracting Servi	4,500	0	4,500	2,097.00	803.00	1,600.00	64.4%
CI8042 540140 M7674 Contracting	160,000	161,000	321,000	57,057.96	102,942.04	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	175.53	.00	224.47	43.9%
CI8042 540480 Postage	75	0	75	.00	.00	75.00	.0%
CI8042 540640 Supplies (Not Off	600	0	600	382.04	.00	217.96	63.7%
CI8042 540733 Training/All othe	2,500	0	2,500	554.34	.00	1,945.66	22.2%
CI8042 581088 State Retirement	7,113	0	7,113	3,990.69	.00	3,122.31	56.1%
CI8042 583088 Social Security F	4,477	0	4,477	1,798.42	.00	2,678.58	40.2%
CI8042 584088 Workers Compensat	1,195	0	1,195	492.47	.00	702.53	41.2%
CI8042 585588 Disability Insura	68	0	68	24.42	.00	43.58	35.9%
CI8042 586088 Health Insurance	28,133	0	28,133	12,516.57	.00	15,616.43	44.5%
CI8042 588988 Eap Fringe	16	0	16	6.49	.00	9.51	40.6%
TOTAL 504 Coordinator/Safety	272,895	161,000	433,895	98,631.58	103,745.04	231,518.38	46.6%
TOTAL Liability Insurance Fund	272,895	161,000	433,895	98,631.58	103,745.04	231,518.38	46.6%
TOTAL REVENUES	0	0	0	-3,296.20	.00	3,296.20	
TOTAL EXPENSES	272,895	161,000	433,895	101,927.78	103,745.04	228,222.18	
GRAND TOTAL	272,895	161,000	433,895	98,631.58	103,745.04	231,518.38	46.6%

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



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	-46,489	185,039	79,250.42	.00	105,788.13	42.8%
A1420 510020 Part Time/Temporar	41,641	0	41,641	15,635.31	.00	26,005.69	37.5%
A1420 520200 Office Equipment	450	0	450	.00	.00	450.00	.0%
A1420 540000 Contract Expense	500	0	500	116.19	.00	383.81	23.2%
A1420 540010 Advertising	635	0	635	210.00	.00	425.00	33.1%
A1420 540040 Books	1,500	0	1,500	631.61	.00	868.39	42.1%
A1420 540180 Dues	2,400	0	2,400	1,029.40	.00	1,370.60	42.9%
A1420 540330 Legal Fees	65,000	0	65,000	22,882.50	24,675.00	17,442.50	73.2%
A1420 540331 Legal Fees-Adolesc	1,500	0	1,500	.00	.00	1,500.00	.0%
A1420 540390 Mileage Expense	300	0	300	126.00	.00	174.00	42.0%
A1420 540420 Office Supplies	825	0	825	20.44	.00	804.56	2.5%
A1420 540480 Postage	150	0	150	23.84	.00	126.16	15.9%
A1420 540485 Printing/Paper	400	0	400	116.04	.00	283.96	29.0%
A1420 540731 Training/State Req	1,000	0	1,000	436.00	.00	564.00	43.6%
A1420 581088 State Retirement F	27,207	-5,997	21,210	7,917.69	.00	13,292.56	37.3%
A1420 583088 Social Security Fr	20,191	-3,589	16,602	7,530.58	.00	9,071.52	45.4%
A1420 584088 Workers Compensati	4,780	-971	3,809	1,746.03	.00	2,062.82	45.8%
A1420 585588 Disability Insuran	204	-57	147	62.16	.00	84.94	42.3%
A1420 586088 Health Insurance F	94,872	-9,493	85,379	39,794.22	.00	45,584.78	46.6%
A1420 588988 Eap Fringe	64	-13	51	23.01	.00	27.94	45.2%
TOTAL Law	445,068	-66,609	378,459	177,551.44	24,675.00	176,232.36	53.4%
TOTAL General Fund	445,068	-66,609	378,459	177,551.44	24,675.00	176,232.36	53.4%
TOTAL REVENUES	-50,079	0	-50,079	.00	.00	-50,079.00	
TOTAL EXPENSES	495,147	-66,609	428,538	177,551.44	24,675.00	226,311.36	
GRAND TOTAL	445,068	-66,609	378,459	177,551.44	24,675.00	176,232.36	53.4%

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

REFERRED TO:

FINANCE/LEGAL COMMITTEE
PUBLIC SAFETY COMMITTEE

RESOLUTION NO. -25

EXECUTE LEASE AND EASEMENT AGREEMENT OF
PROPERTY LOCATED AT PROSPECT ROAD,
WAVERLY, NEW YORK TO MAINTAIN AN ACCESS
ROAD FOR THE RADIO TOWER PROJECT

WHEREAS: It is necessary for Tioga County to lease a portion of property, in connection with an existing easement, to construct, use, expand and maintain an access road for the Radio Tower Project; and

WHEREAS: Motorola Solutions, as part of the installation and upgrade of the Emergency Services Communication Network, has approved the use of Prospect Tower located at 494 Prospect Hill Road, Waverly, New York for the installation of upgrades to this communication tower; and

WHEREAS: The owners of the property, Leon and Cynthia Stevens, agreed to lease a portion of the property to Tioga County for an access road; therefore be it

RESOLVED: That the Chair of the Legislature is hereby authorized to sign a lease with Leon and Cynthia Stevens for the lease and easement of property located at Prospect Road, Waverly, New York which lease shall commence based on the date of the fully executed Lease Agreement.

REFERRED TO: LEGISLATIVE WORKSESSION
FINANCE, LEGAL AND SAFETY COMMITTEE

RESOLUTION NO. -25 AMEND 2025 BUDGET & TRANSFER OF FUNDS FOR
LAW DEPARTMENT

WHEREAS: The Tioga County Law Department has indicated a need to the Tioga County Legislature for lodging accommodation as it relates to the need for the County Attorney to attend a trial in person outside of the County for an undetermined amount of time; and

WHEREAS: The County Attorney has expressed that the current available appropriations in the A1420 Law budget are not able to cover the unforeseen costs; and

WHEREAS: The County Treasurer has identified available funds in the A1362 Tax Advertising & Expense budget that can be transferred for use by the County Attorney; and

WHEREAS: Transferring of funds that amends the current year budget require Legislative approval; therefore be it

RESOLVED: That appropriations be transferred and re-appropriated as follows:

FROM:	A1362 540330 LEGAL FEES	\$3,000.00
TO:	A1420 540330 LEGAL FEES	\$3,000.00

REFERRED TO:

LEGAL/FINANCE COMMITTEE

RESOLUTION NO. -25

AUTHORIZATION TO CONTINUE CONTRACT WITH
THOMSON REUTERS (WESTLAW) FOR A
TWO YEAR SUBSCRIPTION TO WEST PROFLEX

WHEREAS: The County is desirous to continue a contract with Thomson Reuters (Westlaw) for a subscription to their legal research service starting July 1, 2025, through June 30, 2027 at a cost of \$26,527.68; 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 the County Attorney is authorized to continue a contract with Thomson Reuters for a two-year subscription to WEST PROFLEX legal research services for the period of July 1, 2025, through June 30, 2027 at a cost of \$26,527.68.

REFERRED TO: PERSONNEL COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. -25 AUTHORIZE SALARY INCREASE FOR PART-TIME
ASSIGNED COUNSEL ADMINISTRATOR
ASSIGNED COUNSEL OFFICE

WHEREAS: By Resolution No. 150-25 adopted on April 15, 2025, Tioga County entered into a three-year agreement with the New York State Office of Indigent Legal Services for distribution of Fourth Family Defense Grant funds to provide representation and case manager services to persons legally entitled to counsel but unable to hire an attorney; and

WHEREAS: The continued expansion of the Indigent Legal Services Program to include the Fourth Family Defense Grant provides for a three-year contract totaling \$750,000.00; and

WHEREAS: The increased supervisory duties for the Fourth Family Defense Grant provides a salary increase for the Assigned Counsel Administrator, Irene C. Graven, in the additional amount of \$20,000.00 each year through December 31, 2027, effective June 14, 2025; therefore be it

RESOLVED: That the Assigned Counsel Administrator, Irene C. Graven's salary is increased an additional \$20,000.00 to be offset by the Fourth Family Defense Grant for the three-year contract period of January 1, 2025 through December 31, 2027; and be it further

RESOLVED: That Irene Graven's annual salary will be increased to \$68,998 effective June 14, 2025; and be it further

RESOLVED: That this resolution will be null and void in the event that the Grant is withdrawn.

REFERRED TO: FINANCE/LEGAL COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. - 25 AUTHORIZE ACCEPTANCE OF AMENDED FUNDING
FROM THE NYS OFFICE OF INDIGENT LEGAL
SERVICES AND ACCEPT THE AMENDED FUNDING
FOR HURRELL-HARRING GRANT AND AMEND 2025
BUDGET

WHEREAS: By Resolution No. 432-23 adopted on November 14, 2023, Tioga County entered into a three-year agreement with the New York State Office of Indigent Legal Services for distribution of Hurrell-Harring funds to provide representation to persons legally entitled to counsel but unable to hire an attorney; and

WHEREAS: The Office of Indigent Legal Services has amended the Hurrell-Harring Grant Contract adding an additional \$438,971.81; and

WHEREAS: The amended amount to Tioga County from NYS Office of Indigent Legal Services for the fiscal year April 2025 – March 2026 is \$438,971.81; and

WHEREAS: It is necessary for Tioga County to adopt the amended funding to the budget in said amount of \$438,971.81; and

WHEREAS: Said funding in the amount of \$438,971.81 needs to be appropriated and the 2025 budget be amended; therefore be it

RESOLVED: That the Tioga County Legislature hereby approves the Amendment to the Budget in the amount of \$438,971.81; and be it further

RESOLVED: That upon execution of the contract amendment, the ILS HH Grant of \$438,971.81 be appropriated and the 2025 Budget be amended as follows:

Revenue Account: A1174 430260 AC State Aid Indigent Grant \$ 165,971.81
A1174 430260 PD State Aid Indigent Grant \$ 273,000.00

Expense Account: A 1174 510010 Full Time Salary \$ 99,000.00
A 1174 510020 Part Time Salary \$ 20,000.00
A 1174 520200 PD Office Equipment \$ 2,000.00
A 1174 520210 PD Other Furniture \$ 2,000.00
A 1174 540040 PD Books/Online Research \$ 1,000.00
A 1174 540140 PD Contracting Services \$ 60,000.00
A 1174 540180 PD Dues \$ 1,000.00
A 1174 540280 PD Investigations \$ 25,000.00

A 1174 540420 PD Office Supplies	\$	3,000.00
A 1174 540733 PD Training/CLE	\$	5,000.00
A 1174 540030 AC Assigned Counsel	\$	50,000.00
A 1174 540040 AC Books/Online Research	\$	10,000.00
A 1174 540140 AC Contracting Services	\$	26,985.90
A 1174 540280 AC Investigations	\$	36,985.91
A 1174 540420 AC Office Supplies	\$	5,000.00
A 1174 540620 AC Software Expense	\$	2,000.00
A 1174 540640 AC Other Supplies(Not Office)	\$	5,000.00
A 1174 540733 AC Training/CLE	\$	10,000.00
A 1174 581088 State Retirement Fringe	\$	5,000.00
A 1174 583088 Social Security Fringe	\$	25,000.00
A 1174 583088 Medicare	\$	6,750.00
A 1174 585588 Disability Insurance Fringe	\$	200.00
A 1174 584088 Workers Comp Fringe	\$	3,000.00
A 1174 586088 Health Insurance Fringe	\$	30,000.00
A 1174 586088 HRA	\$	5,000.00
A 1174 588988 EAP Fringe	\$	50.00

And be it further

RESOLVED: That available funds at year-end of the original \$438,971.81 be carried forward into future years until used.

REFERRED TO: FINANCE, LEGAL AND SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. -25 AUTHORIZE SALARY INCREASE FOR
ASSISTANT PUBLIC DEFENDER FOR FAMILY COURT
PUBLIC DEFENDER'S OFFICE

WHEREAS: Legislative approval is required for any salary increases for a Management/Confidential position; and

WHEREAS: The County has been awarded a Grant from NYS Office of Indigent Legal Services for assistance with Family Court Article 10 cases; and

WHEREAS: The Grant as budgeted by the State specifically appropriates funding in the amount of \$20,000 to raise the salary of the Family Court Assistant Public Defender to compensate for the increase in supervisory and case responsibility for the position; and

WHEREAS: The Grant has fully funded the increase over the course of three years for the position; therefore be it

RESOLVED: That the Public Defender is hereby authorized to increase the salary of Sarah Schrader, Family Court Assistant Public Defender an additional \$20,000 to be offset by the Fourth Family Defense Grant for the three-year contract period of January 1, 2025 through December 31, 2027; and be it further

RESOLVED: That Sarah Schrader's annual salary will be increased to \$95,879 effective June 14, 2025; and be it further

RESOLVED: That this resolution will be null and void in the event that the Grant is withdrawn or is not renewed after the three-year period.

REFERRED TO: FINANCE/LEGAL COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. - 25 AUTHORIZE ACCEPTANCE OF FIRST YEAR
FOURTH FAMILY DEFENSE GRANT FROM THE
NYS OFFICE OF INDIGENT LEGAL SERVICES

WHEREAS: By Resolution No. 150-25 adopted on April 15, 2025, Tioga County entered into a three-year agreement with the New York State Office of Indigent Legal Services for distribution of Fourth Family Defense Grant funds to provide representation and case manager services to persons legally entitled to counsel but unable to hire an attorney; and

WHEREAS: The Office of Indigent Legal Services has approved a total three-year amount of \$750,000.00 beginning January 1, 2025 through December 31, 2027; and

WHEREAS: It is necessary for Tioga County to adopt the first year of this three-year grant for said distribution amount of \$256,840.00; and

WHEREAS: Said funding in the amount of \$256,840.00 needs to be appropriated and the 2025 budget be amended; therefore be it

RESOLVED: That the Tioga County Legislature hereby approves the first year of the Fourth Family Defense Grant budget amendment of said distribution in the amount of \$256,840.00; and be it further

RESOLVED: That upon execution of the first year of the three-year contract, the Fourth Family Defense Grant of \$256,840.00 be appropriated and the 2025 Budget be amended as follows:

Revenue Account:	A 1171 430260 AC State Aid Indigent	\$ 164,170.00
	A 1171 430260 PD State Aid Indigent	\$ 92,670.00
Expense Account:	A 1171 510010 Full Time Salary	\$ 20,000.00
	A 1171 510020 Part Time Salary	\$ 120,000.00
	A 1171 520200 PD Office Equipment	\$ 4,000.00
	A 1171 520210 PD Furniture	\$ 1,000.00
	A 1171 540420 PD Office Supplies	\$ 1,000.00
	A 1171 540390 PD Mileage	\$ 3,630.00
	A 1171 540620 PD Software/Shared Services	\$ 1,500.00

A 1171 540030 AC Assigned Counsel	\$	67,000.00
A 1171 540140 AC Contracted Serv/Printing	\$	4,000.00
A 1171 540485 AC Printing/Paper	\$	1,000.00
A 1171 520200 AC Equipment	\$	5,000.00
A 1171 520210 AC Furniture	\$	1,000.00
A 1171 540420 AC Office Supplies	\$	1,000.00
A 1171 540390 AC Mileage	\$	3,630.00
A 1171 540620 AC Software/Shared Services	\$	1,000.00
A 1171 581088 Retirement	\$	7,440.00
A 1171 583088 Social Security	\$	9,700.00
A 1171 583088 Medicare	\$	2,200.00
A 1171 584088 Workers Comp	\$	2,700.00
A 1171 588988 EAP	\$	40.00

And be it further

RESOLVED: That available funds at year-end of the original \$750,000.00 be carried forward into future years until used.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. -25 RESOLUTION AUTHORIZING A
MEMORANDUM OF UNDERSTANDING
BETWEEN TIOGA COUNTY AND
PENNSYLVANIA STATE POLICE FOR THE
RADIO TOWER PROJECT

WHEREAS: The Director of Emergency Services requests authorization for a Memorandum of Understanding between Tioga County and Pennsylvania State Police to co-locate, install antennas and a new shelter, and expand the compound at a communications tower currently owned by Pennsylvania State Police; and

WHEREAS: The Pennsylvania State Police agrees to allow Tioga County to install and operate a UHF trunked radio site for the purpose of public safety voice communications at the Round Top Tower site located at 2384 Round Top Road, Athens, Pennsylvania in Bradford County; and

WHEREAS: The Pennsylvania State Police will provide access for Tioga County personnel and vendors to said facility on an as needed basis for equipment installation, maintenance and repair; and

WHEREAS: Tioga County agrees to adhere to all standards and protocols set forth by the Pennsylvania State Police communications officer in charge of said facility; and

WHEREAS: The Memorandum of Understanding of said property is for a period of five (5) years with two (2) additional five-year (5) renewals; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes a Memorandum of Understanding between Tioga County and the Pennsylvania State Police to co-locate, install antennas and a new shelter, and expand the compound at a communications tower currently owned by Pennsylvania State Police; and be it further

RESOLVED: That the Chair of the Legislature or her duly authorized representative is hereby empowered to execute any such agreements, documents, or papers approved as to form by the County Attorney, as may be necessary to implement the intent and purpose of this Resolution.