



Tioga County Legislative Worksession Minutes **February 6, 2020 – 1:00 p.m.**

Legislators Present:

Legislator Balliet
Legislator Hollenbeck
Legislator Monell
Legislator Mullen
Legislator Roberts
Chair/Legislator Sauerbrey
Legislator Standinger
Legislator Sullivan
Legislator Weston

Legislators Absent:

None

Guests:

Matt Freeze, Reporter, Morning Times

Staff Present:

County Attorney Peter DeWind
Legislative Clerk Cathy Haskell
Deputy Legislative Clerk Cheryl Heffernan
District Attorney Kirk Martin (*departed at 1:15 p.m.*)
Personnel Officer Bethany O'Rourke
Director of ED&P LeeAnn Tinney

Call Meeting to Order -

Chair Sauerbrey called the meeting to order at 1:00 p.m.

Change in Positions - District Attorney's Office

Chair Sauerbrey welcomed District Attorney, Kirk Martin.

District Attorney Martin opened with a statement that he did not plan on having to meet with the Legislature so soon in 2020, as he had a solid plan in place to work within Bail and Discovery Reform Law guidelines. Mr. Martin announced two of his Assistant District Attorneys tendered their resignations in January stating they've



decided to go into private practice. Mr. Martin added surrounding counties are seeing the same trend due to the new legislation.

Based on the recent resignations, Mr. Martin re-evaluated his current staffing and is presenting a resolution for Legislature consideration of the following position changes:

- Abolish the PT Chief Assistant District Attorney Position – position salary will be used to offset salary increases for proposed positions, therefore, there will be no budgetary impact.
- 1st Assistant District Attorney Position – current employee shall receive an annual increase of \$10,000 effective March 2, 2020.
- 2nd Assistant District Attorney Position - current 3rd Assistant District Attorney will be promoted to this position effective March 2, 2020.
- 3rd Assistant District Attorney Position – position will be backfilled with a full - time new hire effective March 2, 2020.

Mr. Martin would like six months to evaluate these proposed position changes to make sure this is what will work best for his office and stay in compliance with the new laws. In the event he needs to address the Legislature for future requests, most likely he will be asking for part-time typist positions to help fill in the gaps.

Legislator Hollenbeck confirmed these changes in position will not affect the budget.

Legislator Weston asked for clarification on Bail and Discovery Reform, as to what is the purpose. Mr. Martin responded to make it better and easier for the defendants. Mr. Martin explained the legal process prior to this new legislation versus the new reform laws.

Chair Sauerbrey responded that the laws were made by people with progressive minds to favor the perpetrator. Mr. Martin agreed.

Approval of Worksession Minutes, January 23, 2020 -

Legislator Sullivan motioned to approve the January 23, 2020 Legislative Worksession minutes as written, seconded by Legislator Mullen with Legislators Balliet, Hollenbeck, Monell, Mullen, Roberts, Sauerbrey, Standinger, Sullivan, and Weston voting yes. Motion carried.

Action Items -

Currently there are no action items.



Legislative Support – Legislative Clerk Haskell –

Approval of Legislative Support Committee Minutes – January 9, 2020:

Legislator Sullivan motioned to approve the January 9, 2020 minutes as written, seconded by Legislator Monell with Legislators Balliet, Hollenbeck, Monell, Mullen, Roberts, Sauerbrey, Standinger, Sullivan, and Weston voting yes. Motion carried.

Legislative Clerk Haskell reported the following:

- The February Legislative Meeting is on February 11, 2020 at 12:00 p.m. in the Hubbard Auditorium.
- Legislator Monell will do the prayer, pledge, and start the voting process at the February 11, 2020 Legislature Meeting.
- **Leaders Meeting:** Ms. Haskell attended on January 22, 2020.
- **TEAM Tioga 30th Anniversary Event:** Ms. Haskell attended on January 30, 2020.
- **Financial – YTD Budget and Fringe Reports:** Financial reports for January 2020 were emailed to all Legislators. Ms. Haskell reported there were no issues of concerns.
- **Two-Year Sales Tax Extender Bill –** Ms. Haskell reported she is in contact with the Assemblyman’s and Senator’s Office staff. A letter of request for legislation was prepared for Chair Sauerbrey’s signature and emailed to both offices on February 3, 2020. The Assemblyman’s Office indicated the Senate Bill has been established and they are in the process of establishing the Assembly Bill. Ms. Haskell reported if the Bill numbers are provided, she would bring forth a late-file resolution for Finance/Legal Committee on February 11, 2020 otherwise it may be necessary to conduct a special meeting at the February 20, 2020 Legislative Worksession.
- **Munis Training –** On January 24th, upon request of the Public Defender’s Office, Ms. Haskell conducted accounts payable training to two employees who are new to Munis.
- **Budget Transfer & Resolution Training –** On January 29th, at the request of the Treasurer’s Office, Ms. Haskell met with Budget Officer Hollenbeck. Ms. Haskell received training on budget transfers; Department-generated through Munis, as well as transfers occurring through the resolution process. Ms. Hollenbeck indicated this is a budgetary function and not a treasury function, therefore, in the absence of a County Budget Officer it was



suggested by Ms. Hollenbeck this role fall to the Legislative Office until such time a Budget Officer is appointed.

Legislator Roberts responded when we were in this situation once before the responsibility fell to the Treasurer's Office. Legislator Hollenbeck concurred. Legislator Roberts would like more time for research and asked if there's a job description. Personnel Officer O'Rourke responded there is an established job description for this position.

UPDATE: Personnel Officer O'Rourke e-mailed Budget Officer and Chief Accountant job descriptions, as well as salary information for Budget Officer to all the Legislators on February 13, 2020.

Legislator Hollenbeck inquired why the responsibility of the Budget Officer wouldn't go to the Treasurer. Ms. Haskell reported, prior to Munis, the Legislative Office was responsible for doing budget transfers on the AS400 program. Ms. Haskell reported, since Ms. Hollenbeck's retirement, the Treasurer's Office does not want the responsibility.

Chair Sauerbrey reported Treasurer McFadden has made it very clear the Budget Officer duties will not be performed out of his office, as he feels they are separate. Further discussion will occur Tuesday, February 11, 2020 at the Finance/Legal Committee.

Legislator Sullivan inquired as to when the decision was made to move the responsibilities to the Treasurer's Office.

Chair Sauerbrey reported the decision was made when Munis was implemented five years ago. As Budget Officer, Ms. Hollenbeck requested this responsibility be moved to the Treasurer's Office.

Chair Sauerbrey reported Ms. Haskell will temporarily perform the duties of budget transfers until a Budget Officer is appointed. Ms. Haskell reported she is not set up in Munis as the appropriate approver, so at this time is unaware of pending budget transfer requests.

Chair Sauerbrey responded Ms. Haskell will be added as an authorized approver in Munis for budget transfers.

Legislator Monell inquired as to how much time is involved with doing budget transfers. Ms. Haskell reported it is unknown at this time, as she has not



performed these responsibilities to date. Ms. Haskell added the Budget Officer also performs budget transfers in Munis for approved financial resolutions, of which there are six financial resolutions for next week's Legislative Meeting. Legislator Monell asked for an update by Tuesday February 11, 2020 Finance/Legal meeting.

UPDATE: Ms. Haskell reported there was one Munis – generated budget transfer pending approval. Chair Sauerbrey e-mailed the IT Department to request Ms. Haskell be added as an authorized approver.

Legislator Weston responded if we are asking Ms. Haskell to take on additional responsibilities above and beyond her Legislative Clerk responsibilities that require her to stay extra hours she should receive a stipend. Legislator Monell concurred.

Legislator Sullivan reported the Legislative Office originally had the responsibilities of budget transfers up until five years ago, and does not recall salary reductions when it moved to the Treasurer's Office.

Legislator Roberts inquired if County Attorney DeWind had any input. Mr. DeWind responded there are separation of power procedures that can be discussed on February 11, 2020 during Finance/Legal Committee.

Chair Sauerbrey suggested further review and discussion will occur on Tuesday, February 11, 2020 during Finance/Legal Committee where Treasurer McFadden can provide additional information.

Recognition Resolutions (3) –

- **Recognition of Rita E. Hollenbeck's 31 Years of Dedicated Service to Tioga County** - Ms. Hollenbeck will not be attending the February 11, 2020 Legislature Meeting, therefore, this resolution will just be noted in the minutes.
- **Recognition of Margareta C. Olin's 20 Years of Dedicated Service to Tioga County** – Ms. Olin will not be attending the February 11, 2020 Legislature Meeting, therefore, this resolution will just be noted in the minutes.
- **Recognition of Charisse R. Campbell's 20 Years of Dedicated Service to Tioga County** - Legislator Standinger will read and present this recognition resolution to Ms. Campbell at the February 11, 2020 Legislature meeting.



Proclamations (2)

- **Teen Dating Violence Awareness & Prevention Month:** Legislator Standinger will read and present this proclamation at the February 11, 2020 Legislature meeting.
- **Agriculture Month:** Legislator Weston will read and present this proclamation at the February 11, 2020 Legislature meeting. Ms. Haskell reported Tioga County Farm Bureau President Kevin Frisbie and Miranda Palmer will be in attendance to receive proclamation, as well as three FFA Kids, (Future Farmers of America). Photo as well.

Resolutions -

Ms. Haskell reviewed all resolutions with the Legislature for the upcoming February 11, 2020 Legislature Meeting and discussion occurred on the following:

- **Schedule Second Public Hearing for New York State Community Development Block Grant:**
Ms. Haskell reported this resolution is referring to the Mobile Dental Van and a Public Hearing will be held on February 20, 2020 at 10:00 a.m. in the Legislative Conference Room.
- **Set Public Hearing for 2020 Annual Agricultural District Inclusions:**
Ms. Haskell reported a Public Hearing will be held on February 20, 2020 at 10:05 a.m. in the Legislative Conference Room.
- **Authorizing Legislative Chair Signature on LSE Perseus LLC and LSE Pisces LLC Payment in Lieu of Tax Agreements:**
Director of ED&P Tinney reported the resolution has been revised, as recommended by the ED&P Committee, noting the County will not accept anything less than 33% of the lump sum disbursement.

Late-File Resolutions -

Ms. Haskell reported if the Bill numbers are provided she will bring forth a late-file Sales Tax Extender Bill resolution on February 11, 2020 at the Finance/Legal Committee.

Other –

Chair Sauerbrey reported she received an Action/Alert from NYSAC with notification about a Legislative Day on Wednesday, February 12, 2020 in Albany.



This is an opportunity to rally around and speak with Assemblymen and Senator's in reference to the Governor's Bill and how it will affect Medicaid for the counties.

Chair Sauerbrey reported she will see our Assemblyman and Senator this weekend, so at this time does not plan on attending. However, Chair Sauerbrey reported if the Legislature would like her to attend or any Legislator is interested in attending with her, she would gladly do so.

Chair Sauerbrey reported she spoke with Assemblyman Friend and he conveyed to her how he appreciates receiving resolutions from the County, as it provides the Senator and Assemblyman with materials to take with them to Albany.

Legislator Weston inquired if a petition could be signed and given to them ahead of time. Chair Sauerbrey responded that we will be receiving a formal package of information.

Second Amendment County: Legislator Hollenbeck reported he has been approached to make Tioga County a Second Amendment County. Legislator Hollenbeck reported Legislator Roberts has had people approach him as well.

Legislator Roberts offered to bring in more information for further discussion.

County Attorney DeWind responded he has seen other counties do this, but has not tracked it to know what has passed and what has not passed.

Chair Sauerbrey reported that Ms. Haskell will reach out to other counties to get more information as to what they have done.

Legislator Sullivan reported she would like to see the information packet Legislator Roberts referenced.

Executive Session -

Motion by Legislator Weston, seconded by Legislator Standinger to move into Executive Session to discuss a personnel matter. Motion carried to go into Executive Session at 1:35 p.m. with County Attorney DeWind, Personnel Officer O'Rourke and Legislative Clerk Haskell remaining in attendance. Ms. O'Rourke and Ms. Haskell departed at 2:00 p.m.

Executive Session adjourned at 2:10 p.m.

TIOGA COUNTY, NEW YORK

Legislature

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Meeting adjourned at 2:10 p.m.

Next Worksession scheduled for Thursday, February 20, 2020, at 10:00 a.m.

Respectfully submitted,

Cheryl Heffernan
Deputy Legislative Clerk