

# Office of the County Attorney

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

Peter J. DeWind County Attorney ☎ 607 687 8253 📠 607 223 7003 🌐 [www.TiogaCountyNY.com](http://www.TiogaCountyNY.com)



## FINANCE, LEGAL & SAFETY COMMITTEE

August 12, 2025

10:30 A.M.

- APPROVAL OF MINUTES: July 15, 2025
- FINANCIAL
  - Safety
  - Law
- OLD BUSINESS
  - Litigation and Claims
  - NYMIR Walkthrough
- NEW BUSINESS
  - Nepotism Policy
  - Training Compliance
  - Budget
    - Public Defender
    - District Attorney
    - Safety
    - County Attorney
- PERSONNEL
  - 3<sup>rd</sup> Assistant County Attorney vacancy
- RESOLUTIONS
  - EXECUTE ADDENDUM TO LEASE AND EASEMENT AGREEMENT OF PROPERTY LOCATED AT PROSPECT HILL ROAD, WAVERLY, NEW YORK TO MAINTAIN AN ACCESS ROAD FOR THE RADIO TOWER PROJECT
  - AMEND EMPLOYEE HANDBOOK: SECTION IV. PERSONNEL RULES; SUBSECTION q. TIOGA COUNTY SEXUAL HARASSMENT PREVENTION POLICY
  - APPOINT SECRETARY TO THE PUBLIC DEFENDER PUBLIC DEFENDERS OFFICE

- AMEND EMPLOYEE HANDBOOK; SECTION IX. SAFETY RULES,  
SUBSECTION j. WORKPLACE VIOLENCE PREVENTION PROGRAM  
POLICY AND DISCRIMINATORY HARASSMENT POLICY

- PROCLAMATIONS
  - N/A
- EXECUTIVE SESSION
- ADJOURNMENT

**DRAFT**

TIOGA COUNTY, NEW YORK

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### FINANCE, LEGAL & SAFETY COMMITTEE

July 15, 2025

10:30 A.M.

#### ATTENDANCE:

Legislators: Chair Sauerbrey, Roberts, Standinger, Brown, Bunce, Aronstam, Ciotoli

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

Guests: N/A

#### • APPROVAL OF MINUTES:

- Chair Sauerbrey asked for a motion to approve June 10, 2025, minutes. Legislator Brown made the motion seconded by Legislator Ciotoli and was unanimously carried.

#### • FINANCIAL:

- Legal and Safety: Legal and Safety's budgets are tracking well. However, Mr. DeWind continues to monitor outside counsel and travel expenses related to litigation. These expenses could require an influx of funds by the end of the year.

#### • OLD BUSINESS:

- Litigation and Claims: Mr. DeWind has been in contact with District Attorney Martin to discuss an upcoming litigation that is scheduled for trial in October. This litigation could require an extended out-of-town stay for Mr. DeWind.
- Ethics Board Meeting: The annual meeting was held on June 26, 2025, with Chair Davis and Vice-Chair Ceccherelli re-elected to their prospective positions. There are potentially four open board member spots in 2026. However, two of the current board members have stated they are interested in continuing for another term.

# DRAFT

- NYMIR Walkthrough: The walk-through is scheduled for July 23, 2025. Nymir has stated they would like to meet with certain department heads.
- NEW BUSINESS:
  - Budget: Legal's budget lines for translation services and training will need to be increased for 2026, possibly as a county expense. Neither Legal or Safety have a capital request or vehicle acquisitions. Safety does not see any increases to their budget for 2026. If funds were needed Ms. Holbrook would utilize available grants for any identified needs.
  - Water Testing: Testing was completed at Public Works and found that the water is safe for drinking.
  - Active Shooter Training: Four sessions were completed with an additional session scheduled for August.
  - Workplace Violence Facility Assessments: These assessments, for facility site security, were completed with Union Representative Lisa Baker and were signed off by the Union.
  - Safety is looking at the notification process for incidents and the mapping of 911 phone calls for all county phones. Ms. Holbrook is currently working at the Health and Human Services Building on the phone mapping of phone extensions.
  - Strategic Plan: The County Attorney's Office does not have a strategic plan.
- PERSONNEL:
  - 3<sup>rd</sup> Assistant County Attorney: There is still no interest in this position. Southern Tier counties and the court system are struggling to fill attorney positions also.
  - Vacation Sellback: One employee is wishing to sell back a week of vacation.
  - Mr. DeWind will be on vacation July 20 to July 27, 2025.
- RESOLUTIONS: APPROVAL OF CASE MANAGER POSITION (PUBLIC DEFENDER'S OFFICE); APPROVAL OF CASE MANAGER POSITION (ASSIGNED COUNSEL OFFICE); CREATE (1) FULL-TIME ASSISTANT PUBLIC DEFENDER PUBLIC DEFENDER'S OFFICE; AUTHORIZE RECLASSIFICATION OF DATA OFFICER TO

**DRAFT**

PARALEGAL PUBLIC DEFENDER'S OFFICE were moved into full Legislative Session without further questions.

- PROCLAMATIONS
  - N/A
- EXECUTIVE SESSION
  - Chair Sauerbrey asked for a motion to enter into Executive Session to discuss a personnel matter. Legislator Ciotoli made the motion and was seconded by Legislator Bunce at 11:27 A.M. At 11:48 A.M. Legislator Bunce made a motion to exit Executive Session.
- ADJOURNMENT:
  - Chair Sauerbrey adjourned the Legal & Safety Committee at 11: 50 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
<b>CI Liability Insurance Fund</b>							
<b>CI8042 504 Coordinator/Safety</b>							
CI8042 424010 Interest And Earn	0	0	0	-5,851.11	.00	5,851.11	100.0%
CI8042 510010 Fulltime	60,568	0	60,568	34,344.88	.00	26,223.12	56.7%
CI8042 540070 Car Maintenance	1,000	0	1,000	.00	.00	1,000.00	.0%
CI8042 540140 Contracting Servi	4,500	0	4,500	2,239.00	661.00	1,600.00	64.4%
CI8042 540140 M7674 Contracting	160,000	1,000	161,000	82,673.17	77,326.83	1,000.00	99.4%
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	167.83	.00	1,832.17	8.4%
CI8042 540420 Office Supplies	400	0	400	213.69	.00	186.31	53.4%
CI8042 540480 Postage	75	0	75	.00	.00	75.00	.0%
CI8042 540640 Supplies (Not Off	600	0	600	394.63	.00	205.37	65.8%
CI8042 540733 Training/All othe	2,500	0	2,500	753.34	.00	1,746.66	30.1%
CI8042 581088 State Retirement	7,113	0	7,113	5,804.64	.00	1,308.36	81.6%
CI8042 583088 Social Security F	4,477	0	4,477	2,619.52	.00	1,857.48	58.5%
CI8042 584088 Workers Compensat	1,195	0	1,195	716.32	.00	478.68	59.9%
CI8042 585588 Disability Insura	68	0	68	35.52	.00	32.48	52.2%
CI8042 586088 Health Insurance	28,133	0	28,133	18,205.92	.00	9,927.08	64.7%
CI8042 588988 Eap Fringe	16	0	16	9.44	.00	6.56	59.0%
<b>TOTAL 504 Coordinator/Safety</b>	<b>272,895</b>	<b>1,000</b>	<b>273,895</b>	<b>142,326.79</b>	<b>77,987.83</b>	<b>53,580.38</b>	<b>80.4%</b>
<b>TOTAL Liability Insurance Fund</b>	<b>272,895</b>	<b>1,000</b>	<b>273,895</b>	<b>142,326.79</b>	<b>77,987.83</b>	<b>53,580.38</b>	<b>80.4%</b>
<b>TOTAL REVENUES</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>-5,851.11</b>	<b>.00</b>	<b>5,851.11</b>	
<b>TOTAL EXPENSES</b>	<b>272,895</b>	<b>1,000</b>	<b>273,895</b>	<b>148,177.90</b>	<b>77,987.83</b>	<b>47,729.27</b>	
<b>GRAND TOTAL</b>	<b>272,895</b>	<b>1,000</b>	<b>273,895</b>	<b>142,326.79</b>	<b>77,987.83</b>	<b>53,580.38</b>	<b>80.4%</b>

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



# TIOGA COUNTY, NEW YORK

## Tioga County 2025 LAW BUDGET REPORT

FOR 2025 12

	ORIGINAL APPROP	TRANSFERS/ ADJUSTMENTS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	PCT USE/COL
<b>A General Fund</b>							
<b>A1420 Law</b>							
A1420 412706 Shared Services-At	-50,079	0	-50,079	-19,510.80	.00	-30,568.20	39.0%*
A1420 510010 Full Time	231,528	-46,489	185,039	114,420.43	.00	70,618.12	61.8%
A1420 510020 Part Time/Temporary	41,641	0	41,641	23,612.51	.00	18,028.49	56.7%
A1420 520200 Office Equipment	450	0	450	.00	.00	450.00	.0%
A1420 540000 Contract Expense	500	0	500	250.75	4.95	244.30	51.1%
A1420 540010 Advertising	635	-425	210	210.00	.00	.00	100.0%
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	2,500	67,500	37,729.84	14,490.00	15,280.16	77.4%
A1420 540331 Legal Fees-Adolesc	1,500	0	1,500	.00	.00	1,500.00	.0%
A1420 540390 Mileage Expense	300	925	1,225	911.60	.00	313.40	74.4%
A1420 540420 Office Supplies	825	0	825	68.93	.00	756.07	8.4%
A1420 540480 Postage	150	0	150	88.19	.00	61.81	58.8%
A1420 540485 Printing/Paper	400	0	400	345.80	.00	54.20	86.5%
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	11,134.14	.00	10,076.11	52.5%
A1420 583088 Social Security Fr	20,191	-3,589	16,602	10,553.11	.00	6,048.99	63.6%
A1420 584088 Workers Compensati	4,780	-971	3,809	2,417.58	.00	1,391.27	63.5%
A1420 585588 Disability Insuran	204	-57	147	84.36	.00	62.74	57.3%
A1420 586088 Health Insurance F	94,872	-9,493	85,379	56,572.32	.00	28,806.68	66.3%
A1420 588988 Eap Fringe	64	-13	51	31.86	.00	19.09	62.5%
<b>TOTAL Law</b>	<b>445,068</b>	<b>-63,609</b>	<b>381,459</b>	<b>241,017.63</b>	<b>14,494.95</b>	<b>125,946.22</b>	<b>67.0%</b>
<b>TOTAL General Fund</b>	<b>445,068</b>	<b>-63,609</b>	<b>381,459</b>	<b>241,017.63</b>	<b>14,494.95</b>	<b>125,946.22</b>	<b>67.0%</b>
TOTAL REVENUES	-50,079	0	-50,079	-19,510.80	.00	-30,568.20	
TOTAL EXPENSES	495,147	-63,609	431,538	260,528.43	14,494.95	156,514.42	
<b>GRAND TOTAL</b>	<b>445,068</b>	<b>-63,609</b>	<b>381,459</b>	<b>241,017.63</b>	<b>14,494.95</b>	<b>125,946.22</b>	<b>67.0%</b>

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

# Public Defender

## Budget Notes

Org	Obj	2025 Budget	2026 Budget	Difference	Notes
A1170 - Public Defender	430250 - State Aid-Indigent Legal Servi	\$0.00		\$0.00	DOCJS Grant Expired (2Yr Grant) Will be fully expended in 2025
	510010 - Fulltime	\$245,159.85	\$468,397.85	\$223,238.00	
	510020 - Part Time/Temporary	\$95,215.00	\$52,396.00	(\$42,819.00)	
	510050 - All Other-On Call,Cloth,Stipe,	\$0.00		\$0.00	
	520070 - Chairs	\$0.00		\$0.00	
	520200 - Office Equipment	\$0.00		\$0.00	
		\$0.00		\$0.00	DOCJS Grant Expired (2Yr Grant) Will be fully expended in 2025
	540040 - Books	\$1,170.00	\$1,170.00	\$0.00	
	540140 - Contracting Services	\$14,700.00	\$14,700.00	\$0.00	
		\$0.00		\$0.00	DOCJS Grant Expired (2Yr Grant) Will be fully expended in 2025
	540180 - Dues	\$1,260.00	\$1,260.00	\$0.00	
	540280 - Investigations	\$3,600.00	\$3,600.00	\$0.00	
		\$0.00		\$0.00	DOCJS Grant Expired (2Yr Grant) Will be fully expended in 2025
	540320 - Leased/Service Equipment	\$540.00	\$540.00	\$0.00	
	540390 - Mileage Expense	\$4,680.00	\$4,680.00	\$0.00	
	540420 - Office Supplies	\$3,285.00	\$3,285.00	\$0.00	
	540480 - Postage	\$990.00	\$990.00	\$0.00	
	540550 - Rent/Lease	\$0.00		\$0.00	
	540660 - Telephone	\$1,215.00	\$1,215.00	\$0.00	
	540700 - Transcripts	\$780.00	\$780.00	\$0.00	
	540733 - Training/All Other	\$990.00	\$990.00	\$0.00	
	581088 - State Retirement Fringe	\$27,207.00	\$16,228.00	(\$10,979.00)	
	583088 - Social Security Fringe	\$25,468.00	\$25,468.00	\$0.00	



# Public Defender

Org	Obj	2025 Budget	2026 Budget	Difference	Notes
A1170 - Public Defender	584088 - Workers Compensation Fringe	\$7,170.00	\$7,170.00	\$0.00	
	585088 - Unemployment Insurance Fringe	\$0.00		\$0.00	
	585588 - Disability Insurance Fringe	\$272.00	\$272.00	\$0.00	
	586088 - Health Insurance Fringe	\$125,224.00	\$91,510.00	(\$33,714.00)	
	588988 - EAP Fringe	\$96.00	\$96.00	\$0.00	
<b>Org Total:</b>		<b>\$559,021.85</b>	<b>\$694,747.85</b>	<b>\$135,726.00</b>	
<b>Grand total for all Orgs:</b>		<b>\$559,021.85</b>	<b>\$694,747.85</b>	<b>\$135,726.00</b>	

## Public Defender Grant Funding 2026

ILS has notified us that the HH Grant will begin the Budgeting Process for Grant year 9 in August 2025.

Funded Through		
	Small ILS Grants A1173 12/31/2026	HH Grant (year 8) A1174 3/31/2026
Chief Public Defender F/T *	\$10,000.00	\$ 35,000.00
1st Asst Public Defender F/T *	\$2,000.00	\$ 35,500.00
2nd Asst Public Defender P/T *	\$2,000.00	\$ -
Research Attorney P/T	\$ -	\$ 42,654.82
CAP Attorney P/T	\$ -	\$ 41,865.98
CAP Attorney P/T	\$ -	\$ 42,654.82
PD Secretary	\$ -	\$ 50,419.20
PD Paralegal	\$ -	\$ 53,000.00
Chief Family Court PD F/t *	\$23,400.00	\$ -
PD Family Court Paralegal *	\$17,500.00	\$ -
FC Caseworker P/T	\$ -	\$ -

A1173 Salary Supplements no Fringe Budgeted

A1174 Chief Public Defender paying .271% of salary, FICA, Medicare, Disability.

1st Asst Public Defender paying .372% of salary, FICA, Medicare Disability.

All positions Paid 100% Salary and Fringe by NYS

A1171 Chief Family Court Public Defender Paid \$20,000 Salary Supplement, \$1540.00 for FICA & Medicare  
Family Court Caseworker Paid between \$25,000 to \$30,000 100% Fringe Paid

**\*These employees were originally County Paid Positions, and the State will not pay for any of the Fringe Costs that County was paying (Health Ins, Worker Comp, Retirement, EAP)**

**Family Defense**  
**A1171**  
**12/31/2027**

\$ -  
\$ -  
\$ -  
\$ -  
\$ -  
\$ -  
\$ -  
\$ -

\$20,000.00

\$

\$25,000.00 to \$30,000.00

# Safety

## Budget Notes

Org	Obj	2025 Budget	2026 Budget	Difference	Notes
CI8042 - 504 Coordinator/Safety	424010 - Interest And Earnings	\$0.00		\$0.00	
	510010 - Fulltime	\$60,568.00	\$60,568.00	\$0.00	
	510020 - Part Time/Temporary	\$0.00		\$0.00	
	520190 - Nursing Equipment	\$0.00		\$0.00	
	520210 - Other Furniture	\$0.00		\$0.00	
	540010 - Advertising	\$0.00		\$0.00	
	540070 - Car Maintenance	\$1,000.00	\$1,000.00	\$0.00	
	540140 - Contracting Services	\$4,500.00	\$164,500.00	\$160,000.00	
		\$160,000.00	\$0.00	(\$160,000.00)	
	540220 - Automobile Fuel	\$200.00	\$200.00	\$0.00	
	540320 - Leased/Service Equipment	\$0.00		\$0.00	
	540340 - Literature	\$50.00	\$50.00	\$0.00	
	540410 - Nursing Supplies	\$2,000.00	\$2,000.00	\$0.00	
	540420 - Office Supplies	\$400.00	\$400.00	\$0.00	
	540480 - Postage	\$75.00	\$75.00	\$0.00	
	540485 - Printing/Paper	\$0.00		\$0.00	
	540640 - Supplies (Not Office)	\$600.00	\$600.00	\$0.00	
	540660 - Telephone	\$0.00		\$0.00	
	540733 - Training/All Other	\$2,500.00	\$2,500.00	\$0.00	
	581088 - State Retirement Fringe	\$7,113.00	\$7,113.00	\$0.00	
	583088 - Social Security Fringe	\$4,477.00	\$4,477.00	\$0.00	
	584088 - Workers Compensation Fringe	\$1,195.00	\$1,195.00	\$0.00	
	585088 - Unemployment Insurance Fringe	\$0.00		\$0.00	
	585588 - Disability Insurance Fringe	\$68.00	\$68.00	\$0.00	
	586088 - Health Insurance Fringe	\$28,133.00	\$28,133.00	\$0.00	

# Safety

Org	Obj	2025 Budget	2026 Budget	Difference	Notes
CI8042 - 504 Coordinator/Safety	588988 - EAP Fringe	\$16.00	\$16.00	\$0.00	
	Org Total:	\$272,895.00	\$272,895.00	\$0.00	
	Grand total for all Orgs:	\$272,895.00	\$272,895.00	\$0.00	

## 2026 Legal Budget Presentation



1

## New Accounts and Budget Analysis

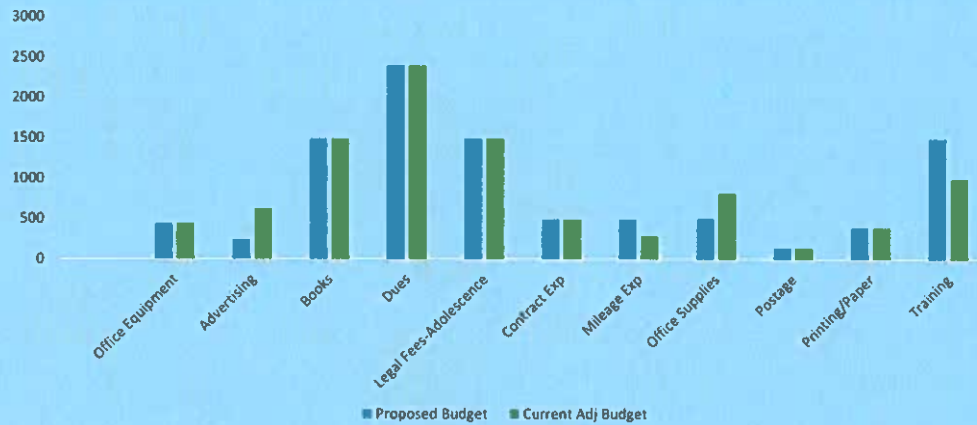
Historical amounts of probability, stability, and actual activity have been analyzed.

Four accounts were identified for adjustment.

The net local share is zero based.

2

## Proposed Budget vs. Current Adjusted Budget



3

### A 1420 Law 2026 Proposed Budget

Object	Description	2026 Suggested amount	Requested Amount
520200	Office Equipment	\$450.00	\$450.00
540000	Contract Expense*	\$500.00	\$500.00
540010	Advertising	\$635.00	\$250.00
540040	Books	\$1,500.00	\$1,500.00
540180	Dues	\$2,400.00	\$2,400.00
540330	Legal Fees	\$65,000.00	\$65,000.00
540331	Legal Fees-Adolescence	\$1,500.00	\$1,500.00
540390	Mileage	\$300.00	\$500.00
540420	Office Supplies	\$825.00	\$510.00
540480	Postage	\$150.00	\$150.00
540485	Printing/Paper	\$400.00	\$400.00
540731	Training Fees	\$1,000.00	\$1,500.00
<b>Grand Total</b>		<b>\$74,660.00</b>	<b>\$74,660.00</b>

4



# County Attorney

## Budget Notes

Org	Obj	2025 Budget	2026 Budget	Difference	Notes
A1420 - Law	412706 - Shared Services-Attorney	(\$50,079.00)	(\$50,079.00)	\$0.00	
	510010 - Fulltime	\$231,528.00	\$183,587.00	(\$47,941.00)	
	510020 - Part Time/Temporary	\$41,641.00	\$41,641.00	\$0.00	
	510050 - All Other-On Call,Cloth,Stipe,	\$0.00		\$0.00	
	520070 - Chairs	\$0.00		\$0.00	
	520150 - File Cabinets	\$0.00		\$0.00	
	520200 - Office Equipment	\$450.00	\$450.00	\$0.00	
	520210 - Other Furniture	\$0.00		\$0.00	
	540000 - Contract Expense	\$500.00	\$500.00	\$0.00	
	540010 - Advertising	\$635.00	\$250.00	(\$385.00)	Fair Housing program has been significantly impacted by the cutting of federal grants. The County is no longer required to advertise more than once a year. The new budgeted amount of \$250 will cover the cost of one 1/4-page color ad in the Pennysaver.
	540040 - Books	\$1,500.00	\$1,500.00	\$0.00	
	540180 - Dues	\$2,400.00	\$2,400.00	\$0.00	
	540320 - Leased/Service Equipment	\$0.00		\$0.00	
	540330 - Legal Fees	\$65,000.00	\$65,000.00	\$0.00	
	540331 - Legal Fees-Adolescence Offend	\$1,500.00	\$1,500.00	\$0.00	
	540390 - Mileage Expense	\$300.00	\$500.00	\$200.00	Due to out-of-town trials and trainings mileage needs to be increased
	540420 - Office Supplies	\$825.00	\$510.00	(\$315.00)	this line, in conjunction with Advertising, is being decreased to cover the increases to mileage and training.
	540480 - Postage	\$150.00	\$150.00	\$0.00	
	540485 - Printing/Paper	\$400.00	\$400.00	\$0.00	



# County Attorney

Org	Obj	2025 Budget	2026 Budget	Difference	Notes
A1420 - Law	540660 - Telephone	\$0.00		\$0.00	
	540731 - Training/State Required	\$1,000.00	\$1,500.00	\$500.00	Training needs to be increased to cover costs no longer covered by CAASNY
	581088 - State Retirement Fringe	\$27,207.00	\$20,669.00	(\$6,538.00)	
	583088 - Social Security Fringe	\$20,191.00	\$20,191.00	\$0.00	
	584088 - Workers Compensation Fringe	\$4,780.00	\$4,780.00	\$0.00	
	585088 - Unemployment Insurance Fringe	\$0.00		\$0.00	
	585588 - Disability Insurance Fringe	\$204.00	\$204.00	\$0.00	
	586088 - Health Insurance Fringe	\$94,872.00	\$62,119.00	(\$32,753.00)	
	588988 - EAP Fringe	\$64.00	\$64.00	\$0.00	
<b>Org Total:</b>		<b>\$445,068.00</b>	<b>\$357,836.00</b>	<b>(\$87,232.00)</b>	
<b>Grand total for all Orgs:</b>		<b>\$445,068.00</b>	<b>\$357,836.00</b>	<b>(\$87,232.00)</b>	

REFERRED TO:

PUBLIC SAFETY COMMITTEE  
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. -25

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

WHEREAS: Tioga County executed a lease and existing easement agreement for a portion of property located at 490 Prospect Hill Road, to construct, use, expand and maintain an access road for the Radio Tower Project per Resolution No. 146-25 effective April 17, 2025; and

WHEREAS: Due to the inconvenience and loss of tree and vegetation removal on parts of the property owned by Darlene VanHousen, Tioga County deems it appropriate to make a one-time payment of five thousand dollars (\$5,000 USD) to Ms. VanHousen as compensation; therefore be It

RESOLVED: That the Chair of the Legislature is hereby authorized to sign a lease addendum with Darleen VanHousen for the property located at Prospect Hill Road, Waverly, New York.

REFERRED TO:

FINANCE, LEGAL AND SAFETY COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. -25

AMEND EMPLOYEE HANDBOOK:  
SECTION IV. PERSONNEL RULES; SUBSECTION q.  
TIOGA COUNTY SEXUAL HARASSMENT  
PREVENTION POLICY

WHEREAS: Resolution No. 210-23 adopted on May 9, 2023, revised Section IV. Personnel Rules; Subsection q. entitled Tioga County Sexual Harassment Prevention Policy in its entirety; and

WHEREAS: The Tioga County Sexual Harassment Prevention Policy needs to be amended due to updates and changes; and

WHEREAS: The County Attorney has reviewed the Employee Handbook for compliance with State and Federal Law and has identified the need to amend the policy to include a discriminatory harassment policy; and

WHEREAS: The County Attorney has revised the Tioga County Sexual Harassment Prevention Policy to now include a discriminatory harassment policy; therefore be it

RESOLVED: That the Tioga County Sexual Harassment Prevention Policy be amended to now include "II. Discriminatory Harassment Policy"; and be it further

RESOLVED: That the remainder of the Tioga County Sexual Harassment Prevention Policy remains unchanged.

**q. SEXUAL HARASSMENT PREVENTION POLICY**

**II. Discriminatory Harassment Policy:**

**Policy Statement:**

It is the policy of the County of Tioga to provide and maintain a work environment which is free from unlawful discrimination based on race, creed, color, national origin, sexual orientation, military status, sex, age, marital status, domestic violence victim status, disability, pregnancy-related condition, predisposing genetic characteristics, prior arrest or conviction record, familial status, gender identity, and any other class protected by law (collectively referred to as "discriminatory harassment" or "harassment"). Harassment based on these characteristics is a form of unlawful discrimination and is

prohibited in each and every work environment and each and every situation which directly impacts the work environment.

The County of Tioga will take appropriate steps to prevent and correct unlawful harassment and discrimination as defined by both federal and state law. The federal laws include Title VII of the Civil Rights Act, the Age Discrimination in Employment Act, and the Americans with Disabilities Act. The state law is the New York State Human Rights Law.

The County of Tioga considers discriminatory harassment to be a form of employee misconduct and considers this type of misconduct to be a serious offense which will not be tolerated. Allegations of harassment will be investigated thoroughly and if substantiated, will be met with appropriate corrective and/or disciplinary action commensurate with the seriousness of the offense(s), and in accordance with the parameters of applicable collective bargaining agreements and/or state law.

This policy applies to all applicants and employees of the County of Tioga and prohibits harassment, discrimination and retaliation whether engaged in by fellow employees, by a supervisor or manager or by someone not directly connected to the County (e.g., an outside vendor, consultant or citizen).

Conduct prohibited by this Policy is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings, and business-related social events.

All information gathered during an investigation of a harassment complaint will be handled in a confidential manner, to the extent possible.

Retaliation against any individual making a harassment complaint or assisting in the investigation of such a complaint is forbidden. Retaliation is a serious violation of this policy which may result in disciplinary action.

This Policy does not preclude the filing of discriminatory harassment complaints with either the New York State Division of Human Rights or the Federal Equal Employment Opportunity Commission, or the pursuing of any other remedies as permitted by law.

## **DEFINITIONS**

1. "Sexual Harassment" is defined as:

A form of gender-based discrimination. Unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature when:

- A. Submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment (e.g., promotion, training, assignments, etc.);
- B. Submission to or rejection of such conduct by an individual is used as a basis for employment decisions (e.g., hiring, evaluation, promotion) affecting such individual; or
- C. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Examples of specific behaviors that may be considered sexual harassment include, but are not limited to:

- Spoken or written words related to an employee's sex
- Any sexual advance that is unwelcome
- Sexually oriented comments
- Showing or displaying pornographic or sexually explicit objects or pictures in the workplace
- Offensive touching, patting or pinching
- Requests for sexual acts or favors
- Abusing the dignity of an employee through insulting or degrading sexual remarks or conduct
- Threats, demands or suggestions that an employee's work status is contingent upon her/his toleration of or acquiescence to sexual advances
- Subtle pressure for sexual activities
- Leering at a person

Sexual harassment is gender neutral and may involve members of the same or different gender.

2. Other unlawful harassment:

Harassment on the basis of any other protected characteristic is also prohibited. Under this policy, prohibited harassment is verbal or physical conduct that is offensive to or shows hostility or aversion toward an individual because of a protected characteristic which includes race, creed, color, national origin, sexual orientation, military status, sex, age, marital status, domestic violence victim status, disability, pregnancy-related condition, predisposing genetic characteristics, prior arrest or conviction record, familial status, and gender identity (and any other class protected by law) , and that: (i) has the purpose or effect of creating an

intimidating, hostile or offensive work environment; (ii) has the purpose or effect of unreasonably interfering with an individual's work performance; or (iii) otherwise adversely affects an individual's employment opportunities.

Employees and applicants for employment are also protected against

Harassing conduct includes, but is not limited to epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes and display or circulation in the workplace (including through e-mail) of written or graphic material that denigrates or shows hostility or aversion toward an individual or group, based on an individual's protected class.

### 3. Other Unacceptable Conduct:

This policy also prohibits conduct of one employee toward another that may not rise to the level of discrimination or harassment in violation of the law but nonetheless creates a degree of hostility or intimidation that adversely affects the work environment. Teasing, ridicule, and other conduct intended to annoy, personally attack, belittle or embarrass another individual is inappropriate and also unacceptable in the workplace. Therefore, the County encourages the use of its complaint procedure by employees who believe they have been subject to inappropriate conduct by another employee, even if such conduct may not be harassment or discrimination per se. The County endeavors to create an environment in which employees may feel free to raise concerns and are confident that those concerns will be addressed.

## **III. Responsibilities**

### 1. Managerial and Supervisory Personnel

All managerial and supervisory personnel of the County of Tioga shall be responsible for enforcing this Policy and shall have particular responsibility for ensuring that the work environment under their supervision is free from discriminatory harassment and its effects. Failure of a manager or supervisor to comply with this responsibility may result in disciplinary action.

All managerial and supervisory personnel who receive discriminatory harassment complaints will be responsible for reporting such in accordance with Section IV.2 below.

## 2. The County

The County of Tioga will conduct periodic training for managerial and supervisory personnel in each Department of the County on the issues surrounding discriminatory harassment, its effects and its appearances, and the role and responsibility of managerial/supervisory personnel in preventing incidents of harassment complaints.

The County of Tioga shall distribute this Policy to all County employees and all others covered by its parameters. Copies of this Policy will be distributed to new employees as they are hired.

Copies of this Policy will be conspicuously posted.

## IV. **Reporting and Resolution Procedures**

1. If an individual is subjected to a situation which they believe constitutes discriminatory harassment in violation of this Policy, the County recommends that the employee confront the harasser directly and advise the harasser that their behavior is not welcomed and will not be tolerated. Note that neither this policy nor state/federal law requires that an individual tell an alleged harasser to stop their actions. Employees should feel free to keep written records of any alleged sexual harassment incidents, including the date, time, location, names of people involved, witnesses (if any), and who said or did what to whom.
2. A written or verbal complaint should be filed by the affected employee with the employee's immediate supervisor. The supervisor will immediately forward the complaint to the Department Head. In the event the employee does not believe it would be appropriate to file the complaint with the immediate supervisor, it may be filed directly to the appropriate Department Head or to the County's Personnel Officer. If the Department Head is unavailable or a party to the violation, the supervisor shall forward the complaint to the Personnel Officer or County Attorney.

## V. **Complaint Investigation**

1. Harassment complaints should be investigated as promptly as possible and resolved within a reasonable time after the receipt of the complaint. **The Office of the County Attorney** and with the oversight of the Personnel Officer and/or their designee(s) will coordinate an investigation of the complaint. Following the investigation, **the County Attorney and/or their designee(s)** may issue a written report of findings and conclusions.

2. Thereafter, any conclusions may be issued from the County Attorney and/or their designee(s), in writing, back to the complainant.
3. Retaliation against any individual making a harassment complaint or assisting in the investigation of such a complaint is strictly forbidden. Retaliation, like discrimination and harassment, is against the law and is a serious violation of this Policy. Employees who retaliate against other employees who complain about harassment and/or participate in investigation of harassment may be subject to disciplinary action.

## **VI. Response Procedures**

1. In the event a complaint of discriminatory harassment is determined to be founded, the County may take disciplinary action in accordance with the provisions of applicable collective bargaining agreements and/or state law, if applicable.
2. If disciplinary charges are filed against an employee on the grounds that the County has determined the employee is guilty of unlawful harassment, the accused employee may exercise their rights through the disciplinary procedure provided for in their labor contract and/or state law, if applicable.
3. Reporting a false complaint is a serious act. In the event it is found that the individual bringing the complaint has knowingly made false accusations, the County will take action in accordance with the provisions of the applicable collective bargaining agreement and/or state law, if applicable.



REFERRED TO:

FINANCE, LEGAL AND SAFETY COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. -25

APPOINT SECRETARY TO THE PUBLIC DEFENDER  
PUBLIC DEFENDER'S OFFICE

WHEREAS: Legislative approval is required for any appointments made to a Management/Confidential position; and

WHEREAS: Due to the announced retirement of Secretary to the Public Defender Kathy A. Coyne as of August 8, 2025, a vacancy has been created; and

WHEREAS: The position is fully funded by the State's Hurrell/Harring Grant; and

WHEREAS: The Public Defender has recruited and identified a satisfactory candidate to fill the position; and

WHEREAS: Amanda J. Pullano has been employed as part-time paralegal and then full-time Office Specialist III at the Family Court Public Defender since 2019, has extensive experience in office management including case management and financial system entry and is well qualified by reason of substantial experience and judgment to fill the position; therefore be it

RESOLVED: That the Public Defender is hereby authorized to appoint Amanda J. Pullano to the title of Secretary to the Public Defender, with a start date of August 23, 2025, at an annual Management/Confidential salary of \$47,500.00; and be it further

RESOLVED: That in accordance with Tioga County's Civil Service Rules, Ms. Pullano shall serve a probationary period of eight to fifty-two weeks; and be it further

RESOLVED: That in accordance with Tioga County Employee Handbook Management/Confidential Benefits policy, Ms. Pullano shall be eligible for any authorized 2026 Management/Confidential salary increase effective February 23, 2026, following a successful six-month evaluation.

REFERRED TO:

PERSONNEL COMMITTEE  
LEGISLATIVE WORKSESSION  
FINANCE, LEGAL & SAFETY COMMITTEE

RESOLUTION NO. - 25

AMEND EMPLOYEE HANDBOOK;  
SECTION IX. SAFETY RULES, SUBSECTION j.  
WORKPLACE VIOLENCE PREVENTION  
PROGRAM POLICY AND DISCRIMINATORY  
HARASSMENT POLICY

WHEREAS: Tioga County's Workplace Violence Prevention Program Policy and Discriminatory Harassment Policy was reviewed by Roemer Wallens Gold & Mineaux LLP at the request of the Tioga County Attorney for necessary updates; and

WHEREAS: The Workplace Violence Prevention Program Policy and Discriminatory Harassment Policy upon review warrants revisions in several sections and the need for forms to be removed in their entirety and the policy to be renamed; therefore be it

RESOLVED: That **Section 2. Discriminatory Harassment Policy, Subsections I-VI.** are hereby removed in their entirety from this policy and relocated to the Sexual Harassment policy; and be it further

RESOLVED: That **Section I. Workplace Violence Prevention Program Policy, Subsection III. Definitions** regarding sexual harassment is hereby amended to read as follows:

### **III. Definitions**

While sexual harassment (as defined herein and New York State Human Rights Law) is prohibited by Tioga County. It is specifically excluded from the definition of a workplace violence incident. An employee should refer to the Tioga County Sexual Harassment Prevention Policy for more information about this topic.

And be it further

RESOLVED: That **Section 3. Forms** is amended to delete Forms 4 and 5 as they pertain to Discriminatory Harassment and are no longer covered by this policy and is renamed as Section 2. Forms; and be it further

RESOLVED: That the Workplace Violence Prevention Program Policy and Discriminatory Harassment Policy is hereby updated and renamed the Workplace Violence Prevention Program Policy; and be it further

RESOLVED: That the remainder of the Workplace Violence Prevention Program Policy remains unchanged.