



Tioga County Worksession Minutes

July 9, 2026 – 1:00 p.m.

Legislators Present:

Legislator Aronstam
Legislator Brown - *arrived at 1:04 p.m.*
Legislator Bunce
Legislator Cantella
Legislator Ciotoli
Legislator Flesher
Chair/Legislator Monell
Legislator Rose
Legislator Standinger – *arrived at 1:02 p.m.*

Legislators Absent:

None

Guests:

Matt Freeze, Reporter, Morning Times – *departed at 1:48 p.m.*

Staff present:

Peter DeWind, County Attorney
Cathy Haskell, Legislative Clerk - *departed at 1:55 p.m.*
Jackson D. Bailey II, County Administrator
Breige Graven, Deputy Legislative Clerk - *departed at 1:48 p.m.*
Christine Freyvogel, Paralegal – *departed at 1:03 p.m.*
Lieutenant Adam Bessey, Records Access Officer - *departed at 1:03 p.m.*

Call Meeting to Order: Chair Monell opened the meeting at 1:00 p.m.

FOIL Appeal Hearing – County Attorney DeWind: Moving into a FOIL Appeal Hearing at 1:00 p.m., County Attorney DeWind presented one appeal of FOIL request for review and consideration by the Legislature. County Attorney DeWind presented the original request and reason for denial. The Legislators agreed to uphold the denial of the FOIL request on a unanimous straw poll vote. County Attorney DeWind will draft a letter for Chair Monell's signature for mailing to the appellant and the Committee on Open Government

Department Head Appraisals (Self-Assessment Model Review): County

Administrator Bailey presented the proposed revisions to the Department Head Appraisal Form and reviewed a comparison between the previous 2025 form and the proposed Self-Assessment Model. He explained that under the revised process, Department Heads would complete a self-evaluation before submitting it to him as the County Administrator, along with their respective Committee Chair for review and final evaluation. Mr. Bailey also reported that in collaboration with Personnel Officer Linda Parke and Chair of the Personnel Legislative Standing Committee, Legislator Rose, the Performance Review Process has been streamlined from ten steps to seven. He further reported that they have redefined the Appraisal Factor Categories as well.

Mr. Bailey reported that there are six newly proposed Appraisal Factor Categories for Consideration. These include Strategic Leadership and Department Planning, Fiscal Management, Legislative Communication, Leadership and Employee Development, Collaboration and Public Service, and Compliance and Organizational Stewardship. He explained that each category includes five scoring criteria in which Department Heads would grade themselves as either Excellent, Satisfactory, Needs Improvement or Unsatisfactory in each category. Mr. Bailey further reported that there would be Department Head comment sections and space for feedback and comments from the County Administrator and the respective Legislative Standing Committee Chair on employee performance during the appraisal process. He further noted that comments may now be completed electronically and that the revised format is intended to improve efficiency while encouraging greater Department Head participation and input in the appraisal process. Mr. Bailey also reported that the proposed form includes a section for Department Heads to provide feedback regarding their job descriptions for the Personnel Office to take into consideration during potential future revisions.

Legislator Rose inquired about the approval timeline for the revised Department Head Appraisal Form. Mr. Bailey stated that Legislative approval would be needed by the July 23, 2026 Worksession. Legislator Standinger commented that the proposed Self-Assessment Model appeared to be a more relevant approach, and Legislator Brown agreed that it was an improvement over the previous process.

Legislator Cantella inquired as to whether departmental budget management would be incorporated into the appraisal process. Mr. Bailey confirmed that Fiscal Management is included and stated that he will review budget lines beforehand and provide this information to the appropriate Committee Chairs to assist in the evaluation process.

Legislator Bunce inquired as to whether the distributed handout represented the final version of the appraisal form. Mr. Bailey stated minor structural edits remained but, with Legislative consensus on the proposed framework, he would finalize the document and distribute the updated Department Head Appraisal Form to Department Heads at the July 28, 2026 Leader's Meeting. All Legislators approved the proposed changes.

Revised Employee Disciplinary Policy Review: County Administrator Bailey reported that a resolution would be presented at the July 14, 2026 Regular Legislative Meeting to adopt a revised version of the Disciplinary Policy that is currently in place in the Tioga County Employee Handbook. He reviewed the proposed changes, noting that the updates were developed following recommendations presented by Attorney Roemer's Office at the January Leader's Meeting regarding Disciplinary Policy and the Corrective Action Training Manual they provided at the time. Along with Personnel Officer Linda Parke, Mr. Bailey incorporated feedback from the manual into the revised Policy to better address the needs of Supervisors and Department Heads.

Legislator Standinger emphasized the importance of maintaining a consistent Disciplinary Policy across all departments. Chair Monell agreed, noting that revisions would help address previous inconsistencies and promote uniform application of the policy.

Mr. Bailey reported on the major revisions to the Purpose and Scope of the Policy, including expanded guidance under the New York State Civil Service Law Sections 75 and 76, clarification of Supervisory responsibilities and investigation procedures, provisions addressing part-time, probationary and seasonal employees, and clearer disciplinary procedures related to other County Policies, such as the County Vehicle Use Policy. He further reviewed revisions defining the roles of the Personnel Officer and County Administrator, which includes outlining their respective responsibilities, along with the County Attorney, in any investigation and corrective action taken. He explained how it also informs Department Heads that they may dispute corrective action issued by bringing an appeal to their Legislative Standing Committee Chair.

Mr. Bailey further reviewed updates made regarding documentation standards, training requirements, policy administration, and ADA EEO and protected leave considerations. Mr. Bailey noted that Department Heads receive periodic corrective action training and may request additional training as needed.

Mr. Bailey reported on the proposed Progressive Corrective Action Framework, which distinguishes between non-disciplinary and disciplinary actions and provides guidance on the appropriate use of Coaching and Counseling, Counseling Memorandums, Supervisor Assessments Prior to Discipline and Performance Improvement Plans as non-disciplinary methods, along with Written Warning, Last Chance Agreements and Formal Discipline as disciplinary methods.

Legislator Rose inquired as to whether a standardized form exists to document each step of the disciplinary process across departments. Mr. Bailey stated that while non-disciplinary and disciplinary actions are documented in employee evaluations, he is corresponding with Personnel Officer Parke to develop a standardized template for departments to consistently document all actions taken. Legislator Bunce supported establishing a uniform tracking process for non-disciplinary methods but stated he believes it would be irrational to have an employee sign a form each time they are verbally and informally counseled. Legislator Rose concurred. Mr. Bailey confirmed that formal Counseling Memorandums would continue to require signatures from both the employee and the issuing Supervisor.

Legislator Standinger stressed the importance of thorough documentation in the event of legal action, and Legislator Brown supported standardizing documentation procedures across departments to minimize any discrepancies. Mr. Bailey confirmed that he would continue to work on creating a template for department-wide use.

Legislator Rose also inquired whether the revised Disciplinary Policy adequately addresses disciplinary documentation related to employee separations, including discharges with or without cause.

Chair Monell inquired as to whether anyone else had any more questions or concerns, to which all Legislators stated they did not.

UPDATE: Following the Legislative Worksession, County Administrator Bailey notified the Legislators by way of email that he will ask Legislative Clerk Haskell to remove this resolution, prior to posting the agenda, to allow additional time for the creation of the templates, tracking log, etc. and that this resolution will be re-introduced for Legislature consideration in August 2026.

Approval of Worksession Minutes: On motion of Legislator Brown, seconded by Legislator Rose, the June 18, 2026 minutes were unanimously approved.

Action Items: Currently, there are no action items.

Legislative Support: Legislative Clerk Haskell presented the Legislative Support report, and minutes are documented in a separate document that will be sent to the Legislators.

Resolutions: Ms. Haskell reviewed the agenda and resolutions for the July 14, 2026 Legislature meeting.

Other: Legislator Ciotoli brought up the topic of the recent court case in Minnesota involving Pung v. Isabella County, and the significant decision that came from it as it was escalated to the Supreme Court. The Sixth Circuit Ruling held that just compensation in tax foreclosure sales is based on the auction sale price, not fair market value, and affirmed the lower court's decision that the property owners were entitled only to the surplus proceeds. The decision upholds the traditional tax sale rule, establishing that a county can retain all proceeds of the sale of a foreclosed property, including keeping the surplus above tax debt.

Executive Session: Legislators Aronstam, Brown, Bunce, Cantella, Ciotoli, Flesher, Monell, Rose and Standinger were in attendance along with Legislative Clerk Haskell, County Attorney DeWind, and County Administrator Bailey. Motion by Legislator Bunce, seconded by Legislator Cantella, to move into Executive Session to discuss employment matter of a particular individual at 1:48 p.m. Motion carried.

Motion by Legislator Brown, seconded by Legislator Flesher to adjourn Executive Session at 2:08 p.m.

Upon returning to open session, the Legislators unanimously agreed to prepare a resolution for an exception to the Employee Handbook: Personnel Rules; Subsection j. Management/Confidential Benefits authorizing payment to Legislative Clerk Haskell for excess vacation days unable to be utilized.

Regarding the Disciplinary Policy, Legislator Bunce questioned why the use of benefit time was not included in Section f. Penalties. County Administrator Bailey explained that while the forfeiture of benefit time may be used as part of a waiver of a Section 75 hearing, unless Section 75 proceedings actually take place, the associated penalties in the policy would not be prescribed. County Attorney DeWind confirmed and agreed to the statement by County Administrator Bailey.

Meeting adjourned at 2:10 p.m.

Next Worksession scheduled for Thursday, July 23, 2026 at 10:00 a.m.

Respectfully submitted,

Breige Graven

Deputy Legislative Clerk