



FINANCE, LEGAL & SAFETY COMMITTEE

May 14, 2024

10:30 a.m.

ATTENDANCE:

Legislators: Chair Sauerbrey, Ciotoli, Monell, Roberts, Standinger, Mullen, Flesher, Brown

Staff: County Attorney DeWind, Treasurer McFadden, Safety Officer Holbrook, Personnel Officer Parke, Accountant Schurter, Chief Accountant Douglas, ILS Administrator Graven, Public Defender Cline, Commissioner of Public Works Hammond, Paralegal Humes

- APPROVAL OF MINUTES:
 - Legislator Ciotoli asked for a motion to approve the April 9, 2024, minutes. Legislator Mullen made a motion to approve the minutes and was seconded by Legislator Brown and was unanimously carried.

- FINANCIAL
 - Safety budget is tracking well. Legal has had some recent expenditures due to the need to purchase several Universal Serial Bus units (USB) to provide body camera footage to counsel. The “Legal Fees” budget line could potentially need an influx of funds due to outside counsel costs.

- OLD BUSINESS
 - Litigation: There is now new legislation on how to address old claims from previous In Rem auctions. The County’s outside counsel is currently discussing a motion to dismiss an ongoing lawsuit, but it will be dependent on the Court to decide the retroactive period. The estate claim has not moved forward and is considered resolved by New York Municipal Insurance Reciprocal (NYMIR). There were four claims for damages caused by a pothole on West River Road. These claims were denied due to the County filling the pothole the next day after receiving the first complaint.

- NEW BUSINESS

- Insurance: The County uses two separate liability funds to pay for insurance premiums and claims. The claims fund should be fine however the premium fund will need to be watched due to the recent purchase of departmental vehicles and damage caused to equipment.
- Contracts: The County Attorney's Office runs the MUNIS portion of contracts for the County. Currently there is no follow-up to ensure departments are inputting their contracts into MUNIS. Legislator Mullen would like a quarterly report of missing MUNIS contracts sent to committee department chairs. This would allow three months for departments to enter their contracts into MUNIS. Legislator Standinger agreed with Legislator Mullen and stated, "compliance should be mandatory".
- Translation Services: Currently the County Attorney's Office is paying for translation services for the courts and some social service departments. Free translation services are required by New York State and by bringing the billing in house the County Attorney's Office can track language needs for Title VI accountability.
- Assigned Counsel Space Options: Mr. DeWind and Ms. Graven discussed Indigent Legal Services (ILS) was in their second five-year agreement for the Hurel Haring grant. Tioga County ILS was working with Broome County ILS for a joint meeting space to conduct research and client meetings. Broome has dropped out due to leadership changes necessitating Tioga County ILS to reexamine their budget for this space and adapt it accordingly. Mr. DeWind and Ms. Graven briefly explained the benefits and drawbacks to three viable options: 1) basement area of the Court annex which would need to be rehabilitated, has flooded previously, and would require people to enter and exit through the clerk's office; 2) and 3) space at 56 Main Street would require the eviction of a current tenant and is not next to court. Ms. Graven clarified this meeting space would be working space only and would have very limited office equipment in it. There would not be a printer/copier nor would paper files be stored on site. Mr. Hammond was asked if his employees would be able to build out the space at the Court Annex with ILS's budgeted funds. Mr. Hammond stated his employees can build out the space without issue and if the space were to flood the space could be rehabilitated

quickly. Chair Sauerbrey confirmed with Ms. Graven that staff would be bringing their own equipment and technology for client meetings and research and there would be limited furniture in this space. Option 1, the basement space in the Court Annex, was approved and will begin moving forward.

- In Rem-new requirements and dates: Mr. Humes stated the new In Rem law amends article 11 and is retroactive to May 25, 2023, requiring the distribution of overages for previous auctions. Mr. Humes further explained the County is now required to send two notices to delinquent taxpayers and change the publication date of the petition. This would require that the auction be pushed back a month to September. These notices will need to be in the twelve common languages of New York State. The County's notice will be in English but will have a link to the Treasurer's website for other languages. The second notice is now required to be sent out a month before the redemption period. This would require the notice to be sent out in July. Next year's petition will now need to be filed at the eighteenth month instead of at twenty-four months creating closings and title searches for the next year to occur at the same time. Mailings costs will increase, and the County is now required to post signs. Mr. Humes will research the cost of reusable yard signs; however, these signs will probably need to be replaced on a yearly basis. The County is allowed to charge for mailings, maintenance fees (mowing, snow removal, etc.), and can claim a title search fee of two hundred and fifty dollars (\$250 USD) or two percent (2%) of the sum of taxes. Surplus funds will be determined by the public sale amount minus interest, penalties, and taxes which the court will distribute to the owner, estate, or family members. Mr. DeWind would like to see auction property sale prices as a fair market value negating the need for auction properties to be assessed by an outside agency. Legislator Mullen stated rotating real estate agencies could provide the County with a market analysis alleviating the need for appraisals.
- Election law: Changes to the election law are now requiring the need to change some of the County's elected positions to three-year terms instead of four-year terms. Mr. DeWind and Ms. Haskel are waiting on direction from the State Board of Elections which could require amending the local election law to reflect these changes.

- PERSONNEL
 - Appoint 1st Assistant County Attorney
 - Increase hours and adjust compensation for 3rd Assistant County Attorney
 - DSS Attorney Vacancy
 - Secretary to the County Attorney's vacation May 21-June 4

- RESOLUTIONS
 - AUTHORIZATION TO RENEW CONTRACT WITH THOMSON REUTERS (WESTLAW) FOR A ONE YEAR SUBSCRIPTION TO WEST PROFLEX, ACCEPT INDIGENT LEGAL SERVICES AWARD AND AMEND 2024 BUDGET, APPOINT 1ST ASSISTANT COUNTY ATTORNEY LAW DEPARTMENT, AMEND RESOLUTION NO.187-19; INCREASE HOURS AND RATE OF PAY FOR 3RD ASSISTANT COUNTY ATTORNEY (LAW DEPARTMENT), TRANSFER OF FUNDS 2024 BUDGET MODIFICATION DISTRICT ATTORNEY, APPORTIONING FORFEITURE OF CRIME PROCEEDS FOR DRUG ENFORCEMENT ACTIVITIES, APPORTIONING FORFEITURE OF CRIME PROCEEDS FOR DRUG ENFORCEMENT ACTIVITIES were moved into full Legislative Session without further questions.

- PROCLAMATIONS
 - None

- EXECUTIVE SESSION
 - Mr. DeWind asked to enter into executive session to discuss salary adjustments. Legislator Monell made the motion and was seconded by Legislator Flesher at 11:42 A.M. Legislator Monell made the motion to exit executive session and was seconded by Legislator Brown at 11:55 A.M.

- ADJOURNMENT