**LEGAL/SAFETYCOMMITTEE MEETING MINUTES – MARCH 12, 2019**

PRESENT: Chair Monell (late), Legislators Sauerbrey, Roberts, Sullivan, Standinger, Weston, Mullen, Hollenbeck, and Balliet; Treasurer McFadden, Budget Officer Hollenbeck, County Attorney Peter DeWind and District Attorney Kirk Martin

Meeting convened at 4:35 p.m.

**Minutes** - On motion of Legislator Mullen, seconded by Legislator Roberts the Minutes of the February 12, 2019 meeting were unanimously approved by those present.

**Financial** - Year to Date Budget Report – Budget tracking well.

**New Business:**

**District Attorney regarding office status** - District Attorney Kirk Martin presented a proposal for the creation of a confidential investigator in the District Attorney’s office. After some discussion and questions, the Legislature gave their verbal approval to create and fill this position.

**Hurrell-Harring and Public Defender project progress** -The 5 year plan has been received. It has been signed and returned to the State and we are waiting for State approval. The lease with the Public Defender’s office is completed. Work will begin on the year 2 plan.

**Attendance at Council of Governments** - Attorney DeWind attended the Council of Governments meeting on February 21. The CAP court project was discussed. We are waiting for the State plan from Josh Shapiro of the Office of Court Administration.

**New Tort Claim** - A Notice of Claim was received alleging wrongful prosecution. The claim was forwarded to NYMIR and representation was assigned to Coughlin and Gerhart. A 50-h hearing is scheduled in April.

**Property Matters-**

* **In rem foreclosure proceeding** - The Sydney Makenzie Trust in rem foreclosure proceeding has been resolved by the party paying the entire amount of taxes owed covering the years 2011-2018.
* **Tax Collection Matter** - Work is being done to resolve this issue regarding a local hotel owing hotel/motel taxes. The hotel was sent paperwork twice to complete and return to us. To date, the paperwork has not been returned to us.
* **Land Bank:**

**Transfers of Property** - The transfer of the properties are coming along. The paperwork has been completed. After review of the paperwork and checks received by the land bank, the closings will be scheduled.

**Request for Property to be included in future Land Bank work** - Newark Valley Mayor James Tornatore has been in contact with us expressing their desire to be included in future projects of the land bank. There is one particular property that they would like the land bank to take. They’ve asked if the County would be willing to bypass the usual foreclosure process and transfer the property directly to the land bank. The County, as the primary lien holder, would obtain the property by Court order. Treasurer McFadden stated that he will have to check with State law to see if the County would be allowed to basically write off the taxes owed without going through the in rem foreclosure proceeding. Legislator Sauerbrey stated that the land bank may not approve of taking properties this way and that ultimately it is their decision which properties they will take. It was also noted, that if the County and the Land Bank agree, it will be the responsibility of the Town of Newark Valley and their attorney to undertake the work necessary in order to get this done.

**Transfer of responsibility for required hearing tests and defibrillator maintenance to Safety –** In the past,Public Health has been responsible fordefibrillator maintenance and administering hearing tests. Due to staff changes in Public Health, they no longer feel they are able to do this. The defibrillator maintenance could easily be transferred to the Safety office. Public Health is exploring options and getting quotes regarding whether having an in-house employee administer the hearing tests or contractually hiring an outside entity to do these would be more cost effective. If an in-house person administers the test, they have to obtain certification, and under OSHA standards the test has to be administered under the direction of a physician. Preliminarily, it looks like hiring an outside entity to administer the test would be more cost effective. If the Safety office takes over these functions, there will be the need to transfer money to the Safety budget in order to do so.

**County Attorney office status** – Steady stream of work keeping us busy. There has been an increase in JD matters which take a lot of time especially those of a more sensitive nature.

Meeting adjourned at 5:20 p.m.