



FINANCE, LEGAL & SAFETY COMMITTEE

August 13, 2024

10:00 A.M.

ATTENDANCE:

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

Staff: Legislative Clerk Haskell, County Attorney DeWind, Treasurer McFadden, Deputy Treasurer Chandler, Safety Officer Holbrook Personnel Officer Parke, Chief Accountant Schurter, District Attorney Martin, Public Defender Cline, County Administrator Bailey, Sustainability Manager Pratt, ILS Administrator Graven, Paralegal Humes,

• APPROVAL OF MINUTES:

- Legislator Ciotoli asked for a motion to approve the July 9, 2024, minutes. Legislator Mullen made the motion seconded by Legislator Flesher and was unanimously carried.

• FINANCIAL:

- Legal and Safety: Safety's budget is tracking well. Legal's budget is tracking well except for the Legal Fees object line. This object line could require an influx of capital due to ongoing litigation.

• OLD BUSINESS:

- Litigation: A case that was thought to be resolved has recently moved forward.
- In Rem: Monday was the last day for the redemptions. Redemptions have been locked down by the court, Redemptions can be redeemed but resolutions will need to be submitted for this. In Rem guidelines have been shortened and will be earlier next year. The process is moving forward with an auction date tentatively scheduled for October. Properties can be redeemed up to the night of the auction. Request to take title is in process. A budget line might need to be created to determine appraised value.

- NEW BUSINESS:

- District Attorney's Budget: With the advent of law enforcement body camera footage this now requires footage to be reviewed and redacted as part of the discovery package. New case law requires discovery compliance and appeals are taking a large majority of attorneys' time. There is an unfounded clerical position that Mr. Martin would like to abolish to make a new Assistant District Attorney (ADA) position focusing primarily on appeals and discovery needs. This position could be fully remote as there is currently not enough office space for this position to be in-house. A part-time investigator is also needed to stay in compliance with different agencies. Mr. Martin would like to explore grant options however the District Attorney's Office is not aware of any such funding. The addition of a new ADA and part-time investigator would be an increase of \$125,000 including fringe to the budget of the District Attorney for 2025.
- ILS Budget: The assigned counsel will need to increase the budget to \$700,000 for 2025. A quarter of this funding will be reimbursed through the New York State Indigent Legal Services (ILS) program. ILS did receive a criminal justice grant for discovery however body camera footage review requires a substantial amount of time and half of this grant was used within a month for discovery reviews. ILS would like to apply for the 4<sup>th</sup> round of the Family Defense grant. This grant could be used for conflicts within the public defender's family court office. This could help offset the budget for assigned counsel. The increase in the budget is primarily due to the increase in assigned counsel rates. This would be an increase of \$180,000 to ILS's budget for 2025.
- Public Defender's Budget: Mr. Cline concurred that discovery needs have become overwhelming due to body camera footage consuming large portions of attorneys' time. The budget for the Public Defender's Office is zero based with no personnel changes or increases in cost for 2025.
- Safety's Budget: Safety's budget is zero based. DPW has given Ms. Holbrook a vehicle which necessitates the creation of new object lines for vehicle maintenance and fuel costs. These funds will be transferred out of the pre-existing Training object line as zero based for Safety's 2025 budget.

- County Attorney's Budget: The only change to the County Attorney's budget is the creation of an object line to pay for translation services. Translation services are federally mandated necessitating the need for this object line as local courts also bill the County Attorney's Office for translation services. Monies will be transferred from Legal Fees-Adolescent object line to the newly created Contract Expense object line. Salaries are not being increased in this budget therefore the County Attorney's budget is zero based for 2025.
- Barton Solar LLC PILOT Agreement: For the time being solar PILOTs will be housed in the County Attorney's Office with the Treasurer's Office tracking yearly payments.
- Juvenile Delinquents: There has been a huge increase in juvenile delinquent cases recently. As of today, Assistant County Attorney Lanouette has litigated twenty cases doubling last year's case load. Mr. Lanouette is also successfully handling the Statewide Central Register of Child Abuse and Maltreatment (SCR) expungements.
- PERSONNEL:
  - 2<sup>nd</sup> Assistant County Attorney: Dr. Pence has been identified as a suitable candidate and has accepted Tioga County's offer with a start date of September 9, 2024.
- RESOLUTIONS:
  - AMEND EMPLOYEE HANDBOOK: SECTION IV. PERSONNEL RULES, SUBSECTION T. ENTITLED RIGHTS OF NURSING EMPLOYEES TO EXPRESS BREAST MILK; AUTHORIZING LEGISLATIVE CHAIR SIGNATURE ON BARTON SOLAR, LLC PAYMENT IN LIEU OF TAX (PILOT) AGREEMENT; AUTHORIZE THE SUBMISSION OF REQUEST FOR PROPOSALS (RFP) FOURTH FAMILY DEFENSE QUALITY IMPROVEMENT AND CASELOAD REDUCTION GRANT; APPOINT 2<sup>nd</sup> ASSISTANT COUNTY ATTORNEY LAW DEPARTMENT were moved into full Legislative Session without further questions.
- PROCLAMATIONS
  - N/A
- EXECUTIVE SESSION
  - N/A

- ADJOURNMENT:
  - Legislator Ciotoli adjourned the Legal & Safety Committee at 11:19 A.M.

Respectfully submitted,

*Christine Freyvogel*

Secretary to the County Attorney