**LEGAL/SAFETYCOMMITTEE MEETING MINUTES – July 9, 2019**

PRESENT: Legislators Sauerbrey, Sullivan, Standinger, Weston, Mullen, Hollenbeck, Roberts and Balliet, County Attorney Peter DeWind, Budget Officer Rita Hollenbeck, Kevin Humes, and LeeAnn Tinney. (Also in attendance were Deputy Bunce and property owners of 22 Delray Ave.)

ABSENT: Chair Monell

Meeting convened at 10:10 a.m.

**Minutes** - On motion of Legislator Sullivan, seconded by Legislator Mullen the Minutes of the June 11, 2019 meeting were unanimously approved by those present.

**Financial** - Year to Date Budget Report – No changes.

**New Business:**

**New Conflict Attorney/DSS Caseload** – Tom Coulson, the new attorney hired to handle conflict cases is starting July 10. The conflict case workload will be shifted to him. To date, Attorney DeWind has been handling the conflict cases, which has caused an increased workload. Legislator Sullivan stated that she appreciates the work Attorney DeWind has done handling these matters.

**In Rem Foreclosure Issues and Buy Back Requests** - Attorney DeWind briefly stated what the “buy back” requirements are on foreclosed properties. The RPTL states the conditions under which buy backs can occur. The County policy states that in order to agree to a buy back by the property owner, the buy-back has to be in the best interests of the County and there can be no outstanding liens on the property that were eclipsed by the County taking title to the property.

The following properties are in the process of being bought back or are being considered for buy back:

Town of Tioga property at 206 Ross Hill Rd. Tax Map No. 136.00-2-17.12 owned by Phillip Short and Michael Amato- the County will be made whole on this property (taxes, penalty and interest).

Town of Newark Valley property at 1666 Chamberlain Road Tax Map No. 54.00-2-13.20 owned by Gary Gaylord – the County will be made whole on this property (taxes, penalty and interest).

Town of Tioga property at 375 St. Rt. 96 Tax Map No. 106.05-1-4 owned by Borough Furnace, Inc. – This property had a SBA loan associated with it. The bank has stated that they believe they did not receive notice of the foreclosure, but the County has green return receipt cards that indicate delivery. The bank wants to restore the lien. The owner has agreed to pay the amount owed ($30,000) plus recording costs to buy back the property, contingent on obtaining a mortgage to protect the bank’s interest in the property. LeeAnn Tinney, Director of ED&P spoke in support of allowing Borough Furnace to buy back the property. After some discussion, the resolution was amended to add the condition that the transaction must be completed and the County in receipt of the amount owed by August 1, 2019. If the County is not in receipt of the money owed by that date, the property will be sold at the auction. Attorney DeWind has been in communication with the attorneys regarding the logistics of the closings and paperwork needed

Town of Spencer property located at 641 Candor Road 69.00-2-11 Tax Map No. owned by FLT Holdings is still in process, keeping in mind that a deal has to be worked out by August 1, 2019.

Town of Candor property located at 22 Delray Ave. Tax Map No. 61.13-1-26 owned by Kathy Duffy-Wentz. The property owners were in attendance at the meeting. Attorney DeWind stated that he has been in communication with their attorney. There were two liens on this property that were extinguished when the County foreclosed. In order for this buy back to occur, these liens must be restored or satisfied. Attorney DeWind explained to the property owners the process and conditions under which this buy back can occur and that all transactions must be completed by August 1, 2019.

Some discussion occurred regarding who can bid at the auction. It was stated that none of the owner’s immediate family members can bid on their foreclosed property. Attorney DeWind also stated that they may want to look at the County’s policy on buy backs for next year.

**CAP Court Resolution**- This resolution needs to be adopted in support of the CAP Court Plan that has been worked on between Tioga County Stakeholders and the NYS Office of Court Administration. Attorney DeWind attended the COG meeting on June 20 and told the municipalities of the requirement that they send OCA a resolution in support of this plan and gave them a template to use for that purpose. The date for the implementation of the CAP court has been set for the September-October timeframe.

**Sexual Harassment Prevention Training** - It appears that Share Point, the County’s Intranet service, and the Easy Quiz program are no longer compatible. Currently the Sexual Harassment Prevention Training video is on Share Point to be viewed, but other arrangements are going to have to be put in place in order to comply with the State requirement that the training be interactive. IT is working on the problem with Share Point and the Safety Officer is going to clarify exactly what “interactive” means. However, in order to meet the deadline of October 9, it may be necessary to either use a paper form quiz or have a third party vendor perform the training. In addition, it appears that all County boards are required to take this training as well.

Meeting ended at 10:50 a.m.