**LEGAL/SAFETYCOMMITTEE MEETING MINUTES – June 11, 2019**

PRESENT: Legislators Sauerbrey, Sullivan, Standinger, Weston, Mullen, Hollenbeck, Roberts and Balliet, County Attorney Peter DeWind, Treasurer Jim McFadden, Budget Officer Rita Hollenbeck.

ABSENT: Chair Monell

Meeting convened at 4:30 p.m.

**Minutes** - On motion of Legislator Sullivan, seconded by Legislator Mullen the Minutes of the May 14, 2019 meeting were unanimously approved by those present.

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

**New Business:**

**Resolution Appointing 3rd Asst. County Attorney** – Thomas Coulson will start in this new position June 24, 2019. This position is needed to handle conflict cases that exist in the DSS Legal Division of the County Attorney’s Office. A job description of the legal duties for this position is being worked on. Office space is needed, which is being looked into. This position will not be entitled to health insurance benefits and the policy regarding eligibility for health benefits was amended to exclude this position.

 **Resolution to accept Indigent Legal Services Award** - This award funds expansion of the Public Defenders’ Office under the Hurrell-Harring Grant. Three positions will be added under year two of this expansion – two part-time public defenders to help cover the CAP court and an information officer. The Office of Indigent Legal Services has given assurances that this funding will continue.

**CAP Court –** The CAP Court Plan was reviewed at a meeting of the stakeholders where comments and revisions were suggested, with the plan being sent back to Josh Shapiro of OCA for review. A subsequent meeting is scheduled with the stakeholders and Josh Shapiro to review the suggested changes and discuss questions or concerns. A letter in support of the plan is needed from the County Attorney, the District Attorney and the Public Defender, as well as a resolution from the Legislature.

**Generic Drug Price Fixing Litigation –** A class action lawsuit has been started,which NYSAC is encouraging counties to join**.** Right now it is uncertain how much Tioga County has been impacted by thissince it seems to impact those that are self-insured the most. Since the county is self-insured for workers’ comp, Amy Poff is looking into how much the county might have been affected by this.

**Old Business –** A vacancy still exists on the Ethics Board.Legislator Balliet will look into finding someone to fill this vacancy.

**Other matters –** Election Law Section 3-110 allows employees who are registered voters up to 3 hrs. time off to vote without loss of pay. It is unclear whether an employer can charge the employee for the time off (i.e. by use of their personal time). At this time legal counsel (Roemer) has advised not to charge this time off against the employee’s time. Personnel has drafted an election time off request form to be used by employees. Employers can check with Board of Elections to see whether an employee is a registered voter.

**District Attorney – Discovery regulations and CAP court -** District Attorney Martin spoke about the process changes due to criminal justice reform in NYS. He believes his office will need additional staff in order to cover CAP court so that someone from his office can be present at arraignments to articulate their position. In addition, due to state mandates the District Attorney’s office is now responsible for all motion practice and providing all discovery to the defendant whether or not it has been requested by defense counsel. The Legislature suggested he work with Budget Officer Rita Hollenbeck and include in his 2020 budget the increase in staff positions he feels are needed and they will look at it during the Budget process.

Meeting adjourned at 5:32 p.m.