

STEBEN COUNTY FINANCE COMMITTEE

Tuesday, July 12, 2016

10:00 a.m.

*Legislative Committee Room
Steuben County Office Building
Bath, New York*

****MINUTES****

COMMITTEE:	Scott J. Van Etten, Chair Gary B. Roush	Gary D. Swackhamer, Vice Chair Brian C. Schu	Kelly H. Fitzpatrick
STAFF:	Jack K. Wheeler Tim Marshall Cathy Baker Andy Morse Tammy Hurd-Harvey	Mitchell Alger Ken Peaslee Vince Spagnoletti Pat Donnelly	Hank Chapman Patty Barood Alan Reed Eric Rose
LEGISLATORS:	Joseph J. Hauryski Hilda T. Lando	Carol A. Ferratella Robin K. Lattimer	K. Michael Hanna John V. Malter
OTHERS:	Mary Perham Randy Shepard, Bonadio		

I. CALL TO ORDER

Mr. Van Etten called the meeting to order at 10:00 a.m.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE JUNE 14, 2016, MEETING MADE BY MR. SCHU. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. PRESENTATIONS

A. Bonadio

1. **Review of Financial Statements** – Mr. Shepard reviewed the 2015 Audit of Financial Statements with the committee. There is a new accounting standard this year that requires that you have a record of pension liabilities. This is an actuarial basis record whether overfunded or underfunded. Every municipality picked up the participant share of liability on the books. This is new on your financial statements.

Mr. Shepard stated the total fund balance increased \$1.4 million in 2015. Revenues increased \$6.6 million over 2014, mainly due to an increase in sales tax income of \$3.5 million, as a result of the sales tax sharing agreement. Expenditures increased approximately \$2.6 million, also largely due to increased sales tax sharing of \$3,500,000. There was a decrease in Medicaid expenditures of \$1.7 million and TANF program decrease of \$508,000. Mr. Shepard stated the Health Care Facility fund was closed in 2015 and the debt of \$12.8 million was paid in February 2015. The County absorbed the OPEB liability of approximately \$2.2 million into the General Fund. With the implementation of the GASB 68, the County’s portion of the pension liability at the end of 2015 was \$6 million.

Mr. Van Etten stated the other revenue category has decreased \$5 million since 2012 and is now holding at \$20 million. What would have caused that decrease? Mrs. Hurd-Harvey stated she will research that for the committee. Discussion followed.

IV. DEPARTMENTAL REQUESTS

A. Buildings & Grounds

1. **Amending Major Equipment List** - Mr. Rose requested authorization to remove the sewer/drain camera (\$4,500) and replace with a Nobles 20" Speed Scrub machine (\$6,482).

MOTION: AUTHORIZING THE SUPERINTENDENT OF BUILDINGS AND GROUNDS TO AMEND THE MAJOR EQUIPMENT LIST TO REMOVE A SEWER/DRAIN CAMERA (\$4,500) AND ADD A NOBLES 20" SPEED SCRUB MACHINE (\$6,482) MADE BY MR. ROUSH. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. Office of Community Services

1. **Budget Adjustment** – Dr. Chapman requested authorization to accept \$84,548 in NYS OASA funding and pass through to Loyola. This funding will help to cover their 2015 deficit, which was caused by a delay with Medicaid payments.

MOTION: AUTHORIZING THE DIRECTOR OF COMMUNITY SERVICES TO ACCEPT NY OASAS FUNDING IN THE AMOUNT OF \$84,548 AND APPROPRIATE TO THE CONTRACTED EXPENSES LINE ITEM FOR THE LOYOLA CONTRACT MADE BY MR. SWACKHAMER. SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. Emergency Management Office

1. **Approval of Contract with Institute for Human Services** – Mr. Marshall stated the Department of Social Services has money set aside in their budget for the development of a continuity of operations plan specific to disasters and emergencies. In the event of a disaster or emergency, many of the programs they provide need to continue to be operational. He requested authorization to contract with the Institute for Human Services to develop this plan. The amount of the contract is not to exceed \$30,000.

MOTION: AUTHORIZING THE DIRECTOR OF THE EMERGENCY MANAGEMENT OFFICE TO CONTRACT WITH THE INSTITUTE FOR HUMAN SERVICES TO DEVELOP A COMPREHENSIVE CONTINUITY OF OPERATIONS PLAN FOR THE DEPARTMENT OF SOCIAL SERVICES, SPECIFIC TO EMERGENCY AND DISASTER SITUATIONS FOR A COST NOT TO EXCEED \$30,000, SAID COST TO BE FUNDED BY THE DEPARTMENT OF SOCIAL SERVICES MADE BY MR. ROUSH. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **2016 Homeland Security Grant** – Mr. Marshall requested authorization to accept a 2016 NYS Homeland Security grant in the amount of \$130,000. Of this amount, 25 percent is allocated to the Sheriff's Office to fund their CIRT and WMD programs. The remaining 75 percent will be used by our office to continue programs such as Code Red and I Am Responding. Mr. Swackhamer asked for Mr. Marshall to provide to the committee a detailed list of how these funds will be spent.

MOTION: AUTHORIZING THE DIRECTOR OF THE EMERGENCY MANAGEMENT OFFICE TO ACCEPT A 2016 NEW YORK STATE HOMELAND SECURITY GRANT TOTALING \$130,000 MADE BY MR. SWACKHAMER. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

D. Public Works

1. **Amending Major Equipment List** - Mr. Spagnoletti requested authorization to add an Isotope Identifier to the Major Equipment list. This is a radiation monitor that they will use to scan incoming garbage to determine radiation content. The price for the Isotope Identifier is \$12,000.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ADD AN ISOTOPE IDENTIFIER (\$12,000) TO THE LANDFILL MAJOR EQUIPMENT LIST MADE BY MR. ROUSH. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

E. Office for the Aging

1. **Lifespan Contract** - Mrs. Baroody informed the committee that the Finger Lakes Caregiver Institute at Lifespan of Greater Rochester has received a grant to expand dementia support services in the Southern Tier. They will provide us with a total of \$6,000 through December 31, 2020. In exchange, we will provide a drop-in space in our Hornell office for their case manager one day a week. Additionally, we will also provide collaboration for caregiver support services including education, care consultations, support groups and evidence-based programming. She requested authorization to enter into a contract.

MOTION: AUTHORIZING THE DIRECTOR FOR THE OFFICE FOR THE AGING TO ENTER INTO A NEW CONTRACT WITH LIFESPAN OF GREATER ROCHESTER WHO WILL PROVIDE A TOTAL OF \$6,000 OF FUNDING THROUGH DECEMBER 31, 2020, TO EXPAND DEMENTIA SUPPORT SERVICES IN THE SOUTHERN TIER MADE BY MR. ROUSH. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

F. Commissioner of Finance

1. **2015 Financial Statements** – Mrs. Hurd-Harvey asked the committee for formal approval of the financial statements as presented by Bonadio.

MOTION: ACCEPT THE REPORT ON THE REVIEW OF THE 2015 FINANCIAL STATEMENTS AS PRESENTED BY BONADIO MADE BY MR. SCHU. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Merchant Credit Card Service Fee** - Ms. Hurd-Harvey requested authorization to charge transactions fees to users of credit or debit cards, ACH payments or E-checks in payment for various taxes and/or fees. She stated the departments that will more than likely charge a transaction fee are Finance, Personnel, Jail, Sheriff, Probation and the County Clerk. The departments that have opted to absorb those fees are Public Works, Community Services and the District Attorney.

MOTION: AUTHORIZING TO CHARGE A TRANSACTION, MERCHANT DISCOUNT, OR SERVICE FEE TO USER OF CREDIT OR DEBIT CARDS, ACH PAYMENTS OR ECHECKS IN PAYMENT OF VARIOUS TAXES AND/OR FEES, AND AUTHORIZING THE FOLLOWING DEPARTMENTS TO CHARGE A TRANSACTION FEE: FINANCE, PERSONNEL, JAIL, SHERIFF, PROBATION AND COUNTY CLERK, AND AUTHORIZING THE FOLLOWING DEPARTMENTS TO ABSORB TRANSACTION FEES: PUBLIC WORKS, OFFICE OF COMMUNITY SERVICES AND DISTRICT ATTORNEY MADE BY MR. ROUSH. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

3. **Monthly Reports** – Mr. Roush asked on the Budget Transfers report, why under Title III-B are there negative numbers instead of offsetting revenue? Mrs. Hurd-Harvey replied we reduced some accounts and increased other accounts. In total, the accounts do balance.

4. **Nichol Inn** – Mr. Donnelly informed the committee the Nichol Inn is a property located in the Town of Pulteney. The Department of Environmental Conservation (DEC) has concerns regarding the sustained limits of petroleum solvents in the ground. There are two ways to deal with that. The first option is to use some type of absorbent material which would be inserted into the 14 monitoring wells. The second option is to use a consuming agent which is injected into the soil to reduce the levels. He received a quote from Lu Engineers to inject a consuming agent, for a total cost of \$15,650. We have \$2,600 remaining in the Nichol Inn capital project. In total, we have spent \$300,000 on this property and have received \$250,000 back through the Brownfield program. Mr. Donnelly requested authorization to transfer \$13,000 from the Contingent Fund into the Nichol Inn Capital Project and to enter into a contract with Lu Engineers for the remediation of petroleum solvents.

MOTION: AUTHORIZING THE COMMISSIONER OF FINANCE TO ENTER INTO A CONTRACT WITH LU ENGINEERS TO REMEDIATE PETROLEUM SOLVENTS AT THE NICHOL INN PROPERTY FOR A COST NOT TO EXCEED \$15,650 AND AUTHORIZING A TRANSFER OF \$13,000 FROM THE CONTINGENT FUND INTO THE NICHOL INN CAPITAL PROJECT FOR THIS PURPOSE MADE BY MR. SWACKHAMER. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

G. Information Technology

1. **Firewall** – Mr. Peaslee informed the committee that the current firewall needs to be replaced. He has money budgeted in the capital project for this. We can purchase a new firewall on GSA Schedule 70 contract for \$13,707.17. He requested authorization to expend money out of the computer capital project.

MOTION: AUTHORIZING THE DIRECTOR OF INFORMATION TECHNOLOGY TO EXPEND \$13,707.17 FROM THE COMPUTER CAPITAL PROJECT TO PURCHASE A NEW FIRE WALL MADE BY MR. SWACKHAMER. SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

2. **Southern Tier Network** – Mr. Peaslee informed the committee that there needs to be programming done on the network switches. He requested authorization to contract with Ronco to perform this service and to expend \$1,943.50 out of the Southern Tier Fiber Capital Project.

MOTION: AUTHORIZING THE EXPENDITURE OF \$1,943.50 FROM THE SOUTHERN TIER NETWORK CAPITAL PROJECT AND AUTHORIZING THE DIRECTOR OF INFORMATION TECHNOLOGY TO CONTRACT WITH RONCO TO PROVIDE PROGRAMMING ON THE SOUTHERN TIER FIBER NETWORK SWITCHES MADE BY MR. ROUSH. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

H. County Manager

1. **Land Bank** – Mr. Wheeler presented a draft resolution for the committee's consideration to create a land bank. We are proposing a seven-member board which would consist of the Chairman of the Legislature, Chairman of the Finance Committee, County Manager, Commissioner of Finance and three municipal representatives. This structure gives you control of the destiny of the land bank. Any by-law changes would need to come back to the Legislature for approval. The goal is to keep the same terms that you currently use with the City of Hornell. You ultimately will determine what properties can go into the land bank and what properties cannot.

Mr. Roush asked can you restrict to only those properties being demolished? Mr. Wheeler replied legally, he does not know. The reason to do this is to get State funding that would provide the seed money for this program. The State does have limitations on how that funding can be used. If you choose to do this, we would apply for State funding. If we do not receive any funding, we could rescind the resolution. We have to authorize the creation of the land bank, but we do not need to go through the corporation paperwork in order to apply for funding.

MOTION: FORWARDING TO THE FULL LEGISLATURE FOR CONSIDERATION, A PROPOSAL TO CREATE THE STEUBEN COUNTY LAND BANK CORPORATION MADE BY MR. SCHU. SECONDED BY MR. SWACKHAMER FOR DISCUSSION.

Mr. Roush stated he does not think government should be in this business and he is opposed.

Mr. Hanna asked how will you choose the municipal representatives? Mr. Wheeler replied we can discuss that in more detail in Executive Session.

VOTE: MOTION CARRIES 4-1. (MR. ROUSH OPPOSED)

MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.F. THE MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR PERSON OR CORPORATION, OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON OR CORPORATION AND ARTICLE 7§ 105.1.H. THE PROPOSED ACQUISITION, SALE OR LEASE OF REAL PROPERTY OR THE PROPOSED ACQUISITION OF SECURITIES, OR SALE OR EXCHANGE OF SECURITIES HELD BY SUCH PUBLIC BODY, BUT ONLY WHEN PUBLICITY WOULD SUBSTANTIALLY AFFECT THE VALUE THEREOF MADE BY MR. SWACKHAMER. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: WITHDRAWING FROM THE TAX SALE PARCEL AND AUTHORIZING PRIVATE SALE TO THE CITY OF HORNEILL, PURSUANT TO RPTL 1166, PARCEL #151.56-02-003.000 FOR \$6,158.24 INCLUSIVE OF RECORDING FEES, AND PARCEL #166.06-08-063.000 FOR \$7,086.72 INCLUSIVE OF RECORDING FEES MADE BY MR. SWACKHAMER. SECONDED BY MS. FITZPATRICK. MOTIONS CARRIES 4-0-1. (MR. SCHU ABSTAINED DUE TO BUSINESS RELATIONSHIP WITH ONE OF THE PARTIES)

MOTION: DIRECTING THE COMMISSIONER OF FINANCE TO REJECT AN OFFER OF \$3,500 TO PURCHASE PARCEL #254.00-01-006.00 SITUATE IN THE TOWN OF CANISTEO MADE BY MR. SWACKHAMER. SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING THE PRIVATE SALE, PURSUANT TO RPTL 1166, OF PARCEL #042.00-01-033.000, SITUATE IN THE TOWN OF COHOCTON, TO SOUTHERN TIER TIMBER MANAGEMENT, INC. FOR \$891.34 PLUS RECORDING FEES AND AUTHORIZING THE ISSUANCE OF A QUIT CLAIM DEED TO SAID PURCHASER MADE BY MR. SCHU. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING THE PRIVATE SALE, PURSUANT TO RPTL 1166, OF PARCEL #019.00-02-043.000, SITUATE IN THE TOWN OF PRATTSBURGH, TO CARLOS MENDEZ AND ZENAIDA MOTHANA FOR \$4,129.44 PLUS RECORDING FEES AND AUTHORIZING THE ISSUANCE OF A QUIT CLAIM DEED TO SAID PURCHASER MADE BY MR. SWACKHAMER. SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: RESCINDING THE MOTION FROM THE JUNE 2016 MEETING AUTHORIZING A CONTRACT WITH PATHWAYS TO PROVIDE FOR SERVICES AT THE CORNING OFFICE, VAN DRIVER SERVICES AND NY CONNECTS BIPP PROGRAM SERVICES FOR A TOTAL ANNUAL COST OF \$83,117, AND AUTHORIZING THE DIRECTOR OF THE OFFICE FOR THE AGING TO CONTRACT WITH PROACTION FOR THOSE SERVICES FOR A TOTAL COST OF \$54,764 MADE BY MR. SWACKHAMER. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. ROUSH. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. SCHU ABSENT FOR VOTE)

MOTION: TO AJDOURN MADE BY MR. ROUSH. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. SCHU ABSENT FOR VOTE)

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

****NEXT MEETING SCHEDULED FOR****

**Tuesday, August 9, 2016
Legislative Committee Room
9:00 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON
Wednesday, August 3, 2016**