

STEBEN COUNTY FINANCE COMMITTEE

Tuesday, April 14, 2020

9:41 a.m.

Via Teleconference

**** MINUTES****

- COMMITTEE:** Gary D. Swackhamer, Chair Kelly H. Fitzpatrick, Vice Chair John V. Malter
Robert V. Nichols Gary B. Roush
- STAFF:** Jack K. Wheeler Christopher Brewer Brenda Mori
Jennifer Prossick Tammy Hurd-Harvey James Allard
Judy Hunter Pat Donnelly Tim Marshall
Darlene Smith
- LEGISLATORS:** Scott J Van Etten Robin K. Lattimer Carol A. Ferratella
K. Michael Hanna Jeffrey P. Horton Hilda T. Lando
Steven P. Maio Aaron I. Mullen Frederick G. Potter
Brian C. Schu
- OTHERS:** James Johnson, Executive Director, Steuben County Industrial Development Agency
Mary Perham
Media

I. CALL TO ORDER

Mr. Swackhamer called the meeting to order at 9:41 a.m.

II APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE MARCH 10, 2020, AND MARCH 23, 2020, MEETINGS MADE BY MR. NICHOLS. SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. DEPARTMENTAL REQUESTS

A. Emergency Management Office

1. **Motorola Change Order** – Mr. Marshall explained we had a UPS power supply at the Whitesville Tower site that we had brought down to the 911 Center during their power outage to serve as a secondary UPS. We need to replace that for the Whitesville Tower site. This change order for \$15,770 will allow us to purchase a new UPS for the Whitesville Tower.

MOTION: APPROVING THE MOTOROLA CHANGE ORDER IN THE AMOUNT OF \$15,770 TO PURCHASE A UPS FOR THE WHITESVILLE TOWER SITE MADE BY MR. ROUSH. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **FY17 SHSP Budget Adjustment** – Mr. Marshall stated in order to close out the FY17 program, they need to move money from software to major equipment. We will be using these funds to replace the duplex printer for the ID system and the GIS plotter which is no longer covered under maintenance. Additionally we will also be purchasing equipment for the fire investigators. The total amount of the transfer is \$14,574.95

MOTION: AUTHORIZING THE DIRECTOR OF THE EMERGENCY MANAGEMENT OFFICE TO TRANSFER \$14,574.95 IN FY17 SHSP FUNDS FROM THE SOFTWARE TO THE MAJOR EQUIPMENT LINE ITEM TO PURCHASE A REPLACEMENT DUPLEX PRINTER FOR THE ID SYSTEM, A GIS PLOTTER AND EQUIPMENT FOR THE FIRE INVESTIGATORS AND AMENDING THE MAJOR

EQUIPMENT LIST TO REFLECT THESE PURCHASES MADE BY MR. ROUSH. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

3. **Emergency Purchases** – Mr. Marshall informed the committee a number of items have been purchased as part of our response and action relative to COVID-19 and he has provided a detailed list. He requested ratification of those emergency purchases which total \$20,606.15.

MOTION: RATIFYING THE EMERGENCY PURCHASES MADE BY THE DIRECTOR OF THE EMERGENCY MANAGEMENT OFFICE IN RESPONSE TO COVID-19 TO-DATE, TALLING \$20,606.15 MADE BY MR. MALTER. SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Ms. Fitzpatrick asked can we expect that kind of expenditure for the next couple of months? Mr. Marshall replied it is hard to say. A lot of that was in response to the initial response. He doesn't know if we will have a lot in the future. Mr. Wheeler stated we have been working with Purchasing, Public Health and Emergency Management to locally source PPE. He stated I think we are okay because we are getting another shipment of N-95's from the State stockpile. We are looking to find additional testing kits moving forward. He commented with regard to the meals and other incidental expenses, he expects that to continue as we are providing meals for the staff that are working out of the EOC as well as the nurses and MRC. Ms. Fitzpatrick stated that's understood and makes perfect sense. With the FEMA funding, do we see any issues and how are we funding in the meantime? Mr. Marshall replied the Commissioner of Finance has a plan on how to fund this going forward.

B Sheriff's Office

1 **State Farm Grant** – Sheriff Allard requested authorization to accept \$24,750 from State Farm to purchase an educational trailer relative to intoxicated driving.

MOTION: AUTHORIZING THE SHERIFF TO ACCEPT A \$24,750 GRANT FROM STATE FARM TO PURCHASE AN EDUCATIONAL TRAILER RELATIVE TO INTOXICATED DRIVING MADE BY MR. ROUSH. SECONDED BY MR. MALTER FOR DISCUSSION.

Ms. Fitzpatrick asked are we doing the purchasing, or are they buying? Sheriff Allard replied we will be doing the purchasing through Mr. Morse. We expect the trailer will cost \$8,000 and the remainder will be used for outfitting it. Ms. Fitzpatrick asked do you expect to spend all of this funding, and what happens if you do not? Sheriff Allard replied if we do not spend all of this funding, then he will come back to the committee with what we would like to spend. He is pretty sure that this will take all of the funding.

VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

2. **Livescan Grant** – Sheriff Allard explained this is the computer, software and hardware to do our fingerprinting at the Jail and County Office Building. This is a one-time, matching grant from the State. They have offered \$30,000. We can delay the matching until next year's budget. He requested approval to receive the grant and to budget the matching funds in next year's budget.

MOTION: AUTHORIZING THE SHERIFF TO ACCEPT THE LIVESCAN MATCHING GRANT IN THE AMOUNT OF \$30,000 AND BUDGETING THE MATCHING FUNDS IN NEXT YEAR'S BUDGET MADE BY MR. ROUSH. SECONDED BY MR. NICHOLS FOR DISCUSSION.

Ms. Fitzpatrick asked what do you think your odds are of getting this funding given the State budget? Sheriff Allard replied this funding is initiated by the Federal Government and appropriated by the State. Ms. Fitzpatrick stated we have to plan on budgeting another \$30,000 for you for next year? Sheriff Allard replied yes.

VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

Sheriff Allard stated he would just like to say what a remarkable job Mrs. Smith and the crew at the EOC are doing; they are doing a phenomenal job.

C. Public Health

Mrs. Smith thanked the Sheriff for his comments. We really appreciate the partnership that he has extended to us with assisting the nurses; that has been a huge, huge help to us.

1. **COVID-19 Response Grant** – Mrs. Smith requested authorization to accept the COVID-19 Response Grant in the amount of \$158,307. These funds will be used to cover various expenses under the COVID response, including overtime, medical supplies, mileage and administration.

MOTION: AUTHORIZING THE DIRECTOR OF PUBLIC HEALTH TO ACCEPT A COVID-19 RESPONSE GRANT IN THE AMOUNT OF \$158,307 MADE BY MR. ROUSH. SECONDED BY MR. MALTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

2. **Update** – Ms. Fitzpatrick asked if Mrs. Smith could provide a brief update. Mrs. Smith stated as of this morning we have 156 positive cases, however, she knows of at least one more that is coming in today. We are up to 14 deaths, but I can tell you all but one or two are nursing home related. It's very tragic and very unfortunate, but not really unexpected. We have about 300 people in isolation or quarantine. It is a monumental task to follow up on those individuals. As of yesterday we have 38 individuals who have fully recovered and that number is going to grow. By the time this is over, you will have many people that fall into the category of recovered and for that, we are very grateful.

Ms. Fitzpatrick asked how many patients in the nursing homes had DNR's? Mrs. Smith replied I don't have that data to know. Just from experience, I will speculate the majority had, but I cannot verify that as I don't have the data. I would also speculate that they had chronic underlying health conditions. Ms. Fitzpatrick stated her concern is some of the processes the nursing homes have in place apparently are not working. Mrs. Smith stated that is one reason we asked the Department of Health to come down and partner with us to look at the infection control policies and do all the swabbing. We have three nursing homes in the County who do have clusters of the virus. A lot of things play into that and it is safe to assume because visitors have not been allowed in nursing homes in over a month, that any transmissions, it is safe to assume that staff are bringing it in.

Ms. Fitzpatrick asked has there been any talk of antibody testing? Mrs. Smith stated she is hearing more about that every day. She has not received notification that the testing is available in our area. There are communications in that area going around almost daily. Hopefully that will be getting off the ground in this area. Ms. Fitzpatrick stated thank you. I'm not picking on you; I'm just concerned about many things and worry about the parks being closed; mainly the state of everything being tipped the wrong way. I think the government needs to open things back up. A lot of businesses are not going to open and I have a lot of concerns economically and mentally.

Mrs. Smith stated I can't disagree with you. Worry about the mental health aspect of this is part of the whole pandemic that no one has had time to think about. Public Health has sent messaging around that; how to identify some of the feelings that a lot of us are feeling such as grief, sense of loss and the disconnect, are certainly normal. Part of our messaging includes phone numbers and resources of who to call if you are feeling overwhelmed. The long-term as this goes on, it will not only take a physical toll, but certainly the mental toll needs to be paid attention to.

Mr. Van Etten stated that he talked with Mr. Wheeler and we will be reissuing the County Building closure to the public through April 29th as we are trying to follow the State's calendar. Having the County parks open would be nice, but we have had reports and complaints of kids playing basketball and we can't have those types of gatherings.

Mr. Wheeler stated every time we talk with the media, with regard to enforcement, we encourage people to get out with their wife, husband and kids; that is not what we are looking at. We are looking at large gathering. No one is being ticketed or arrested, so far so good on that front.

Mr. Mullen stated one thing that he doesn't understand with looking at Public Health Law is how we have the authority to turn this into a criminal act and he will be requesting an analysis on this. It is not unreasonable to want people to act this way, but he has concerns that this is overreaching. I don't think people should be in groups and I don't think it should be a crime. Ms. Prossick stated Mr. Mullen, I can get you some information. Mr. Baker and I looked through it. There are many pieces, but when you put them together, the criminal penalties and sanctions are attached. I can get you that information.

D. Public Works

1. **Transferring \$128,000 into CR 119 Bridge Project** – Mr. Spagnoletti stated in order to move the railroad crossing where the CR 119 Bridge is, the total cost is \$768,000. Mr. Catherman and the NYS DOT found \$640,000 in funding to do this. That leaves a balance of \$128,000. He requested authorization to transfer \$80,000 out of the completed CR 22 Bridge Project and \$48,000 from the Future Bridge Projects account to cover this funding.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO TRANSFER \$80,000 FROM THE COMPLETED CR 22 BRIDGE PROJECT AND \$48,000 FROM THE FUTURE BRIDGE PROJECTS ACCOUNTS INTO THE CR 119 BRIDGE PROJECT MADE BY MR. ROUSH. SECONDED BY MS. FITZPATRICK FOR DISCUSSION.

Mr. Nichols asked will we get reimbursed for some or most of it? Mr. Spagnoletti replied this project is 95 percent Federal and State funding but the railroad crossing does not come in under that. However, the State was able to find \$640,000 and we will have to come up with the additional \$128,000.

E. Commissioner of Finance

1. **Monthly Reports** – Mrs. Hurd-Harvey asked if there were any questions on the monthly reports. Ms. Fitzpatrick asked when we transfer money from the Homeland Security grants, are we just putting that in on the expenditure side? Mrs. Hurd-Harvey replied we are putting in the revenues, but the E-Finance system automatically rolls that into the next year department number and line item. The system had already done a piece of it. We only have to physically move the balance of the expenses and revenue to cover those costs.

2. **2019 End of Year Transfers** – Mrs. Hurd-Harvey presented what she hopes are the final 2019 budget transfers. She stated that Mr. Spagnoletti wanted to make a comment regarding the Landfill. Mr. Spagnoletti stated that normally at year-end we would have \$2 million - \$2.5 million and this year it normally would have been \$2.2 million. However, there have been changes in the DEC regulations that require us to transfer another \$1.9 million to fund something. In the past, DEC has required private business and government entities that own landfills to set aside money to care for that landfill for 30 years after it is closed, and we have done that. Recently DEC has recommended that it be moved out to 40 years. To do that for another 10 years requires an additional \$1.9 million. They also want additional testing for PFOA's. This is a one-time \$1.9 million addition to our yearly adjustment.

Mr. Malter asked as of the end of the year, what has been the net overall surplus for the Landfill? Mr. Spagnoletti replied in the Landfill division we have \$15 million. In 2019, we would have had an operating surplus of \$2.2 million, but this additional \$1.9 million will eat that up. The Landfill division is in good shape. Our net cash is \$14 million and our net worth, book worth, is \$16 million. On the market place it would be much more than that.

MOTION: APPROVING THE 2019 END OF YEAR TRANSFERS AS PRESENTED BY THE COMMISSIONER OF FINANCE MADE BY MS. FITZPATRICK. SECONDED BY MR. MALTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

3. **Value Payment Services – Waiving Convenience Fees** – Mrs. Hurd-Harvey stated the next two topics go hand in hand. With regard to the Value Payment Services we had talked about giving taxpayers some relief by waiving convenience fees on credit card fees. We started working on that and pulled data and determined that the fees people were paying were so miniscule that she does not believe it is worth our time to modify the contract and then go back. She stated 73 percent for the month of last April paid less than \$10 in fees. Mr. Malter stated he thinks we should just leave it. Ms. Fitzpatrick and Mr. Nichols stated they agreed.

4. **Waiving Interest Fees** – Mrs. Hurd-Harvey stated we spent a lot of time looking at this and figuring out how much it would cost. If you waive the interest on Town and County taxes for a period of time, April, May and June; for anyone who paid in April, May or June, our cost would be \$50,000. If you waived just three months of interest, even if they were paid in September, our cost would be \$120,000 - \$150,000. My worst case estimate was \$255,000, but we would never get there.

Ms. Fitzpatrick stated my personal opinion is Town and County taxes are technically due January 31st, which is before most of the problem hit the fan. She stated she is not in favor. Mr. Roush stated he agrees. Mr. Malter stated he agrees also. You are giving some people a break, but when you raise taxes next year, that is being spread across everyone and that is not fair. Mr. Swackhamer stated I agree. Mr. Van Etten commented I agree. The point is you are giving breaks to people who have not paid on time and giving those that paid, not any benefit.

5. **Waiving Late Payment Fees on Contracts** - Ms. Fitzpatrick asked what is this? Mrs. Hurd-Harvey replied those are the installment contracts to pay delinquent taxes over a period of time. A lot of folks take out a contract every year. Again, the point is well taken that these are delinquent taxes. She stated she was just thinking of a way they could provide relief. Mr. Swackhamer stated it is good that you present these and we appreciate it. Mr. Swackhamer asked if there was any interest in waiving the late payment fees on contracts? The committee was in agreement that no action would be taken.

6. **Waiving Late Payment Fees on Room Tax Collections** – Mrs. Hurd-Harvey stated we have never been good about enforcing the late payment fees on room tax collections and I couldn't tell you how much that would amount to as I don't have a good estimate. We will probably not collect much for the June payment because everything is closed.

Ms. Fitzpatrick stated I would be in favor of removing the late payment fee simply because small businesses are being hard hit by the closures. Mr. Nichols stated he agrees.

Mr. Malter stated he is not in favor of reducing anything at this point. We have 15 percent of lost revenue from the State that potentially could happen and we are looking at \$4.1 million and he is not in favor of any reductions. Ms. Fitzpatrick stated the room tax will probably be zero anyway. Mr. Malter asked then why waive it? Mrs. Hurd-Harvey stated it would have been March and theoretically some would be coming in March.

MOTION: WAIVING THE LATE PAYMENT FEES ON ROOM TAX COLLECTIONS MADE BY MS. FITZPATRICK. SECONDED BY MR. NICHOLS. MOTION CARRIES 3-2. (MR. MALTER AND MR. ROUSH OPPOSED.)

7. **Extending the Deadline on Contract Defaults** – Mrs. Hurd-Harvey suggested for anyone in a current contract, or entering into a contract, that the default date would be extended until May 29, 2020. Normally they default after they are late 15 days and then we give them 30 days to cure the default. She would recommend delaying the default for March, April and May until May 29, 2020 and then they would still have 30 days to cure before they would be considered in true default.

Mr. Malter asked what contract? Mrs. Hurd-Harvey replied these are the installment contracts for delinquent taxes. She is proposing to allow them to not make any payments until May 29, 2020 if they choose. Many are still making payments although some are not.

Ms. Fitzpatrick asked has there been any increase in defaults? Mrs. Hurd-Harvey replied we will know tomorrow and then I can compare the numbers to last year's default list. Mr. Swackhamer asked would you just put them under a hardship? Mrs. Hurd-Harvey replied no, we would just not run the default process until May 29, 2020.

MOTION: EXTENDING THE CONTRACT DEFAULT DATE TO MAY 29, 2020 MADE BY MS. FITZPATRICK. SECONDED BY MR. MALTER FOR DISCUSSION.

Mr. Malter asked what segment of the population are we talking about; mostly the elderly? Mrs. Hurd-Harvey stated she has never done a demographic. There are several elderly that do a contract every year and renew every year. We also have people who are financially stressed, some own a house they cannot afford, etc. There are many people who make monthly payments on delinquent taxes.

Mr. Mullen asked do we plan to have people show that they had any hardships or are we just going to do a blanket extension? Mrs. Hurd-Harvey stated she would recommend a blanket extension as it would administratively be difficult to determine who is worthy.

Mrs. Ferratella stated I feel like you are deferring the problem and compounding it when you are moving things out. It may make more of a hardship later on. Mr. Roush stated I agree with that.

Mr. Maio stated they can still pay it if they want to. The only break agreed to so far is waiving the late payment fees for public accommodation as opposed to property taxes. This is a financial plan for a lot of people. We are not taking money away from them; this is an extraordinary situation and we need to be more accommodating. Ms. Fitzpatrick stated we only waived the late payment fee, not the room tax. Mr. Maio stated it is based on income, not non-liquid assets.

Mr. Nichols stated for agriculture, we have many farms in the County dumping milk. Prices of milk for May have dropped \$5.00 per hundred weight and we are talking thousands of dollars that agriculture is taking a beating on. A lot of farms have already paid their taxes and we don't know how many this is affecting. This is a real crisis for the farming community. He stated he has not dumped any milk, but some farms have. This is very discouraging and very disheartening. He stated he doesn't know if we have any farms in this category, but he is not opposed to delaying the default date. We are not losing money, we are just extending the payments.

Mr. Malter stated at one time we had a discussion about the new milk insurance. Does that insurance cover any of this dumping, or is it only when the price goes down? Mr. Nichols replied no, it only covers when the price goes down. **Mr. Malter stated there must be some reimbursement because when the price goes down \$5.00 per hundred weight, there is going to be some reimbursement for the people that took out the insurance. Is that correct? Mr. Nichols replied that is correct,** but the problem is that the prices were forecast as good and only about half of the farms in the County bought insurance this year. If the Federal government does not reopen the insurance, the farmers will get nothing from the program. Everyone had a choice at that time.

Mr. Van Etten stated that he agrees with Mr. Maio on this. These are just deadlines and this could help someone in a tight spot. In the long-term we will be talking about these next year when the economic impacts roll through.

VOTE ON PREVIOUS MOTION: MOTION CARRIES 3-0. (MR. MALTER AND MR. ROUSH OPPOSED)

8. **Extending the Deadline on Lien Searches** – Mrs. Hurd-Harvey proposed extending the deadline for lien searches for the 2019 taxes. We normally apply that at the beginning of April. Do you want to approve this for the delinquent 2019 taxes? Ms. Fitzpatrick stated that for the 2019 taxes she would not defer. Mr. Swackhamer and Mr. Nichols stated they agree.

9. **Extending the Deadline for Payment of Hardship and Non-Refundable Undertakings** – Mrs. Hurd-Harvey explained the hardships and non-refundable undertakings that were approved last year were due March 31, 2020. We have 17 that have not paid and one individual that was already on a non-refundable

undertaking that has not paid. Do you want to extend or not? She stated 2 of the 17 hardships are pursuing non-refundable undertakings that would come due next March. We are talking about 15 hoping for an extension through the end of April.

Ms. Fitzpatrick asked do you think the building closure has had anything to do with people missing the deadline? Mrs. Hurd-Harvey replied her gut would tell her no. Ms. Mehlenbacher did take two calls from individuals who were looking for an extension. I don't know if those calls were related to the building closure, but I would suspect not. They still have the option of doing a non-refundable undertaking.

Ms. Prossick stated there are 2 that she is aware of that have been affected due to the court being closed.

Mr. Malter asked what date are you looking at? Mrs. Hurd-Harvey replied she would recommend extending to May 29, 2020.

MOTION: EXTENDING THE DEADLINE FOR PAYMENT OF HARDSHIPS AND NON-REFUNDABLE UNDERTAKINGS TO MAY 29, 2020 MADE BY MR. MALTER. SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

10. **Extending the Deadline for Hardship Requests** – Mrs. Hurd-Harvey stated normally if we have not received a request by now, then we would not entertain approving a hardship request and the only recourse would be an order to show cause or bankruptcy. Again, we were thinking of just extending the deadline and it would be more informal; we would not send out letters. We would just extend it if people approach us.

MOTION: EXTENDING THE DEADLINE FOR 2020 HARDSHIP APPLICATION REQUESTS MADE BY MS. FITZPATRICK. SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

11. **Tax Sale Auction** – Mr. Horton asked with the probability of the tax sale auction possibly not happening, has anyone looked at making it an online auction? Mrs. Hurd-Harvey replied the reason we are most likely delaying the tax sale auction is not so much because of mass gatherings as it is because the courts are closed and we cannot get judgments. This would not be a top priority item for them. This is certainly something we can think about.

12. **Contingent Fund Transfer** – Mrs. Hurd-Harvey stated earlier, Mr. Marshall requested ratification of emergency purchases relative to COVID-19. The list of items he presented is just shy of \$21,000. She requested authorization to do a Contingent Fund transfer in the amount of \$50,000 to the cost center for the COVID-19 Public Health Grant. She stated that Ms. Congdon will know where to claim the costs; the PH grant or FEMA. Hopefully the \$50,000 will be enough.

MOTION: AUTHORIZING A CONTINGENT FUND TRANSFER TO THE PUBLIC HEALTH COVID-19 RESPONSE GRANT COST CENTER IN THE AMOUNT OF \$50,000 MADE BY MR. MALTER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required

F. County Manager

1. **Sales Tax Extender** – Mr. Wheeler informed the committee that in the NYS Budget the Assembly and Senate grouped all of the sales tax and mortgage tax extenders into one omnibus bill utilizing the old numbers. What you passed and what was in the initial bills were different and we tried to get them to change. Both the cities and the towns under this extension are not getting the \$40,000 we discussed; not by our action, but by the State. He requested ratification of the extender bill, but we know unfortunately that there are issues. Unfortunately we really don't have a choice.

MOTION: ADOPTING THE SALES TAX EXTENDER BILL AS APPROVED IN THE NYS BUDGET MADE BY MR. MALTER. SECONDED BY MR. NICHOLS FOR DISCUSSION,

Mr. Maio asked what is the extra \$40,000? Mr. Wheeler replied that's for the one percent we talked to the cities about and on behalf of the towns and villages because they used to pre-empt every time, every two years. Now for the past couple of years they like to get a little additional in that one percent. The Finance Committee and the Legislature had included increases for both the cities and collectively the towns and villages, but those did not make it into the final version that was passed as one omnibus bill.

Mr. Swackhamer asked what was the ratio? Mr. Wheeler replied \$40,000 to each city and another \$40,000 to the towns and villages. You could always take a local option to allocate more money. If you wanted to allocate, we would have to do that in some other way. You really don't have a choice with this.

VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

Mr. Swackhamer asked if everyone received Mrs. Hurd-Harvey's email regarding sales tax? Mr. Wheeler stated the good news is we did pretty well in the first quarter.

2. **Steuben County Emergency Relief Loan Program** – Mr. Brewer stated this is a collaborative effort to pool resources to bring together the Steuben County Emergency Relief Loan Program for small businesses. We have had a long-standing relationship with REDEC and it has been a good partnership. This new program will help businesses to stay open and keep employing employees. He stated that Mr. Johnson is also on the call if he wants to add anything. Mr. Brewer requested authorization to amend the contract with the Steuben County IDA for this purpose. Because of loan regulations, we will need to amend our contract so that the IDA will invest the money on the County's behalf, into the new loan program.

Mr. Johnson explained the structure of this program has changed. Originally we were looking at six months in and out. In talking with our partner REDEC, it made more sense to have a 30-month loan with the first six months no interest and then the remaining term of 24 months at 1 percent interest. We wanted to give businesses every opportunity to be successful and be able to pay this money back. You may ask why we need this with the Federal stimulus. I personally feel that the Federal stimulus money will run out very quickly. One local bank has already processed \$20 million in applications over four days; then multiply that by the number of banks across the country. There is a nuance in the Federal stimulus program that sole proprietors do not qualify and those are the small businesses that we are targeting. Mr. Johnson stated the IDA Board has approved \$250,000 to come out of our restricted account. Corning Enterprises is granting us additional resources. Between the three entities; Steuben County, Steuben County IDA and Corning Enterprises, we hope to have a \$500,000 pool.

Mr. Malter asked what will be the upper and lower limits for each loan? Mr. Johnson replied the minimum will be \$5,000 and the maximum will be \$20,000. There will be no interest for the first six months and then it will be 1 percent per month for the remainder of the term.

Mr. Mullen stated in terms of feedback, he believes it would be better to have the lower limit set at \$8,000. I just hope that as part of the approval process that we make sure the loans are going to the businesses that we believe have a chance of pulling out of this. Mr. Johnson replied with respect to the lower limit of \$5,000, we talked to REDEC about this and they felt that was a good floor and would make sense administratively. The \$5,000 selected is based on REDEC's years of experience. He stated with the application process, there will be a loan committee made up of Steuben County representatives, including Mr. Brewer and myself. We are very concerned that we want to get this cash back and that it revolves for future uses.

MOTION: APPROVING AN AMENDMENT TO THE CONTRACT WITH THE STEUBEN COUNTY INDUSTRIAL DEVELOPMENT AGENCY TO INCLUDE AN INVESTMENT OF AN ADDITIONAL \$150,000 TO BE USED FOR THE DEVELOPMENT AND CREATION OF THE STEUBEN COUNTY EMERGENCY RELIEF LOAN PROGRAM AND AUTHORIZING THE TRANSFER OF \$150,000 OUT OF THE ECONOMIC DEVELOPMENT FUND FOR THIS PURPOSE MADE BY MR. ROUSH. SECONDED BY MS. FITZPATRICK FOR DISCUSSION.

Ms. Fitzpatrick stated she agrees with Mr. Johnson that the Federal stimulus funds will be burned through very quickly. We have to hope to God that you are not right that we will be closed for another six months. She stated that she actually would like to propose a memorializing resolution to get the State reopened in May.

Mr. Malter stated **I believe the stimulus bill will pass this week and it includes** funding for PPP (Payroll Protection Program). He asked when will REDEC start taking applications? Mr. Johnson replied REDEC is ready to start accepting applications as soon as we announce the program. Ms. Fitzpatrick asked will businesses that are currently closed be able to apply for that? Mr. Brewer replied the original intent of this was to be a stop-gap. We see now that the Federal money will not be available in the five to ten days they were indicating. Our concern is more on the Federal side and not having the funds available. Within the last week it became very restrictive and we thought this was the best way to get cash to businesses now.

Mrs. Fitzpatrick asked if a business does not have a PPP or major disaster loan, can they still apply for this funding? Mr. Johnson replied the Federal stimulus bill was making it a requirement that they had to apply for those and still need additional resources. For example, sole proprietors are not eligible for the PPP funding. We wanted to make sure that our program was targeted to the individuals that needed it most. There is a limit and we did not mean for this to be an easy way out.

Mr. Malter asked how does this application compare to the Federal application? Mr. Johnson replied it is very similar. We have an intake form to screen the applicants and the full application is 7 pages, and 3 of those are the certifications. We are looking at the applicant's personal financial status, interim income statement and most recent tax return. Mr. Brewer stated with the PPP grant, the applicants have to detail a lot of payroll information and we are not requiring those forms.

Mr. Van Etten stated I think it is a good program and allows us to help. This funding will come out of the Economic Development Fund which currently has a balance of \$500,000. We don't often use it and this is the perfect opportunity. There will be a \$20,000 administrative cost for this entire \$500,000 loan program and that will be allocated across the three entities that are lending; that will account for approximately \$7,000 in cost. This is a very worthwhile program. Mr. Johnson stated the administrative cost will be spread out over the original 30-month note. Mr. Malter asked so are we allocating \$157,000? Mr. Johnson replied no, \$150,000.

Mrs. Lando asked how will you get the message out? Mr. Johnson replied I have a press release that is ready to be sent pending your approval. We will also use social media and our daily email blast.

Ms. Fitzpatrick stated I think this program is a great idea, but I don't like that the businesses have to apply for an SBA first, but I understand why they are doing it. Mrs. Lando stated this is a great idea.

VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required

IV. OTHER

A. *Memorializing Resolution* – Ms. Fitzpatrick stated she would like to entertain a resolution to the Governor that we need to get businesses reopened. We really need to get things back moving in New York and the country.

MOTION: URGING GOVERNOR CUOMO TO REOPEN BUSINESSES IN NEW YORK STATE BY MAY 2020 MADE BY MS. FITZPATRICK. SECONDED BY MR. MALTER FOR DISCUSSION.

Mr. Maio asked how can you vote on something that you don't even know what it is going to say. You don't even know what you are voting on. Ms. Fitzpatrick stated we vote on a lot of motions that we don't see until the main meeting. Mr. Roush suggested amending the motion to state the writing of a memorializing resolution for presentation at the April Legislative Meeting.

MOTION: AMENDING THE PREVIOUS MOTION TO AUTHORIZE THE WRITING OF A MEMORIALIZING RESOLUTION URGING GOVERNOR CUOMO TO REOPEN BUSINESSES IN NEW YORK STATE BY MAY 2020, TO BE PRESENTED TO THE STEUBEN COUNTY LEGISLATURE FOR CONSIDERATION AT THE APRIL 27, 2020 MEETING MADE BY MS. FITZPATRICK. SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.H. THE PROPOSED ACQUISITION, SALE OR LEASE OF REAL PROERTY OR THE PROPOSED ACQUISITION OF SECURITIES, OR THE SALE OR EXCHANGE OF SECURITIES HELD BY SUCH PUBLIC BODY BUT ONLY WHEN PUBLICITY WOULD SUBSTANTIALLY AFFECT THE VALUE THEREOF MADE BY MR. ROUSH. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING A HARDSHIP DEFERRAL RELATIVE TO PARCEL #175.00-01-011.200 SITUATE IN THE TOWN OF BATH, EXPIRING MARCH 31, 2021 MADE BY MR. ROUSH. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING A HARDSHIP DEFERRAL RELATIVE TO PARCEL #175.00-01-013.200 SITUATE IN THE TOWN OF BATH, EXPIRING MARCH 31, 2021 MADE BY MR. ROUSH. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING A HARDSHIP DEFERRAL RELATIVE TO PARCEL #158.12-02-059.000 SITUATE IN THE VILLAGE OF BATH, EXPIRING MARCH 31, 2021 MADE BY MR. ROUSH. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING A HARDSHIP DEFERRAL RELATIVE TO PARCEL #197.16-01-019.000 SITUATE IN THE TOWN OF CANISTEO, EXPIRING MARCH 31, 2021 MADE BY MR. ROUSH. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING A HARDSHIP DEFERRAL RELATIVE TO PARCEL #151.80-01-082.000 SITUATE IN THE CITY OF HORNELLSVILLE, EXPIRING MARCH 31, 2021 MADE BY MR. ROUSH. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING A HARDSHIP DEFERRAL RELATIVE TO PARCEL #099.20-01-018.000 SITUATE IN THE VILLAGE OF AVOCA, EXPIRING MARCH 31, 2021 MADE BY MR. ROUSH. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING A HARDSHIP DEFERRAL RELATIVE TO PARCEL #107.00-01-007.400 SITUATE IN THE TOWN OF HORNELLSVILLE, EXPIRING MARCH 31, 2021 MADE BY MR. ROUSH. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING A HARDSHIP DEFERRAL RELATIVE TO PARCEL #107.00-01-036.000 SITUATE IN THE TOWN OF HORNELLSVILLE, EXPIRING MARCH 31, 2021 MADE BY MR. ROUSH. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING A HARDSHIP DEFERRAL RELATIVE TO PARCEL #109.13-01-013.000 SITUATE IN THE TOWN OF FREMONT, EXPIRING MARCH 31, 2021 MADE BY MR. ROUSH. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING A HARDSHIP DEFERRAL RELATIVE TO PARCEL #224.42-01-010.000 SITUATE IN THE TOWN OF CAMPBELL, EXPIRING MARCH 31, 2021 MADE BY MR. ROUSH. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING A HARDSHIP DEFERRAL RELATIVE TO PARCEL #224.42-01-011.000 SITUATE IN THE TOWN OF CAMPBELL, EXPIRING MARCH 31, 2021 MADE BY MR. ROUSH. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING A HARDSHIP DEFERRAL RELATIVE TO PARCEL #224.42-01-012.000 SITUATE IN THE TOWN OF CAMPBELL, EXPIRING MARCH 31, 2021 MADE BY MR. ROUSH. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING A HARDSHIP DEFERRAL RELATIVE TO PARCEL #160.00-01-045.000 SITUATE IN THE TOWN OF BATH, EXPIRING MARCH 31, 2021 MADE BY MR. ROUSH. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING A HARDSHIP DEFERRAL RELATIVE TO PARCEL #115.00-01-038.130 SITUATE IN THE TOWN OF WHEELER, EXPIRING MARCH 31, 2021, AND SUBJECT TO A 25 PERCENT PENALTY MADE BY MR. ROUSH. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING A HARDSHIP DEFERRAL RELATIVE TO PARCEL #400.00-01-020.111 SITUATE IN THE TOWN OF WOODHULL, EXPIRING MARCH 31, 2021, AND SUBJECT TO A 25 PERCENT PENALTY MADE BY MR. ROUSH. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING A HARDSHIP DEFERRAL RELATIVE TO PARCEL #299.19-03-072.000 SITUATE IN THE CITY OF CORNING, EXPIRING MARCH 31, 2021, AND SUBJECT TO A 25 PERCENT PENALTY MADE BY MR. ROUSH. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING A HARDSHIP DEFERRAL RELATIVE TO PARCEL #306.00-01-027.400 SITUATE IN THE TOWN OF GREENWOOD, EXPIRING MARCH 31, 2021, AND SUBJECT TO A 25 PERCENT PENALTY MADE BY MR. ROUSH. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING A HARDSHIP DEFERRAL RELATIVE TO PARCEL #292.00-01-008.124 SITUATE IN THE TOWN OF CAMERON, EXPIRING MARCH 31, 2021, AND SUBJECT TO A 25 PERCENT PENALTY MADE BY MR. ROUSH. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING THE COMMISSIONER OF FINANCE TO ACCEPT A NON-REFUNDABLE UNDERTAKING IN THE AMOUNT OF \$2,500.00, SUBJECT TO A 25 PERCENT PENALTY, RELATIVE TO PARCEL #054.06-01.030.000, SITUATE IN THE TOWN OF WAYLAND, TO DEFER THE ENFORCEMENT OF SALE UNTIL MARCH 31, 2021, SAID UNDERTAKING TO BE PAID WITHIN THIRTY DAYS MADE BY MR. ROUSH. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING THE COMMISSIONER OF FINANCE TO ACCEPT A NON-REFUNDABLE UNDERTAKING IN THE AMOUNT OF \$6,500.00, SUBJECT TO A 25 PERCENT PENALTY, RELATIVE TO PARCEL #318.18-02-043.000, SITUATE IN THE VILLAGE OF SOUTH CORNING, TO DEFER THE ENFORCEMENT OF SALE UNTIL MARCH 31, 2021, SAID UNDERTAKING TO BE PAID WITHIN THIRTY DAYS MADE BY MR. ROUSH. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING THE COMMISSIONER OF FINANCE TO ACCEPT A NON-REFUNDABLE UNDERTAKING IN THE AMOUNT OF \$600.00, SUBJECT TO A 25 PERCENT PENALTY, RELATIVE TO PARCEL #318.18-02-036.000, SITUATE IN THE VILLAGE OF SOUTH CORNING, TO DEFER THE

ENFORCEMENT OF SALE UNTIL MARCH 31, 2021, SAID UNDERTAKING TO BE PAID WITHIN THIRTY DAYS MADE BY MR. ROUSH. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING THE COMMISSIONER OF FINANCE TO ACCEPT A NON-REFUNDABLE UNDERTAKING IN THE AMOUNT OF \$600.00, SUBJECT TO A 25 PERCENT PENALTY, RELATIVE TO PARCEL #318.18-02-044.100, SITUATE IN THE VILLAGE OF SOUTH CORNING, TO DEFER THE ENFORCEMENT OF SALE UNTIL MARCH 31, 2021, SAID UNDERTAKING TO BE PAID WITHIN THIRTY DAYS MADE BY MR. ROUSH. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING THE COMMISSIONER OF FINANCE TO CANCEL THE 2019 AND 2020 TOWN AND COUNTY TAXES RELATIVE TO PARCEL #158.07-01-036.000, SITUATE IN THE VILLAGE OF BATH, ISSUING A CERTIFICATE OF PROSPECTIVE CANCELLATION AND REMOVING SAID PARCEL FROM THE TAX ROLL MADE BY MR. ROUSH. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING THE COMMISSIONER OF FINANCE TO CANCEL THE 2019 AND 2020 TOWN AND COUNTY TAXES RELATIVE TO PARCEL #158.07-01-038.000, SITUATE IN THE VILLAGE OF BATH, ISSUING A CERTIFICATE OF PROSPECTIVE CANCELLATION AND REMOVING SAID PARCEL FROM THE TAX ROLL MADE BY MR. ROUSH. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING THE COMMISSIONER OF FINANCE TO CANCEL AND 2015, 2016, 2017, 2018, 2019 AND 2020 TOWN AND COUNTY TAXES RELATIVE TO PARCEL #099.19-01-008.000, SITUATE IN THE VILLAGE OF AVOCA, ISSUING A CERTIFICATE OF PROSPECTIVE CANCELLATION AND REMOVING SAID PARCEL FROM THE TAX ROLL MADE BY MR. ROUSH. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. ROUSH. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: TO ADJOURN MADE BY MS. FITZPATRICK. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

****NEXT MEETING SCHEDULED FOR**
Tuesday, May 12, 2020
Legislative Committee Room
9:00 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON
Wednesday, May 6, 2020**