

STEUBEN COUNTY FINANCE COMMITTEE

Tuesday, August 11, 2020

10:35 a.m.

*2nd Floor Conference Rooms, Annex Building
Bath, New York*

****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 Scotchmer
Tammy Hurd-Harvey Jennifer Prossick David Hopkins
Tim Marshall Pat Donnelly Kelly Penziul
Vicki Olin Kathy Muller Vince Spagnoletti
Amy Dlugos Matt Sousa Yvonne Erway
Lisa Tracy
- LEGISLATORS:** Scott J. Van Etten Robin K. Lattimer Carol A. Ferratella
Jeffrey P. Horton Hilda T. Lando Frederick G. Potter
- OTHERS:** Randy Shephard, Bonadio
Mary Perham

I. CALL TO ORDER

Mr. Swackhamer called the meeting to order at 10:35 a.m.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE JULY 14, 2020, MEETING MADE BY MS. FITZPATRICK. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. PRESENTATION

A. Bonadio

1. **Audited Financial Statements** – Mr. Shephard presented the committee with the 2019 Audited Financial Statements and reviewed the highlight packet. The audit was consistent with prior years. During 2019 the County implemented GASB84 which is Fiduciary Activities. This establishes the criteria for identifying fiduciary activities. The County has a private-purpose trust fund and a custodial fund. As a result of the implementation of GASB84, the County reclassified certain activities in the appropriate fund types in accordance with the new criteria. He commented there was no difference in performing the audit other than COVID and we did the audit remotely. Everyone at the County was very cooperative and very patient with the process.

Mr. Shephard stated we were able to provide an unmodified, clear audit opinion. The largest changes impacting the government-wide financial statements overall related to the Total Other Postemployment Benefits (OPEB) Liability and Net Pension Liability. The net negative impact on the County’s position was approximately \$800,000. In the General Fund, the total fund balance increased approximately \$3.2 million, or 3.5 percent in 2019. The county did see a reduction in revenues related to federal prisoner lodging. However, revenues were greater than 2018 by approximately \$4.6 million, or 3.1 percent. This was due to an increase in other non-property tax items of approximately \$2.3 million, mostly related to sales tax. Expenditures increased approximately \$6.5 million or 4.7 percent. Mr. Shephard stated actual revenues were greater than the final-modified budget by approximately \$282,000 or 0.2 percent and actual expenditures were under the final-appropriation budget by approximately \$12.5 million or 8 percent. Mr. Shephard noted that under Future

Accounting Standards, GASB87 relates to the accounting for leases. They have delayed implementation of that until 2022. This will require some legwork and we will need to look through all of the contracts to see if they meet the criteria for leases.

Mr. Shephard reviewed the balance sheets for the General Fund. He stated on the Revenues and Expenditures by Source Compared to All Counties – Government Funds, there is a time between when the State has their data available. Under revenues, in 2019, 72.7 percent of revenues come from local sources and in 2018 it was 74 percent. The County's debt service is 1.4 percent and that has been fairly consistent over the years.

Mr. Malter asked can you explain the increase in accounts payable from 2018 to 2019? Mrs. Hurd-Harvey asked is the \$1 million drawback liability for Medicaid for FMAP? Ms. Muller explained that is the percent we get back from the Federal government that comes through the State and I think that is in reserve. Ms. Fitzpatrick stated so it is being booked as a liability. Mr. Malter asked does the State have the money and they are just not allocating it? Mr. Wheeler replied we have the money and they do the true up. Mrs. Hurd-Harvey explained they do through a weekly share and we never really see it.

Mr. Van Etten thanked Mrs. Hurd-Harvey for the detailed answers on his questions and for the comparisons for the school districts. It looks like we are in pretty good shape. Mr. Shephard stated that pretty much covers the audit. Mrs. Hurd-Harvey and her staff did a great job throughout the year and this is a testament to their office.

MOTION: ACCEPTING THE REPORT ON THE AUDITED FINANCIAL STATEMENTS AS PRESENTED MADE BY MR. NICHOLS. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Mr. Malter stated he has one observation regarding the solid waste division. We had a loss of \$935,000 but we got information about setting up for the closure expenses and he wanted to point that out. Mr. Wheeler stated historically we heavily fund for and anticipate those closure fees. Mrs. Hurd-Harvey commented we updated those costs this year. Mr. Spagnoletti explained this is a big thing as we are operating under guidelines where we set aside 30 years post-closure care, but the DEC wants more than 30 years. This was a one-time adjustment.

Ms. Fitzpatrick stated on the Statement of Net Position, that provides a snapshot of the balance sheet and we book the potential liability. The restricted fund balance is actually negative. Does that weight on anyone's mind? I look at it and get concerned. Mr. Van Etten commented I don't know of any organization that would have a positive. Ms. Fitzpatrick stated the liability is huge and we need to be mindful of that and going forward that is an important number to take a look at.

IV. DEPARTMENT REQUESTS

A. Elections

1. **Cyber Security Grant** - Mrs. Olin informed the committee that they have received a cyber security grant in the amount of \$85,689.43 from the New York State Board of Elections. This is a non-matching grant and involves both our department and Information Technology. This will allow us to upgrade all of our cyber security. The State has been very vigilant in trying to make sure cyber security is up to snuff. Mr. Ryan has been working on the policies and procedures and the different things that need to be updated and fixed. The majority of this funding will go through Information Technology to update things and that will involve all of the county, not just our department.

MOTION: AUTHORIZING THE ACCEPTANCE OF A STATE BOARD OF ELECTIONS GRANT IN THE AMOUNT OF \$85,689.43 MADE BY MR. MALTER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

B. Sheriff's Office

1. **PrimeCare Budget Adjustment – RN Position** - Sheriff Allard requested authorization to transfer \$42,464.75 from the salaries and wages line item to the medical services line item within the Jail budget to pay for the remainder of the year for an RN position through the PrimeCare contract.

MOTION: AUTHORIZING THE SHERIFF TO TRANSFER \$42,464.75 FROM THE SALARIES AND WAGES LINE ITEM TO THE MEDICAL SERVICES LINE ITEM WITHIN THE JAIL BUDGET TO PAY FOR THE REMAINDER OF 2020 FOR THE RN POSITION CONTRACTED THROUGH PRIMECARE MADE BY MR. ROUSH. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Accept 2020 – 2021 Police Traffic Services Grant Renewal** - Sheriff Allard requested authorization to accept the 2020 – 2021 Police Traffic Services Grant in the amount of \$7,200. He explained \$1,800 will be used for seatbelt enforcement and \$5,400 will be used for overtime for traffic enforcement. These funds are from the Governors' Traffic Safety Committee.

MOTION: AUTHORIZING THE SHERIFF TO ACCEPT THE 2020 – 2021 POLICE TRAFFIC SERVICES GRANT FROM THE GOVERNORS' TRAFFIC SAFETY COMMITTEE IN THE AMOUNT OF \$7,200 MADE BY MR. MALTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. Planning

1. **Accepting Federal 5311 Capital Projects Funding for Mobility Management Services** - Mrs. Dlugos requested authorization to accept the 2019/2020 5311 Federal funds for Mobility Management Services in the total amount of \$837,345.00 and to adjust the capital project account to reflect the funds.

MOTION: AUTHORIZING THE DIRECTOR OF THE PLANNING DEPARTMENT TO ACCEPT A TOTAL OF \$837,345.00 IN FEDERAL 5311 FUNDING FOR MOBILITY MANAGEMENT SERVICES AND ADJUSTING THE CAPITAL PROJECT ACCOUNT MADE BY MS. FITZPATRICK. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

2. **Reimbursement of General Fund** - Mrs. Dlugos stated in May the Legislature passed a resolution allocating funds to the Institute for Human Services for mobility management services. We had stated we would reimburse the County's General Fund once we received the 5311 funds, however, the Institute for Human Services has requested to reimburse the County using CARES Act funding and we will see that money long before we see the 5311 funds. She requested authorization to reimburse the General Fund from CARES Act funding rather than waiting for the 5311 funds. The amount of reimbursement will be \$170,788.13. Ms. Prossick and Mrs. Hurd-Harvey stated a new resolution will need to be adopted, referencing the change from the previous resolution.

MOTION: AUTHORIZING REIMBURSEMENT TO THE GENERAL FUND FROM CARES ACT 2020 FUNDING MADE BY MR. MALTER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

3. **Accepting NY Census Outreach Grant** – Mrs. Dlugos stated back in March the Legislature had approved this grant and then everything shut down due to COVID. Last week we were notified that funding would be available at 50 percent of the original grant allocation. The new grant amount is \$90,455.00 and we are contracting with four not-for-profit agencies to help with census education. Ms. Prossick commented we had adopted a resolution in March, so we will be rescinding that resolution and replacing with a new resolution.

MOTION: RESCINDING RESOLUTION NO. 063-20 ACCEPTING CENSUS OUTREACH GRANT FUNDS IN THE AMOUNT OF \$180,910.00 AND AUTHORIZING ACCEPTANCE OF CENSUS OUTREACH GRANT FUNDS IN THE AMOUNT OF \$90,455.00 MADE BY MR. NICHOLS. SECONDED BY MR. MALTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

D. Department of Social Services

1. **Accepting DSRIP Funds** - Ms. Muller informed the committee they are receiving \$289,545 for meeting our performance measures on the DSRIP project. There are no strings attached. She requested authorization to accept and appropriate this funding.

MOTION: AUTHORIZING THE COMMISSIONER OF SOCIAL SERVICES TO ACCEPT AND APPROPRIATE \$289,545.00 IN DSRIP PROJECT FUNDS INTO A NEW CAPITAL PROJECT MADE BY MR. MALTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

E. Public Health

1. **Accept Funding from Health Research Inc. for COVID-19 Enhanced Detection** - Mrs. Smith informed the committee that all counties in New York State will be receiving funding, based on population and other metrics, from Health Research, Inc. The amount we are receiving is \$310,840.00 and it will be used for two distinct purposes. The first for enhanced COVID-19 detection and contact tracing. The second is to strengthen flu vaccine rates ahead of flu season. These funds will pay for us to increase staff. Mr. Roush asked are any County funds required as a match? Mrs. Smith replied no.

MOTION: AUTHORIZING THE DIRECTOR OF PUBLIC HEALTH TO ACCEPT \$310,840.00 IN FUNDING FROM HEALTH RESEARCH, INC. FOR COVID-19 ENHANCED DETECTION MADE BY MR. ROUSH. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

F. Emergency Management Office

1. **COVID-19 Supply Purchases** - Mr. Marshall informed the committee that over the past several weeks they have done a complete review of their supply inventory. We sat down with the management team and looked at where we are at and where we need to be. The group has suggested increasing the amount of isolation gowns to 2,000 at an estimated cost of \$8,000. We are looking to purchase 3M N-95 masks; 1,860 small and 1,860 medium for a total cost of \$2,400 (\$1,200 for each size). Additionally, we are looking to purchase 20,000 medium nitrile gloves and 20,000 large nitrile gloves. The cost depends on the market and we estimate that it will be between \$4,000 - \$7,200. Mr. Marshall stated he is working with Purchasing to identify a vendor. He requested authorization to do this as an emergency purchase.

Mr. Nichols asked will these purchases exceed the revenues? Mr. Wheeler replied no. We started with \$50,000 to that account and will be spending less than \$20,000. Mr. Marshall commented these expenses will be FEMA reimbursable.

MOTION: AUTHORIZING THE EMERGENCY PURCHASE OF COVID-19 SUPPLIES AS DETAILED BY THE DIRECTOR OF THE EMERGENCY MANAGEMENT OFFICE MADE BY MR. MALTER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

G. Public Works

1. **Major Equipment List Changes** - Mr. Spagnoletti stated in our Major Equipment list for 2020 we had included a Tire Changer for \$4,000 and a Tire Balancer for \$4,000. We did not receive the outside funding we had expected and he would like to amend those items in the budget to reflect a cost of \$8,000 for the Tire Changer and \$8,000 for the Tire Balancer.

MOTION: AMENDING THE HIGHWAY MAJOR EQUIPMENT LIST TO REFLECT A CHANGE IN COST FOR A TIRE CHANGER FROM \$4,000 TO \$8,000 AND A TIRE BALANCER FROM \$4,000 TO \$8,000 MADE BY MR. ROUSH. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Salaries and Wages Transfers – Line Items 5 110 000** - Mr. Spagnoletti explained the entire payroll for the highway department is included in the General Repairs cost center. He requested authorization to transfer \$300,000 into the salaries and wages under the Permanent Improvements cost center, \$250,000 into the

salaries and wages under the Maintenance of Bridges cost center and \$250,000 into the salaries and wages under the Snow Removal cost center.

MOTION: AUTHORIZING THE TRANSFER OF \$800,000 FROM THE GENERAL REPAIRS SALARIES AND WAGES LINE ITEM AS FOLLOWS: \$300,000 TO THE SALARIES AND WAGES LINE ITEM UNDER PAERMANENT IMPROVEMENTS; \$250,000 TO THE SALARIES AND WAGES LINE ITEM UNDER MAINTENANCE OF BRIDGES AND \$250,000 TO THE SALARIES AND WAGES LINE ITEM UNDER SNOW REMOVAL MADE BY MR. MALTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

H. Commissioner of Finance

1. **Monthly Financial Reports** – Mr. Malter stated he noticed there were transfers to Overtime in the Sheriff’s Department. What was the reason for the additional overtime? Additionally, he looked at the Sheriff’s expenditures through June and the amount of money he has spent on food at the Jail. He has spent 72 percent of his total yearly budget. What is the reason for that? The budgeted amount is \$336,000 and he has already spent \$298,000 to date. Mr. Wheeler replied with regard to the overtime, there have been transfers as he has been running more overtime. The overtime is due to two major things. First with COVID, we have been having the Sheriff’s Deputies doing the daily check on positive cases after the initial check from Public Health. Second, with all the protests that happened for about two weeks, the State Police pulled most of their resources from our area to Buffalo and Rochester and we were filling that gap.

Mr. Malter asked with regard to Other Expenses for the Landfill. Why did we take \$10,000 from Environmental Monitoring and put that into Water Testing? Mr. Spagnoletti replied a representative from State DEC comes down once every two weeks to conduct testing on our water wells and we pay for those visits. Mrs. Hurd-Harvey commented these are two separate functions for tracking. She will check on the food costs at the Jail.

2. **Bid Award for Demolition of Two County-Owned Residences** – Mrs. Hurd-Harvey stated a bid was put out for the demolition of two County-owned residences located in Dansville and Greenwood. We received five bids and she recommended awarding to the low bidder, MJR Partners for \$12,620. The high bid was Swarthout at \$28,050. Mr. Wheeler stated in full disclosure, Eric Rose is a cousin to the low bidder, however, he has had nothing to do with this. MJR Partners has done a lot of work for the Land Bank.

MOTION: AWARDING THE BID FOR THE DEMOLITION OF TWO COUNTY-OWNED RESIDENCES LOCATED IN DANSVILLE AND GREENWOOD TO THE LOW BIDDER, MJR PARTNERS FOR \$12,620 MADE BY MR. NICHOLS. SECONDED BY MR. MALTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

3. **Discuss Format and Set Date for “Mini” Tax Auction** – Mrs. Hurd-Harvey stated they are looking at doing a “mini” tax auction. There are 15 – 20 parcels and the deadline for the payment of the non-refundable undertakings is August 31st. We have talked with Pirrung Auctioneers about doing a simultaneous online and in-person auction. This will be held in the Annex Building Conference Rooms and all bidders must pre-register by the Wednesday prior to the auction. We will divide the auction into two sessions; one at 10:00 a.m. and the other at 1:00 p.m. She requested authorization to set the date and time for the “mini” auction for Friday, October 2, 2020.

MOTION: SETTING THE DATE AND TIME FOR THE “MINI” TAX AUCTION FOR FRIDAY, OCTOBER 2, 2020 MADE BY MS. FITZPATRICK. SECONDED BY MR. NICHOLS FOR DISCUSSION.

Mr. Horton asked will the fees be the same in person as online? Mrs. Hurd-Harvey replied no, **there is an additional fee charged to online bidders by Proxibid which is the company that they will register and bid through online.** Mr. Malter asked will you hold another tax sale auction for the remaining properties? Mrs. Hurd-Harvey replied we are still waiting for action by the courts.

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

4. **Notice to Bidders and Terms of Sale** – Mrs. Hurd-Harvey stated they are finishing up the Notice to Bidders and Terms of Sale. She requested authorization to put that on the August Legislative agenda for approval.

MOTION: AUTHORIZING THE COMMISSIONER OF FINANCE TO PUT THE NOTICE TO BIDDERS AND TERMS OF SALE ON THE AUGUST LEGISLATIVE AGENDA FOR APPROVAL MADE BY MR. MALTER. SECONDED BY MS. FITZPATRICK. 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 PROPERTY OR THE PROPOSED ACQUISITION OF SECURITIES, OR EXCHANGE OR SALE OF SECURITIES HELD BY SUCH PUBLIC BODY, BUT ONLY WHEN PUBLICITY WOULD SUBSTANTIALLY AFFECT THE VALUE THEREOF MADE BY MS. FITZPATRICK. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING A HARDSHIP DEFERRAL RELATIVE TO PARCEL #115.00-01-020.211 SITUATE IN THE TOWN OF WHEELER, EXPIRING MARCH 31, 2021, INCLUSIVE OF THE 25 PERCENT PENALTY MADE BY MR. NICHOLS. SECONDED BY MR. MALTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: DENYING THE APPLICATION FOR A NON-REFUNDABLE UNDERTAKING RELATIVE TO PARCEL #151.09-01-039.000 AND PARCEL #151.09-01-040.000 SITUATE IN THE CITY OF HORNEILL MADE BY MR. MALTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

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

MOTION: TO ADJOURN MADE BY MR. ROUSH. 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, September 8, 2020
9:30 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON
September 2, 2020**