

STEBEN COUNTY FINANCE COMMITTEE

Tuesday, July 11, 2017

10:00 a.m.

Legislative Committee Conference 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 Jennifer Prossick Jim Allard Tammy Hurd-Harvey	Mitchell Alger Phil Roche Wendy Jordan Brenda Mori	Vince Spagnoletti Shawn Sauro Pat Donnelly
LEGISLATORS:	Carol A. Ferratella John V. Malter	Hilda T. Lando	Robin K. Lattimer
OTHERS:	Mary Perham		

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 13, 2017, MEETING MADE BY MR. SCHU. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. DEPARTMENT REQUESTS

A. Public Defender

1. **Major Equipment Amendment** – Mr. Roche requested authorization to purchase a new Toshiba copier/scanner/fax machine for \$3,522.00 and to amend his Major Equipment to reflect this change. The copier will be paid for using grant funds.

MOTION: AUTHORIZING THE PUBLIC DEFENDER TO PURCHASE A NEW TOSHIBA COPIER/FAX/SCANNER FOR \$3,522.00 AND AMENDING THE MAJOR EQUIPMENT LIST TO REFLECT THIS PURCHASE MADE BY MR. ROUSH. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Family Court Conflict Office** – Mr. Roche introduced Mr. Sauro, First Assistant Public Defender, who has been taking the lead on the effort to support the creation of a Family Court Conflict Office. We will ask the County Bar Association for their approval and if approved, will come back to make a presentation to the Legislature.

B. Public Works

1. **Capital Project for Cell 4** – Mr. Spagnoletti informed the committee that Cell 3 in the Landfill will be full by the end of 2019 and we will begin building Cell 4 in 2018. The new cell will cost between \$6 million and \$6.5 million. We have \$1,472,000 remaining in the capital project for Cell 3 and he requested authorization to transfer that amount into a new capital project for Cell 4.

MOTION: AUTHORIZING THE CREATION OF A NEW CAPITAL PROJECT FOR THE LANDFILL CELL 4 CONSTRUCTION AND TRANSFERRING SURPLUS FUNDS FROM THE CELL 3 CAPITAL PROJECT IN THE AMOUNT OF \$1,472,000.00 TO THE CELL 4 CAPITAL PROJECT MADE BY MR. ROUSH. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Road Projects** - Mr. Spagnoletti requested authorization to transfer a total of \$703,000 from various road projects into the Permanent Improvements Capital Project to add the following projects – CR 36 – Cohocton, CR 16/20 - Bradford, CR 17 – Campbell, CR 4 – Campbell and CR 42 – Hornby.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO TRANSFER \$703,000 FROM VARIOUS ROAD PROJECTS INTO THE PERMANENT IMPROVEMENTS CAPITAL PROJECT AND ADD THE FOLLOWING PROJECTS: CR 36 – COHOCTON, CR 16/20 – BRADFORD, CR 17 – CAMPBELL, CR 4 – CAMPBELL AND CR 42 – HORNBY MADE BY MS. FITZPATRICK. SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

C. Sheriff's Office

1. **2018 Bicycle Safety Grant** – Sheriff Allard requested authorization to accept a 2018 Bicycle Safety Grant in the amount of \$2,000.

MOTION: AUTHORIZING THE SHERIFF TO ACCEPT A 2018 BICYCLE SAFETY GRANT IN THE AMOUNT OF \$2,000.00 MADE BY MR. SCHU. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Bethesda Foundation Grant** – Sheriff Allard requested authorization to accept a Bethesda Foundation Grant in the amount of \$4,000. This funding will be used to purchase portable emergency first aid combat/assault kits. He commented his goal is to get all of the Deputies certified as EMT's.

MOTION: AUTHORIZING THE SHERIFF TO ACCEPT A BETHESDA FOUNDATION GRANT IN THE AMOUNT OF \$4,000.00 MADE BY MR. SWACKHAMER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

3. **Corning Inc. Donation** – Sheriff Allard stated for the committee's information, Corning, Inc. has donated \$3,000 to be used for computer equipment.

D. Law Department

1. **Tax Certiorari** – Ms. Prossick stated the Town of Erwin has asked the County to participate in a tax certiorari proceeding regarding Aldi's. The amount of our contribution will not exceed \$3,000 and is estimated at \$1,264.03 for the pretrial appraisal.

MOTION: AUTHORIZING THE COUNTY TO PARTICIPATE IN TAX CERTIORARI PROCEEDINGS RELATIVE TO ALDI'S SITUATE IN THE TOWN OF ERWIN, IN AN AMOUNT NOT TO EXCEED \$3,000 MADE BY MR. SCHU. SECONDED BY MS. FITZPATRICK. MOTION CARRIES 4-0-1. (MR. ROUSH ABSTAINED AS HE IS A MEMBER OF THE ERWIN TOWN BOARD)

E. Commissioner of Finance

1. **Monthly Reports** – Mr. Donnelly asked if there were any questions on the monthly reports. There were none. He commented that we have 125 properties for the auction with 13 show cause orders. He anticipates that we will probably have 100 properties available for the sale.

F. County Manager

1. **Wireless Surcharge Local Law** – Mr. Wheeler informed the committee that with the State budget, the Legislature and the Governor granted authority to extend the wireless surcharge to prepaid devices. Currently the surcharge is \$.30 per contracted device and there is no surcharge on prepaid devices. Our local law for contracted devices is superseded by State law. We need to repeal our existing local law and adopt a new law

instituting the surcharge of \$.30 per wireless device, prepaid device or prepaid phone sale. He suggested that we do it this month as it is a two-month process and the new law goes into effect December 1, 2017.

MOTION: REPEALING THE WIRELESS COMMUNICATIONS SURCHARGE AUTHORIZED BY ARTICLE SIX OF THE COUNTY LAW OF THE STATE OF NEW YORK; AND IMPOSING THE WIRELESS COMMUNICATIONS SURCHARGE PURSUANT TO TAX LAW §186-G ON BOTH PREPAID AND POSTPAID WIRELESS COMMUNICATIONS, EFFECTIVE DECEMBER 1, 2017 MADE BY MR. SCHU. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

2. **Sales Tax Extender** – Mr. Wheeler informed the committee that the State finally passed the Sales Tax Extension legislation. He requested ratification of the adoption of the sales tax bill.

MOTION: RATIFYING THE ADOPTION OF THE SALES TAX EXTENDER BILLS PASSED BY THE NEW YORK STATE LEGISLATURE MADE BY MR. SWACKHAMER. 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 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 THE COMMISSIONER OF FINANCE TO WITHDRAW FROM THE 2017 TAX SALE AUCTION, THE FOLLOWING PROPERTIES AND SELL TO THE STEUBEN COUNTY LAND BANK CORPORATION: TAX SALE PARCEL #49 (MAP#299.19-02-088.000), SITUATE IN THE CITY OF CORNING FOR \$10,318.00 INCLUSIVE OF RECORDING FEES; TAX SALE PARCEL #50 (MAP #299.19-030-060.000), SITUATE IN THE CITY OF CORNING FOR \$29,985.00 INCLUSIVE OF RECORDING FEES; TAX SALE PARCEL #20 (MAP #159.09-01-048.000), SITUATE IN THE VILLAGE OF BATH FOR \$14,942.00 INCLUSIVE OF RECORDING FEES; AND TAX SALE PARCEL #89 (MAP #166.26-01-037.000), SITUATE IN THE CITY OF HORNEILL FOR \$5,228.00 INCLUSIVE OF RECORDING FEES MADE BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING THE COMMISSIONER OF FINANCE TO WITHDRAW FROM THE 2017 TAX SALE AUCTION, TAX SALE PARCEL #71 (MAP #080.00-01-030.100), SITUATE IN THE TOWN OF DANVILLE AND REFERRED TO THE LAW DEPARTMENT FOR REVIEW MADE BY MR. SWACKHAMER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING THE COMMISSIONER OF FINANCE TO WITHDRAW FROM THE 2017 TAX SALE AUCTION, TAX SALE PARCEL #18 (MAP #158.16-01-046.000), SITUATE IN THE VILLAGE OF BATH AND GRANTING A HARDSHIP DEFERRMENT EXPIRING MARCH 30, 2018 MADE BY MR. SWACKHAMER. SECONDED BY MR. ROUSH. MOTION: CARRIES 4-0-1. (MS. FITZPATRICK ABSTAINED DUE TO A CLIENT RELATIONSHIP)

MOTION: AUTHORIZING THE COMMISSIONER OF FINANCE TO WITHDRAW FROM THE 2017 TAX SALE AUCTION, TAX SALE PARCEL #54 (MAP #299.67-01-030.000), SITUATE IN THE CITY OF CORNING AND GRANTING A HARDSHIP DEFERRMENT EXPIRING MARCH 30, 2018 MADE BY MR. SCHU. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING THE COMMISSIONER OF FINANCE TO WITHDRAW FROM THE 2017 TAX SALE AUCTION, TAX SALE PARCEL #19 (MAP #159.06-01-054.000), SITUATE IN THE VILLAGE OF BATH AND AUTHORIZING A PRIVATE SALE TO DANIEL S. & TRACY A. DAVIS FOR \$919.00 INCLUSIVE OF RECORDING FEES MADE BY MR. ROUSH. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING THE COMMISSIONER OF FINANCE TO SOLICIT SEALED BIDS FOR THE SALE OF PARCEL #378.16-01-003.000, SITUATE IN THE TOWN OF TROUPSBURG MADE BY MR. SCHU. 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 MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: TO ADJOURN MADE BY MR. SCHU. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

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

**Tuesday, August 8, 2017
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 2, 2017.**