

STEBEN COUNTY AGRICULTURE, INDUSTRY AND PLANNING COMMITTEE

Wednesday, June 3, 2020

Via Teleconference

****MINUTES****

COMMITTEE: Robin K. Lattimer, Chair K. Michael Hanna, Vice Chair Hilda T. Lando
 Aaron I. Mullen Paul E. Van Caesele

STAFF: Jack K. Wheeler Christopher Brewer Brenda Mori
 Amy Dlugos Jennifer Prossick Tammy Hurd-Harvey
 Eric Rose Kathryn Muller Andrew Morse

LEGISLATORS: Scott J. Van Etten Carol A. Ferratella Kelly H. Fitzpatrick
 Jeffrey P. Horton Steven P. Maio John V. Malter
 Frederick G. Potter Gary D. Swackhamer Robert V. Nichols
 K. Michael Hanna

OTHERS: Kevin Costello, SCCVB
 Tess McKinley, Cooperative Extension
 Mary Perham

I. CALL TO ORDER

Ms. Lattimer called the meeting to order at 9:32 a.m.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE MAY 6, 2020, MEETING MADE BY MR. MULLEN. SECONDED BY MRS. LANDO. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. DEPARTMENT REQUESTS

A. Planning

1. **Accepting CARES Act 2020 Funding** – Mrs. Dlugos stated they have received CARES Act 2020 funding for public transportation and that will be disbursed in two separate contracts. She requested authorization to accept \$249,017 for mobility management services.

MOTION: AUTHORIZING THE DIRECTOR OF THE PLANNING DEPARTMENT TO ACCEPT CARES ACT 2020 FUNDING IN THE AMOUNT OF \$249,017.00 FOR PUBLIC TRANSPORTATION MOBILITY MANAGEMENT SERVICES MADE BY MR. MULLEN. SECONDED BY MR. VAN CAESELE. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

Mrs. Dlugos stated with the CARES Act funding we will need to amend our contracts with the operators and the Institute for Human Services in order to get the funding to them. Mr. Mullen asked are we paying the County out of a portion of the State funds? Mrs. Dlugos replied this is 80 percent federal, 10 percent State and 10 percent local match. For the local match for Mobility Management we can use other contracts to make that match. A lot of the matches for operating can use different contracts. The only funding the County puts in is around \$23,000 out of bus operations. Mr. Wheeler stated we budget \$50,000 but we are not actually spending it. The local share is relatively low.

Mr. Mullen asked what is the practical effect of this? Mrs. Dlugos replied this funding is 100 percent federal with no match. First Transit lost revenue as there was a decrease in ridership and they eliminated the fare boxes for safety reasons. This federal funding is meant to make up that lost revenue and can also be used for extra expenses

such as PPE and extra cleaning. It is a little unclear what the qualifications are for this funding and the documentation that needs to be provided. She will be working with NYSDOT and the providers. There is no deadline to spend it all now.

Mr. Mullen asked if the money is coming to the County and if we were only paying the 10 percent match before, why is this large of a grant coming to us? Is it in part to prop up those other agencies? Mr. Wheeler replied yes. Some of those things it is tough to make a one to one correlation to the CARES Act. This is just enhanced funding for them to make up for the loss of ridership fees and other things. Mr. Mullen asked that goes through the County to the other entities? Mr. Wheeler replied we are the pass through for mobility management. If we didn't contract with these agencies we would potentially have to look at standing up our own bus system.

Ms. Lattimer commented they are providing ridership and transportation for constituents that wouldn't have access otherwise.

MOTION: AUTHORIZING THE DIRECTOR OF THE PLANNING DEPARTMENT TO ACCEPT CARES ACT FUNDING IN THE AMOUNT OF \$563,575.00 FOR TRANSPORTATION OPERATION ASSISTANCE AND AUTHORIZING THE AMENDMENT OF THE CONTRACTS WITH THE INSTITUTE FOR HUMAN SERVICES, FIRST TRANSIT AND ARC OF STEUBEN TO REFLECT THE APPROPRIATION OF SAID FUNDS MADE BY MR. MULLEN. SECONDED BY MR. HANNA. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

2. **CDBG Funds for Rental Assistance** – Mrs. Dlugos stated last month we had discussed the ability to repurpose CDBG funds that have already been released to address rental problems. We have about 697 households that are on Arbor's waiting list for rental assistance. Arbor feels these funds are needed to help those individuals who are in the 60 – 80 AMI. We have the ability to use the CDBG funds for rent. Arbor would re-qualify people monthly and individuals would receive three months' rent going back to April. We are looking at using \$20,000 - \$30,000 of the CDBG funds for this. Mrs. Dlugos explained recipients would receive a minimum of one hour of financial counseling through HUD and will try to encourage them to do more. During their financial counseling they will go through their finances and try to help them plan and make the most of what they have to work with and address their most immediate needs. The intent is to provide stability to renters and landlords. Evictions are currently on hold until August 20th, but renters will still owe their rent.

Mrs. Dlugos stated at last month's meeting Mr. Mullen had suggestions for things that he would like to see with this. One suggestion was to not assist people who were receiving enhanced unemployment. We did discuss with OCR (Office of Community Renewal) and they said we can make it more restrictive, and that is something we could do. If they are getting the enhanced unemployment, we could include that as part of their income or say that they would not qualify. The other suggestion from Mr. Mullen was a forgivable loan. With the well and septic grant we have what we call a deferred grant and we put a lien on the property and if the property is sold within five years they have to pay back a portion which is pro-rated. She stated she is not sure how we would do a loan program for rental assistance as we cannot put a lien on anything. If they were to receive another State or Federal payment for rental assistance, we would want them to pay back what we gave them, but she is not sure of the mechanism to structure that.

Mr. Mullen stated my thought is if the State or Federal government is subsidizing some of this rent and if it comes back it would be good to pay it back. He would think it would be worth the time to do the contract just to have them sign and say they will pay back if they get a State or Federal subsidy, but there is not a good enforcement mechanism. Mrs. Dlugos stated we can do a contract but I don't know how we would collect. Mr. Mullen stated he doesn't think there is a good enforcement mechanism, but there is not a lien on the property.

Mr. Maio commented the other thing you may want to make sure is that the rent was up to date before the crisis hit. Would these payments be made directly to the landlord or to the tenant? Mrs. Dlugos replied the payments will be made directly to the landlord and Arbor will also do a visual inspection of the home before they are paid.

Mr. Maio asked is there a way to prioritize those with young children in the home? Mrs. Dlugos replied that is a good question. I am not sure if we can do that or not. Ms. Lattimer asked if they are qualified on income guidelines, wouldn't dependents play into that figure? Mrs. Dlugos replied yes, the dependents would play into that. Certainly we would try to address the neediest people first. Having children in the home affects the AMI level and it makes it easier for individuals to qualify.

Mrs. Lando asked if Arbor is doing inspections, that means they are going in the homes? If they find something, what happens? Mrs. Dlugos replied that is my question too. Under HUD funding they are looking for lead paint and they do have a program to address that.

Ms. Lattimer asked are they checking the rental units to ensure the landlords' premises are up to code? Mrs. Dlugos replied that is correct. OCR is asking the landlord to sign an attestation and Arbor wants to do a visual inspection, especially for lead paint. Mr. Van Etten commented that landlords that rent to Section 8 recipients already do that.

Mr. Van Caesele asked have there been a significant amount of requests for rental assistance? Do we even need to move forward? Mrs. Dlugos replied that the HOME funding has been approved, Arbor is marketing that more. Arbor is covering three counties and they are just starting to market more that if you need assistance to get on the list and fill out the application. As of right now, Steuben County has 697 households and Arbor has just started processing those. We don't have solid numbers yet on the 60 – 80 percent AMI households.

Mrs. Dlugos requested authorization to amend the agreement with Arbor to include up to \$30,000 in CDBG funds to be used for rental assistance. Mr. Mullen stated he will move it with the stipulation that if an individual is receiving the enhanced unemployment they would not qualify and if they are receiving a State or Federal rental subsidy they will have to repay it.

MOTION: AUTHORIZING THE DIRECTOR OF THE PLANNING DEPARTMENT TO AMEND THE CONTRACT WITH ARBOR TO INCLUDE UP TO \$30,000 IN CDBG FUNDS TO BE USED FOR RENTAL ASSISTANCE WITH THE UNDERSTANDING THAT INDIVIDUALS RECEIVING THE ENHANCED UNEMPLOYMENT BENEFIT WILL NOT QUALIFY AND THAT THOSE INDIVIDUALS WHO ALSO ARE RECEIVING A STATE OR FEDERAL RENTAL SUBSIDY WILL BE REQUIRED TO REPAY ANY FUNDS RECEIVED THROUGH THIS PROGRAM MADE BY MR. MULLEN. SECONDED BY MR. VAN CAESELE. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

3. **Accepting Section 5311 Federal Transit Operating Funds** – Mrs. Dlugos requested authorization to accept Section 5311 Federal Transit Operating funds in the amount of \$405,020.00. This covers the 2018 funds that have not been reimbursed to us yet as well as the 2019 funds. These are the operating funds for First Transit and Arc of Steuben.

MOTION: AUTHORIZING THE DIRECTOR OF THE PLANNING DEPARTMENT TO ACCEPT SECTION 5311 FEDERAL TRANSIT OPERATING FUNDS IN THE AMOUNT OF \$405,020.00 MADE BY MR. MULLEN. SECONDED BY MR. VAN CAESELE. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

Mr. Van Caesele asked what have we been doing without these funds for the last two years? Mrs. Dlugos replied with Arc of Steuben, we have been carrying it. We have not paid the 2019 money to the Arc of Steuben yet, but we have paid the 2018. First Transit has been paid their funds. New York State is very behind. The funds for 2020 and Mobility Management will be in a separate contract which is forthcoming.

4. **Public Hearings** – Mrs. Dlugos stated the committee had previously approved a public hearing for land submitted for inclusion in certified agricultural districts but that was pulled from the March Legislative Meeting and you had also approved a public hearing for the CDBG grant. With the changes due to Covid, we cannot hold in-person public hearings. We do need to have the CDBG Public Hearing this month and we cannot

submit the application without this hearing. This CDBG hearing is relative to the Woodlands project. She stated she spoke with Ms. Mori yesterday and we can take written comments. She requested approval to hold the Public Hearing by written comment this month and to authorize that the public hearing relative to land submitted for inclusion in certified agricultural districts can be held in-person or by written comments.

MOTION: AUTHORIZING THE PUBLIC HEARING RELATIVE TO THE CDBG GRANT FOR THE WOODLANDS PROJECT TO BE HELD BY WRITTEN COMMENTS AND AUTHORIZING THAT THE PUBLIC HEARING RELATIVE TO LAND SUBMITTED FOR INCLUSION IN CERTIFIED AGRICULTURAL DISTRICTS BE HELD IN-PERSON OR BY WRITTEN COMMENT MADE BY MR. MULLEN. SECONDED BY MR. VAN CAESELE FOR DISCUSSION.

Ms. Lattimer asked are you publishing or notifying the public on the process in the usual manner? Mrs. Dlugos replied the notice is still getting published and the only change is that the public will have the ability to submit written comments. Ms. Mori stated we are just bringing it back through committee so we have the authority to accept written comments and that will be included in the public hearing notice.

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

IV. OUTSIDE AGENCIES

A. Steuben County Conference & Visitors' Bureau

1. **Official Tourism Promotion Agency** – Mr. Costello requested that the Steuben County Conference & Visitors' Bureau be designated as the County official tourism promotion agency. Upon approval of a resolution, this will be submitted for our matching funds grant application.

MOTION: DESIGNATING THE STEUBEN COUNTY CONFERENCE & VISITORS' BUREAU AS THE OFFICIAL TOURISM PROMOTION AGENCY OF STEUBEN COUNTY MADE BY MR. MULLEN. SECONDED BY MR. HANNA. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

V. OTHER BUSINESS

A. *Animal Cruelty Investigations* – Mr. Mullen stated after our last meeting I sent information about the District Attorney being able to require owners of animals seized by the County to post bond or allow the animals to be sold. He is just wondering where that was at. Ms. Prossick stated I did talk to Mr. Baker about it. He is aware of the Agriculture & Markets section, but in this particular situation there was nothing he could prosecute with regard to a civil judgement. He is taking this into consideration when this pops up. Mr. Mullen stated it would allow us to sell the animals and not pay thousands of dollars to care for them. Ms. Prossick stated Mr. Baker explained it as a balancing act between it being evidence for the prosecutorial portion and an evidentiary issue. He stated he knew the County was being billed and he should be factoring that in going forward.

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

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

****NEXT MEETING SCHEDULED FOR**
Wednesday, July 1, 2020**

**Please send agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON
Wednesday, June 24, 2020**