

**STEUBEN COUNTY FINANCE COMMITTEE**

*Tuesday, June 9, 2020*

*9:30 a.m.*

*Via Teleconference*

**\*\*MINUTES\*\***

<b>COMMITTEE:</b>	Gary D. Swackhamer, Chair Robert V. Nichols	Kelly H. Fitzpatrick, Vice Chair Gary B. Roush	John V. Malter
<b>STAFF:</b>	Jack K. Wheeler Tammy Hurd-Harvey David Hopkins Vince Spagnoletti	Christopher Brewer Jennifer Prossick Andy Morse Amy Dlugos	Brenda Mori Brooks Baker Pat Donnelly Veronica Olin
<b>LEGISLATORS:</b>	Scott J. Van Etten Jeffrey P. Horton Frederick G. Potter	Carol A Ferratella Hilda T. Lando	K. Michael Hanna Robin K. Lattimer
<b>OTHERS:</b>	Mary Perham		

**I. CALL TO ORDER**

Mr. Swackhamer called the meeting to order at 9:30 a.m.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE MAY 12, 2020, AND MAY 22, 2020, MEETINGS MADE BY MS. FITZPATRICK. SECONDED BY MR. MALTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**III. DEPARTMENT REQUESTS**

**A. Public Works**

1. **Transfer from Salt Account to Sand Account** – Mr. Spagnoletti informed the committee that their sand supply has been running out before winter ends. To remedy that we would like to put up the sand this summer that will last the entire winter. Normally we would purchase the sand for the 2020-2021 season out of the 2021 budget, but he is requesting authorization to transfer \$139,000 from the salt account to the sand account to purchase and pay for the sand in September 2020.

**MOTION: AUTHORIZING THE TRANSFER OF \$139,000 FROM THE DEPARTMENT OF PUBLIC WOKS SALT ACCOUNT TO THE SAND ACCOUNT TO PURCHASE AND PAY FOR THE 2020-2021 WINTER SAND SUPPLY IN SEPTEMBER 2020 MADE BY MR. ROUSH. SECONDED BY MR. NICHOLS FOR DISCUSSION.**

Mr. Swackhamer asked will there be enough money to purchase your salt early? Mr. Spagnoletti replied when it comes time for that we may need to take funds from elsewhere in our budget to pay for it. Mr. Van Etten stated I don't understand that. Your budget for sand and salt is set in the annual budget and there is not a timing issue. Mr. Spagnoletti explained what happened here is when we put out the bid to put up our entire winter supply of sand, we included the first quarter of 2021. We are paying for that first quarter of 2021 out of the 2020 budget. Mr. Van Etten stated that makes sense. You are preparing for the next year supply. Mr. Spagnoletti stated Mr. Swackhamer is right on his question of being set because we are drawing from the salt account to pay for sand and we may need to find that money in another part of our budget.

B. Planning

1. **Accepting CARES Act 2020 Funding** – Mrs. Dlugos requested authorization to accept CARES Act 2020 funding for public transportation. There are two separate funding contracts. The first is for public transportation mobility management services in the amount of \$249,017.00. The second funding contract is public operating assistance in the amount of \$563,575.00.

**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. MALTER. SECONDED BY MR ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

**MOTION: AUTHORIZING THE DIRECTOR OF THE PLANNING DEPARTMENT TO ACCEPT CARES ACT FUNDING IN THE AMOUNT OF \$563,575.00 FOR PUBLIC TRANSPORTATION OPERATION ASSISTANCE MADE BY MR. ROUSH. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

2. **Accepting Section 5311 Federal Transit Operating Assistance Funds** – Mrs. Dlugos requested authorization to accept 5311 funds in the amount of \$405,020.00. This covers the contract for 2018 funds and the 2019 funds that have not been paid yet. We get reimbursed for those expenses.

**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. NICHOLS. SECONDED BY MR. ROUSH FOR DISCUSSION.**

Mr. Malter asked why such a large timing delay in receiving these funds? Mrs. Dlugos replied we submit an annual report in March for the previous year and then they send us the funding. For the 2018 funds we submitted an annual report and then there were some changes they needed us to make. We made those changes and then they had to put that money in another contract. We provided what we needed to them and then we had to wait for another contract. This is a reimbursement program and we received about \$200,000 each year.

Ms. Fitzpatrick asked is it true that buses are not charging fares? Mrs. Dlugos replied yes. First Transit suspended fares to avoid having people touch the fare box and standing near the driver. I am not sure at what point they will reinstate them. Ms. Fitzpatrick asked does each company operator keep their fares? Mrs. Dlugos replied yes, that is counted as part of the matching funds and goes to their revenue and is reported to NYS Department of Transportation. That is included as part of the funding formula. Ms. Fitzpatrick asked will this pose a problem in the future? Mrs. Dlugos replied that is being addressed through the CARES Act. I will double check, but I'm pretty sure the fare issue is being addressed through the CARES Act.

Mr. Malter asked how much is the fare? Mrs. Dlugos replied the fare is \$1.00 and in any given year First Transit collects about \$56,000. Mr. Van Etten stated there was a question about this last week and who made the decision to not charge fares. That was not our decision. We receive this money and pass it through the operators and they made the decision to not charge fares based on the CARES Act. Mrs. Dlugos stated that is correct.

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

C. Commissioner of Finance

1. **Monthly Reports** – Mrs. Hurd-Harvey asked if there were any questions on the monthly reports. Mr. Malter asked under on the budget transfers, there was a transfer of \$11,568 in timber revenue. I'm assuming those are contracted expenses for the actual logging? Mrs. Hurd-Harvey replied no, those are the costs for the individual who is assessing and reporting. Mr. Swackhamer stated I think they were going in and marking the trees to get them ready for harvest. Mr. Spagnoletti stated this is for the continuation of marking trees and working on an overall plan on which parcel gets harvested in which year. We will pay for that out of the logging revenue.

2. **Bullet Proof Vest Budget Transfer** – Mrs. Hurd-Harvey requested authorization to transfer 2018-2019 and 2019-2020 unspent revenue and expenditures to establish the Bullet Proof Vest Grants in the 2020 budget. This will also help to roll over the funding year to year. She explained when the committee gets the June budget transfer reports this will show up being \$24,000 - \$25,000 out of balance. For this transfer we are picking up the County cost associated with this grant.

**MOTION: AUTHORIZING THE COMMISSIONER OF FINANCE TO TRANSFER UNSPENT REVENUE AND EXPENDITURE FUNDS RELATIVE TO THE BULLET PROOF VEST GRANT TO ESTABLISH THE BULLET PROOF VEST GRANT IN THE 2020 BUDGET MADE BY MS. FITZPATRICK. SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

3. **Tax Foreclosure Auction** – Mrs. Hurd-Harvey stated Mr. Donnelly has been talking with Bath Haverling School about the possibility of holding the auction there in the fall. Mr. Donnelly stated the Legislature had, back in March, authorized holding the tax sale auction on July 10, 2020. The schools are still closed to the public and the students. He requested the Legislature cancel the tax sale auction scheduled for July 10, 2020. He did talk with the Superintendent of the Bath School and they are not sure if in the fall there will be any outside groups using the facility. If they do allow outside groups to use their facility, they have two Saturdays in September open and I have also asked them to check the availability for October. Another possibility would be to use a banquet facility. We have not checked that yet, but the Radisson in Corning would be an option and there would likely be a pretty stiff sanitization fee. Another possibility is doing an on-line auction and Pirrung is able to allow on-line bids. That would be somewhat different than what we currently do. There are other tax auctions that are held on that site. He stated that Pirrung has the RFP to do the tax sale auction this year.

Mr. Swackhamer asked what about holding at the Fairgrounds with a big tent? Mr. Donnelly replied he hasn't asked, but we could do that. I don't know if they will be holding the fair this year or not. He will inquire about that. I suppose the grandstand at the fair might be available and that would be covered. Mr. Swackhamer stated it is just a suggestion. Mr. Roush suggested you could hold it at night and then there would be no projection issues. Mr. Van Etten stated you could just print off 200 books and people could just follow along. Is there any place on the County farm where we could set up? Most people who go to auctions are used to being outside. Mr. Donnelly stated wherever we go we have to have enough room to maintain the six foot circle around people. We usually get about 300 people at the auction.

Mr. Van Etten asked will the six foot distancing be a permanent requirement? Mr. Donnelly replied I don't know, but we'll probably have to stick with it for a while. Ms. Fitzpatrick asked can't people opt to wear a mask if they are unable to maintain the six foot distance? Mr. Wheeler replied yes. The issue is we don't know what it will look like in September. We should plan on the biggest practicable space possible. Mr. Donnelly stated he would not want to do it any later than October 15<sup>th</sup>.

Ms. Fitzpatrick asked what about the issue with the courts? Mr. Donnelly replied the courts are not receiving applications for defaults and that is how we get title. He is not sure how they will go through that. It could be a couple of weeks or maybe a month. Then there is 30 days to challenge. We really need about 60 days between the time we submit the application. Ms. Prossick stated we have no decision from the courts on when default judgements will open. She is thinking October because the rental deferment will end in August.

**MOTION: CANCELLING THE JULY 10, 2020 TAX FORECLOSURE AUCTION MADE BY MR. ROUSH. SECONDED BY MS. FITZPATRICK FOR DISCUSSION.**

Mr. Malter asked will you put together a listing of those potential properties that are up for sale at this point? Mr. Donnelly replied yes. We have one where notice has been given and the hardships approved. We have a full list, but that doesn't mean the properties will be in the auction. Mr. Malter asked is that list available at this point? Mr. Donnelly replied yes, it is a deed list.

Mr. Horton commented if you use the County farm or the fairgrounds, you would not have to do the auction on a Saturday. Mrs. Ferratella asked what about the vacant K-Mart building? Mr. Donnelly replied he did broach that in a conversation with Mrs. Hurd-Harvey. We would have a staging issue and the landlord would want something for rent and then there is the sanitization issue. Mrs. Ferratella stated if you hold it at the Radisson, parking would be an issue. That was just my thought.

Mrs. Hurd-Harvey stated to the point of the reference to the 60 days; once we are able to submit application, we would have that amount of time to set the date of the auction and determine a location. Hopefully the 60 days will be enough time to pull all of this off.

**VOTE ON PREVIOUS MOTION: 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 MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: APPROVING A HARDSHIP DEFERRAL RELATIVE TO PARCEL #280.19-01-080.000 SITUATE IN THE TOWN OF ERWIN AND WAIVING THE 25 PERCENT PENALTY MADE BY MS. FITZPATRICK. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. MALTER NOT PRESENT FOR THE VOTE)**

**MOTION: APPROVING A HARDSHIP DEFERRAL RELATIVE TO PARCEL #299.10-01-011.000 SITUATE IN THE TOWN OF CORNING AND WAIVING THE 25 PERCENT PENALTY MADE BY MS. FITZPATRICK. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: APPROVING A HARDSHIP DEFERRAL RELATIVE TO PARCEL #159.05-01-040.000 SITUATE IN THE TOWN OF BATH AND SUBJECT TO A 25 PERCENT PENALTY MADE BY MR. NICHOLS. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: APPROVING A HARDSHIP DEFERRAL RELATIVE TO PARCEL #036.00-01-031.200 SITUATE IN THE TOWN OF PULTENEY AND SUBJECT TO A 25 PERCENT PENALTY MADE BY MR. NICHOLS. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: APPROVING A HARDSHIP DEFERRAL RELATIVE TO PARCEL #328.00-01-005.100 SITUATE IN THE TOWN OF WOODHULL AND SUBJECT TO A 25 PERCENT PENALTY MADE BY MR. NICHOLS. 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. NICHOLS. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

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

Respectfully Submitted by Amanda L. Chapman, Deputy Clerk, Steuben County Legislature

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

**Tuesday, July 14, 2020**

**9:30 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office**

**NO LATER THAN NOON**

**Wednesday, July 8, 2020**