

**STEBEN COUNTY FINANCE COMMITTEE**

*Tuesday, March 12, 2019*

*9:45 a.m.*

*Legislative Committee Room  
Steuben County Office Building  
Bath, New York*

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

<b>COMMITTEE:</b>	Scott J. Van Etten, Chair Gary B. Roush	Gary D. Swackhamer, Vice Chair Robert V. Nichols	Kelly H. Fitzpatrick
<b>STAFF:</b>	Jack K. Wheeler Doug Rapalee Tim Marshall Craig Patrick	Amy Dlugos Tammy Hurd-Harvey Jim Allard Brenda Mori	Pat Donnelly Hank Chapman Jennifer Prossick
<b>LEGISLATORS:</b>	Carol A. Ferratella John V. Malter	K. Michael Hanna Frederick G. Potter	Robin K. Lattimer
<b>OTHERS:</b>	Alison Hunt Mary Perham		

**I. CALL TO ORDER**

Mr. Van Etten called the meeting to order at 9:45 a.m.

**II. APPROVAL OF MINUTES**

Ms. Fitzpatrick requested an amendment to the February 25<sup>th</sup> minutes as they state that the Savona Park is located in the Town of Savona, however, that parcel in fact is located in the Town of Bath.

**MOTION: ADOPTING THE MINUTES OF THE FEBRUARY 13, 2019, MEETING AS WELL AS THE FEBRUARY 25, 2019 MEETING AS AMENDED MADE BY MR. SWACKHAMER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**III. DEPARTMENT REQUESTS**

A. Office of Community Services

1. **Budget Adjustment – OASAS State Aid** – Dr. Chapman informed the committee that they received an OASAS (Office of Alcohol & Substance Abuse) State Aid budget adjustment for 2019. He requested authorization to pass through amounts to the following line items: \$271.00 for Hornell Concern for Youth; \$538.00 for Family Services; \$60,279.00 for Catholic Charities and \$60,617.00 for Contracts for Services.

Dr. Chapman explained for the allocation to Catholic Charities of the \$60,279, \$2,662 is for COLA and the remaining \$57,617 is money to allow them to add another prevention counselor to work in the schools. The \$60,617 for our Contracts for Services line: \$617 is COLA and the remaining \$60,000 will help us to fund the Substance Abuse Counselor position at the Jail. He explained they are looking to have 1.5 counselors at the Jail and these funds will help to offset some of that cost.

**MOTION: AUTHORIZING THE DIRECTOR OF THE OFFICE OF COMMUNITY SERVICES TO ACCEPT A 2019 OASAS STATE AID BUDGET ADJUSTMENT AND ALLOCATING TO THE FOLLOWING LINE ITEMS: \$271.00 FOR HORNELL CONCERN FOR YOUTH; \$538.00 FOR FAMILY SERVICES; \$60,279.00 FOR CATHOLIC CHARITIES AND \$60,617.00 FOR CONTRACTS FOR SERVICES MADE BYMR. NICHOLS. SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

2. **Budget Adjustment – OPWDD 2019 State Aid** – Dr. Chapman requested authorization to accept and pass through additional OPWDD 2019 State aid in the amount of \$3,324.00 to Steuben ARC.

**MOTION: AUTHORIZING THE DIRECTOR OF THE OFFICE OF COMMUNITY SERVICES TO ACCEPT AND PASS THROUGH \$3,324.00 IN OPWDD 2019 STATE AID TO STEUBEN ARC MADE BY MS. FITZPATRICK. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

3. **Budget Adjustment – OPWDD 2018 State Aid** – Dr. Chapman requested authorization to accept and pass through additional OPWDD 2018 State Aid in the amount of \$3,324.00 to Steuben ARC.

**MOTION: AUTHORIZING THE DIRECTOR OF THE OFFICE OF COMMUNITY SERVICES TO ACCEPT AND PASS THROUGH \$3,324.00 IN OPWDD 2018 STATE AID TO STEUBEN ARC MADE BY MR. SWACKHAMER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

B. Sheriff's Office

1. **Accept Additional STOP DWI Crackdown Funds** – Sheriff Allard requested authorization to accept an additional \$3,500.00 in STOP DWI Crackdown funds for 2019.

**MOTION: AUTHORIZING THE SHERIFF TO ACCEPT AN ADDITIONAL \$3,500.00 IN STOP DWI CRACKDOWN FUNDS FOR 2019 MADE BY MR. ROUSH. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

2. **Accept 2017 State Criminal Alien Assistance Program Grant Funds** – Sheriff Allard informed the committee that each year the Jail receives funds for the State Criminal Alien Assistance Program. This is reimbursement for the wages we use for staff in the Jail for the housing of criminal aliens.

**MOTION: AUTHORIZING THE SHERIFF TO ACCEPT \$2,568.00 FROM THE 2017 STATE CRIMINAL ALIEN ASSISTANCE PROGRAM GRANT MADE BY MS. FITZPATRICK. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

C. Emergency Management Office

1. **Acceptance of FY17 State Interoperable Communications Grant** – Mr. Marshall requested authorization to accept \$804,996 in FY 17 State Interoperable Communications Grant funds. These funds will be used for the UPS Generator and HVAC units for the tower sites and the UPS Generator for the 911 building.

Mr. Van Etten stated in your handout you reference a county consortium. How many members are there? Mr. Marshall replied there are 12 – 14 members made up of the Finger Lakes counties. Mr. Van Etten asked in the handout you reference spending \$194,000 for the backup generator? Mr. Marshall replied yes, that will be to replace the generator and UPS for the 911 building. Mr. Van Etten asked didn't we just replace that? Mr. Wheeler replied we recently replaced the batteries on the UPS. Mr. Marshall stated both units are at their end of life and we will be looking to replace them using these grant funds. Mr. Wheeler stated we recently had an emergency repair of the generator that thankfully cost us only \$1,500. It could have been much worse.

**MOTION: AUTHORIZING THE DIRECTOR OF THE EMERGENCY MANAGEMENT OFFICE TO ACCEPT THE FY 17 STATE INTEROPERABLE COMMUNICATIONS GRANT IN THE AMOUNT OF \$804,996 MADE BY MS. FITZPATRICK. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

D. Public Works

1. **Budget Transfer** – Mr. Rapalee informed the committee that they are short in their guide rail account. He requested authorization to transfer \$30,902.60 from the Repair Bridges Longer than 20' Beams account to the Permanent Improvements, Guide Rail account.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO TRANSFER \$30,902.60 FROM THE REPAIR BRIDGES LONGER THAN 20' BEAMS ACCOUNT TO THE PERMANENT IMPROVEMENTS, GUIDE RAIL ACCOUNT MADE BY MR. NICHOLS. SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

E. Commissioner of Finance

1. **Monthly Reports** – Ms. Fitzpatrick asked why do some of the purchase orders have negative balances? Mrs. Hurd-Harvey explained when we liquidate the purchase orders in the system, it may not liquidate them and instead inserts a minus sign.

2. **Year-End Budget Transfers** – Mrs. Hurd-Harvey presented numerous year-end transfers for the committee's approval. These transfers include the 2018 Maintenance in Lieu of Rent end of year transfers; and rolling over unspent Sheriff's grants to the 2019 operating budget lines.

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

3. **Purchase Order Liquidation** – Mrs. Hurd-Harvey informed the committee that a Public Works purchase order for the purchase of sign materials in the amount of \$44,119 was accidentally liquidated. The order had already been placed, however, a department can only pay on an open purchase order. She requested authorization to roll over that mistakenly liquidated purchase order in the amount of \$44,119 from the capital line for sign upgrades into the 2019 capital line for sign upgrades.

**MOTION: AUTHORIZING THE COMMISSIONER OF FINANCE TO ROLL OVER A 2018 MISTAKENLY LIQUIDATED PURCHASE ORDER FOR PUBLIC WORKS FOR SIGN MATERIALS IN THE AMOUNT OF \$44,119 FROM THE CAPITAL LINE ACCOUNT FOR SIGN UPGRADES AND TRANSFERRING SAID AMOUNT INTO A 2019 CAPITAL LINE ACCOUNT FOR SIGN UPGRADES MADE BY MR. SWACKHAMER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

4. **Contingent Fund Transfer** – Mrs. Hurd-Harvey requested authorization to transfer \$125,000 from the 2018 Contingent Fund to cover year-end adjustments for estimated judgement and claims costs.

**MOTION: AUTHORIZING THE COMMISSIONER OF FINANCE TO TRANSFER \$125,000 FROM THE 2018 CONTINGENT FUND INTO THE JUDGMENTS AND CLAIMS ACCOUNT TO COVER YEAR-END COSTS MADE BY MR. ROUSH. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**  
*Resolution Required.*

5. **Tax Foreclosures** – Mr. Donnelly reported that March 8<sup>th</sup> was the final redemption date. We have 156 parcels. Last year we had 88 parcels.

F. County Manager

1. **Sales Tax Agreement** – Mr. Wheeler provided for review the draft sales tax agreement with the cities. We are still awaiting the Comptroller's authorization, however, the cities had asked to get this on the agenda prior to May. The only change is with the incentive payment to the cities; those have been removed and the cities are agreeable to that. We do have issues with the timing. Mr. Donnelly explained the timing relates to the terms of the agreement versus the date for the sales tax payments and reconciliation. Mr. Wheeler stated we hope to have a final agreement prior to the March Legislative meeting. He thinks this agreement is good for all.

This allows for the sharing of some of the growth. This agreement also protects the Legislature from tax cap issues with regard to the swing that occurs when a municipality goes from cash payments to credit.

Mr. Roush asked does this agreement take into account the changes with regard to the collection of online sales tax? Mr. Wheeler replied no. That would be additional value that would be included in the formula. He noted the City of Hornell does not have as much swing as the City of Corning does. Mr. Van Etten commented that has to do with the tourism component for the City of Corning.

Mr. Van Etten asked with regard to paragraph D, it states that the Town and Village share is based on the allocation and that is not fixed for the five year term. Mr. Wheeler stated that changes every year.

Mr. Malter asked if the online sales tax is being used to fund AIM, how will that affect us? Mr. Van Etten stated he would think that would be on top of this agreement. Mr. Wheeler commented the State is looking for it to be ours. We will have to see how the language in the law is written.

**MOTION: APPROVING THE SALES TAX AGREEMENTS WITH THE CITY OF CORNING AND THE CITY OF HORNELL AS PRESENTED BY THE COUNTY MANAGER, AND FORWARDING TO THE FULL LEGISLATURE FOR APPROVAL MADE BY MR. SWACKHAMER. SECONDED BY MS. FITZPATRICK FOR DISCUSSION.**

Mr. Roush stated as he has said before, the way the distribution is done is not fair to all of the townships. For example, the Town of Erwin generates a lot of sales tax, but the distribution is restricted based on the assessed value. That is separate and he has complained, but there is no way to fix that. Mr. Van Etten stated we do not get any information from the State to allow us to fix it. Mr. Donnelly stated the distribution is based upon the population of the municipality or the taxable value. Mr. Potter commented the people in the small towns are generating sales tax in Erwin, Corning and Hornell and it is a way of giving it back to those communities.

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

**MOTION: AUTHORIZING THE COMMISSIONER OF FINANCE TO NEGOTIATE AGREEMENTS WITH THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION FOR THE RELEASE OF LIENS RELATIVE TO THE FOLLOWING PARCELS: #299.14-01-028.000; #151.10-01-051.000; #144.02-01-020.200; AND #027.00-02-023.100; SUBJECT TO APPROVAL BY THE COUNTY ATTORNEY, MADE BY MR. SWACKHAMER. SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: AUTHORIZING A HARDSHIP DEFERRAL RELATIVE TO PARCEL #166.06-01-032.000 SITUATE IN THE CITY OF HORNELL, EXPIRING MARCH 31, 2020 MADE BY MR. ROUSH. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: AUTHORIZING A HARDSHIP DEFERRAL RELATIVE TO PARCEL #337.02-01-015.112 SITUATE IN THE TOWN OF CORNING, EXPIRING MARCH 31, 2020 MADE BY MR. ROUSH. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: AUTHORIZING A HARDSHIP DEFERRAL RELATIVE TO PARCEL #197.11-01-059.000 SITUATE IN THE VILLAGE OF CANISTEO, EXPIRING MARCH 31, 2020 AND SUBJECT TO A 25 PERCENT PENALTY MADE BY MR. ROUSH. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: AUTHORIZING A HARDSHIP DEFERRAL RELATIVE TO THE FOLLOWING PARCELS: #318.18-02-043.000; #318.18-02-036.000; AND #318.18-02-044.100 ALL SITUATE IN THE VILLAGE OF SOUTH CORNING, EXPIRING MARCH 31, 2020 AND SUBJECT TO A 25 PERCENT PENALTY MADE BY MR. ROUSH. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: AUTHORIZING A HARDSHIP DEFERRAL RELATIVE TO PARCEL #406.03-01-032.200 SITUATE IN THE TOWN OF LINDLEY, EXPIRING MARCH 31, 2020 AND SUBJECT TO A 25 PERCENT PENALTY MADE BY MR. ROUSH. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: AUTHORIZING A HARDSHIP DEFERRAL RELATIVE TO PARCEL #349.07-01-082.000 SITUATE IN THE VILLAGE OF ADDISON, EXPIRING MARCH 31, 2020 AND SUBJECT TO A 25 PERCENT PENALTY MADE BY MR. ROUSH. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: AUTHORIZING A HARDSHIP DEFERRAL RELATIVE TO PARCEL #145.00-03-008.000 SITUATE IN THE TOWN OF BATH, EXPIRING MARCH 31, 2020 AND SUBJECT TO A 25 PERCENT PENALTY MADE BY MR. ROUSH. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: AUTHORIZING THE COMMISSIONER OF FINANCE TO SELL PARCEL #308.00-01-018.000 SITUATE IN THE TOWN OF JASPER, AT A PRIVATE SALE, FOR TAXES PLUS 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 WITHDRAW FROM FORECLOSURE AND CANCEL SCHOOL AND CITY TAXES RELATIVE TO PARCEL #151.80-01-041.000 SITUATE IN THE CITY OF HORNELL, FOR THE PERIOD 2012 THROUGH 2017, MADE BY MR. SWACKHAMER. 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. NICHOLS. 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, April 9, 2019  
Legislative Committee Room  
9:30 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office  
NO LATER THAN NOON  
Wednesday, April 3, 2019**