

STEUBEN COUNTY FINANCE COMMITTEE

Tuesday, September 8, 2020

10:25 a.m.

*Legislative Chambers, 3rd Floor, 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 Pat Donnelly Ken Forenz
Tina Goodwin Shawn Sauro James Allard
Wendy Jordan Andy Morse Jennifer Prossick
Nate Alderman Kathy Muller Brooks Baker

LEGISLATORS: Scott J. Van Etten Robin K. Lattimer Carol A. Ferratella
Jeffrey P. Horton Hilda T. Lando Frederick G. Potter
Brian C. Schu

OTHERS: Mary Perham

I. CALL TO ORDER

Mr. Swackhamer called the meeting to order at 10:25 a.m.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE AUGUST 11, 2020, MEETING MADE BY MS. FITZPATRICK. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. DEPARTMENT REQUESTS

A. Department of Social Services

1. **Accepting and Appropriating Emergency Shelter Grant Allocation** – Ms. Muller requested authorization to accept and appropriate Emergency Shelter Grant funding in the amount of \$406,097. With this funding we will continue our contracts with Arbor Development, Catholic Charities and LawNY. These funds will be used to pay for rent subsidies, utilities, arrears, security deposits, moving expenses and case management services. A portion of these funds will also remain with the department. Mr. Roush asked is there a local match? Ms. Muller replied no.

MOTION: AUTHORIZING THE COMMISSIONER OF THE DEPARTMENT OF SOCIAL SERVICES TO ACCEPT AND APPROPRIATE EMERGENCY SHELTER GRANT FUNDS IN THE AMOUNT OF \$406,097 MADE BY MR. NICHOLS. SECONDED BY MR. MALTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Mr. Nichols asked are the homeless numbers up or down? Ms. Muller replied the numbers are starting to level off and we are getting people out of the hotels and housed. So many people presented as homeless because they lost their jobs. We also had Code Blue and it was cold during May and that created a whole new world for the homeless and how we serve them.

B. Sheriff's Office

1. **Accept Law Enforcement Portion of Homeland Security Terrorism Grant** – Sheriff Allard requested authorization to accept the law enforcement portion of the FY20 Homeland Security Terrorism Grant in the amount of \$44,026.

MOTION: AUTHORIZING THE SHERIFF TO ACCEPT THE LAW ENFORCEMENT PORTION OF THE FY20 HOMELAND SECURITY TERRORISM GRANT IN THE AMOUNT OF \$44,026 MADE BY MR. ROUSH. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. Emergency Management Office

1. **FY20 State Homeland Security Grant** – Mr. Forenz requested authorization to accept the FY20 State Homeland Security Grant in the amount of \$80,076. These funds will be used for our functional needs database, emergency preparedness and our responder notification system. Also, we are looking to replace our MCI trailer that is quite aged.

MOTION: AUTHORIZING THE DIRECTOR OF EMERGENCY MANAGEMENT TO ACCEPT FY20 STATE HOMELAND SECURITY GRANT FUNDS IN THE AMOUNT OF \$80,076 MADE BY MR. MALTER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **FY20 LEMPG Supplement Grant** – Mr. Forenz requested authorization to accept the FY20 LEMPG Supplement Grant in the amount of \$21,641. These funds will be used to offset the cost of salaries and also to purchase refrigeration for Public Health needs as far as refrigerating vaccines.

MOTION: AUTHORIZING THE DIRECTOR OF EMERGENCY MANAGEMENT TO ACCEPT FY20 LEMPG SUPPLEMENT GRANT FUNDS IN THE AMOUNT OF \$21,641 MADE BY MR. ROUSH. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

D. Information Technology

1. **IT Vehicle Lease** – Mr. Wolverton requested authorization to use \$2,000 out of the maintenance of vehicles line item in the 2020 budget to lease a vehicle for the IT Department for 2021, but he would like to start the lease now. These funds will cover the cost of the lease through the end of this year.

MOTION: AUTHORIZING THE DIRECTOR OF INFORMATION TECHNOLOGY TO USE \$2,000 OUT OF THE MAINTENANCE OF VEHICLES LINE ITEM IN THE 2020 BUDGET TO FUND THE LEASE THROUGH DECEMBER 31, 2020 MADE BY MS. FITZPATRICK. SECONDED BY MR. MALTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

E. Commissioner of Finance

1. **Monthly Financial Reports** – Mrs. Hurd-Harvey asked if there were any questions on the monthly reports. There were none.

2. **Deferring Employee Share of Social Security Taxes** – Mrs. Hurd-Harvey stated there is a presidential memorandum which would allow for deferring the employee share of social security taxes. She requested approval to respectfully decline implementation of this. Mr. Swackhamer commented his impression is that if we do not collect these, then next year people who did not receive it can apply for it? Mrs. Hurd-Harvey stated I have not read anything of that nature. If Congress seeks to forgive this, then I would expect that we would implement something in the spring. Mr. Swackhamer commented President Trump is saying that if he is re-elected then he will forgive these taxes. Mrs. Hurd-Harvey stated my understanding is he has no authority to modify the tax law.

Secretary's Note: The Committee agreed that Mrs. Hurd-Harvey should decline implementation of the Deferring of Employee Share of Social Security Taxes.

3. **Tax Deferred Retirement Savings Accounts** – Mrs. Hurd-Harvey stated the CARES Act has a provision that would allow individuals participating in a tax deferred retirement savings account to take out penalty free withdrawals. They would have to qualify for COVID-related reasons. Individuals who meet the qualifications would be able to withdraw up to \$100,000 of their account balance penalty free and they would have three years to pay the tax or put the money withdrawn back into the account. This provision applies to deferred compensation plans, 401-K's and IRA accounts.

Mr. Malter asked why would we have to give approval? Mrs. Hurd-Harvey replied we would have to allow it as our deferred compensation plan does not allow that. Mr. Nichols commented if we allowed this, 90 percent of people would not pay it back. Mr. Wheeler commented you can make it available and then it would be the employees' personal choice. Mrs. Hurd-Harvey stated our deferred compensation plan allows for emergency withdrawals, but the requirements are very strict.

MOTION: ALLOWING, UNDER THE DEFERRED COMPENSATION PLAN, THE CARES ACT PROVISION WHICH PERMITS PENALTY FREE WITHDRAWALS FROM A TAX DEFERRED RETIREMENT SAVINGS ACCOUNT, WITH APPLICATION FOR A WITHDRAWAL TO BE SUBMITTED PRIOR TO DECEMBER 31, 2020 MADE BY MR. MALTER. SECONDED BY MS. FITZPATRICK FOR DISCUSSION.

Ms. Lattimer asked does the CARES Act provision provide a beginning and end date? Mrs. Hurd-Harvey replied individuals would have to make application for a withdrawal prior to December 31, 2020.

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

3. **Budget Transfer** – Mrs. Hurd-Harvey requested authorization to transfer \$35,915.44 representing the 2020 insurance allocation among the departments.

MOTION: AUTHORIZING THE COMMISSIONER OF FINANCE TO TRANSFER A TOTAL OF \$35,915.44 REPRESENTING THE 2020 INSURANCE ALLOCATION, AMONG THE DEPARTMENT COST CENTERS MADE BY MS. FITZPATRICK. SECONDED BY MR. MALTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

4. **Sales Tax** – Mr. Swackhamer asked how is our sales tax? Mrs. Hurd-Harvey replied it is \$620,000 which is down 16 percent.

5. **Early Retirement Incentive** – Mr. Van Etten asked how are the numbers looking for the early retirement incentive? Mr. Alderman replied they are looking pretty good so far. We have received a lot of calls and there are a lot of people saying that they are going to take it.

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 PROEPRTY OR THE PROPOSED ACQUISITION OF SECURITIES, OR SALE OR EXCHANGE OF SECURITIES HELD BY SUCH PUBLIC BODY, BUT ONLY WHEN PUBLICITY WOULD SUBSTANTIALLY AFFEC THE VALUE THEREOF MADE BY MR. ROUSH. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING THE COMMISSIONER OF FINANCE TO WITHDRAWING PARCEL #166.00-01-069.000 SITUATE IN THE TOWN OF HORNELLSVILLE AND PARCEL #166.00-03-006.000 SITUATE IN THE CITY OF HORNELL, FROM THE 2020 TAX SALE AUCTION MADE BY MR. NICHOLS. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING THE COMMISSIONER OF FINANCE TO WITHDRAWING PARCEL #151.09-01-039.000 AND #151.09-01-040.000 BOTH SITUATE IN THE CITY OF HORNELL, FROM THE 2020 TAX SALE AUCTION AND SELLING TO THE CITY OF HORNELL FOR A TOTAL PRICE OF \$7,500 PLUS DEED FEES MADE BY MS. FITZPATRICK. SECONDED BY MR. MALTER. MOTION CARRIES 4-0-1. (MR. SWACKHAMER ABSTAINED)

MOTION: AUTHORIZING THE COMMISSIONER OF FINANCE TO CANCEL THE 2019 CITY SCHOOL, 2019 CITY AND 2020 COUNTY TAXES AND ISSUE A CERTIFICATE OF PROSPECTIVE CANCELLATION RELATIVE TO PARCEL #151.80-01-041.000 SITUATE IN THE CITY OF HORNELL MADE BY MR. MALTER. 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. MALTER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: TO ADJOURN MADE BY MR. MALTER. 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, October 13, 2020
9:30 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON
September October 7, 2020**

****FINANCE BUDGET WORKSHOP**
Tuesday, October 13, 2020
10:30 a.m. or immediately following AdHoc Office Space Committee**