

## MINUTES

### FINANCE COMMITTEE

**Tuesday, February 8, 2022 9:00 a.m.**

Present: Supervisors Leonard, Bender, Groat, Robusto, VanLaeken and Miller, County Administrator Rick House, Fiscal Assistants Ken Blake and Brian Sams, Director of Information Technology Matt Ury, County Auditor Kristen Scott, Real Property Tax Director Karen Ambroz, Treasurer Patrick Schmitt, Land Bank Director Mark Humbert and County Attorney Dan Connors.

Minutes from the January 11<sup>th</sup> Committee meeting were approved as written.

The following transmittals were referred to the Finance Committee:

--Authorization for the Department of Social Services to accept funds from the New York State Office of Children and Family Services in the amount of \$50,020 to be used to continue development of a system response to commercially sexually exploited children, trafficked and at-risk youth. Approved 5-0.

--Authorization to adjust Foster Care payment rates through the Department of Social Services and to add a rate to be used for high risk youth placed in the custody of the Commissioner of the Department of Social Services. Approved 5-0.

--Authorization for the Chairman of the Board to sign an agreement between the Department of Social Services and the New York State Office of Children and Family Services in relation to Child Care Development Block Grant funds totaling \$123,662. Approved 5-0.

--Authorization to abolish the position of full-time Support Investigator in the Department of Social Services and create and fill the position of full-time Senior Support Investigator. Approved 5-0.

--Authorization for the Chairman of the Board to sign a contract between the Department of Aging and Youth and Eidda, LLC, in the amount of \$600 a month for rental space for the Sodus Congregate Meal Site. Approved 5-0.

--Authorization for the Chairman of the Board to sign renewal contracts between the Mental Health Department and the following community providers for 2022 services: Association for the Blind and Visually Impaired, Council on Alcoholism and Addictions of the Finger Lakes, Catholic Family Center, and DePaul for a cost not to exceed \$1,032,126. Approved 5-0.

--Authorization for the Chairman of the Board to sign a renewal contract between the Mental Health Department and Independent Living for Seniors, Inc. for the provision of health care and other services. Approved 5-0.

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--Authorization for the Chairman of the Board to sign an agreement and contract between the Mental Health Department and the University of Rochester for the provision of participation in a psychiatric fellows program. Approved 5-0.

--Authorization for the Mental Health Department to purchase a new clinical health care electronic medical records system from Ten-Eleven Group, LLC for a cost of \$1,250 per computer. Approved 5-0.

--Authorization for the Mental Health Department to pay a license fee of \$36 to Ten-Eleven Group, LLC for current procedural terminology billing codes. Approved 5-0.

--Authorization for the Chairman of the Board to certify, and the Public Health Director to submit, the 2022 Public Health State Aid application. Approved 5-0.

--Authorization to submit the Pre-K Annual Administrative Cost Incurred Report for the Public Health Department and for the Chairman of the Board to sign the document. Approved 5-0.

--Authorization to create a per-diem Fiscal Assistant position in the County Administrator's Office at the rate of \$65 an hour. Mr. House stated Fiscal Assistant Ken Blake will be assisting in grants management, working with the newly appointed Grants Manager on an as needed basis after his retirement at the end of this month. Approved 5-0.

--Authorization to amend the 2021 Workers' Compensation budget to eliminate a deficit with a \$20,000 transfer from Unassigned Fund Balance. Approved 5-0.

--Authorization for the Planning/Economic Development Department to bid a comprehensive housing study and amend the budget for this \$50,000 cost. Approved 5-0.

--Authorization for the Planning/Economic Development Department to bid a business park feasibility study and amend the budget for this \$60,000 cost. Approved 5-0.

--Authorization to set a date for a public hearing for inclusion of land in a Certified Agricultural District. Approved 5-0.

--Authorization for the Chairman of the Board to sign a CDBG-CV grant application for the Planning/Economic Development Department requesting up to \$3 million to establish local farm worker housing, public infrastructure, and farmer safety improvements in the County. Approved 5-0.

--Authorization to transfer \$902,819 from the General Fund unassigned fund balance into the Industrial Site Fund. These are funds that were not utilized in 2021 and placed into the County's General Fund. Approved 5-0.

--Authorization for the Chairman of the Board to sign easement documents between the Public Works Department and four landowners for 2022 highway projects. Approved 5-0.

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--Authorization for the Public Works Department to accept bids for Highway Construction and Maintenance Materials for 2022. Approved 5-0.

--Authorization for the Public Works Department to advertise for bids for the Farmington Bridge Rehabilitation Project in the Town of Macedon. Approved 5-0.

--Authorization for the Chairman of the Board to sign a supplemental agreement between the Public Works Department and CHA for construction inspection services associated with the rehabilitation of the Farmington Road Bridge Project for a cost of \$102,500. Approved 5-0.

--Authorization to declare six vehicles at the Public Works Department surplus and dispose of at auction. Approved 5-0.

--Authorization for the Chairman of the Board to sign an agreement between the Public Works Department and DBI Services for roadside spraying for a cost not to exceed \$12,247. Approved 5-0.

--Authorization for the Chairman of the Board to sign an inter-municipal agreement between the Public Works Department and the Town of Sodus for property access during a bridge rehabilitation project. Approved 5-0.

--Authorization to amend the highway administrative budget to allow the Highway Superintendent to attend the National County Highway Association of County Engineers meeting in Buffalo. Approved 5-0.

--Authorization to create highway projects for 2022 with a proposed cost of \$2,590,000, to be reimbursed through CHIPs (Consolidated Highway Improvement Projects) funding. Approved 5-0.

--Authorization for the Chairman of the Board to sign a three-year agreement between the Public Works Department and Johnson Control for fire suppression system inspection and testing on systems in the Public Safety Building for a cost not to exceed \$7,200. Approved 5-0.

--Authorization for the Chairman of the Board to sign a three-year agreement between the Public Works Department and Johnson Control for fire alarm inspection, testing, and monitoring services in County owned buildings for a price not to exceed \$45,815. Approved 5-0.

--Authorization for the Chairman of the Board to sign a lease agreement amendment between the Public Works Department and Mosaic Health for additional office space and office modifications for this tenant in the Health Services Building. Approved 5-0.

--Authorization for the Chairman of the Board to sign an amendment to the Trane service agreement with the Public Works Department to remove the Nursing Home Chiller and add equipment at 9 Pearl Street to their contract for annual HVAC maintenance, energy measurement and verification services. Approved 5-0.

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--Authorization for the Chairman of the Board to sign the District Attorney's Annual Federal Equitable Sharing Agreement and Certification Report for the year ending 12/31/21. Approved 5-0.

--Authorization to amend the 2022 District Attorney's budget to carryover unspent Division of Criminal Justice Services (DCJS) Discovery Grant funding and pay for contracted services and equipment. Approved 5-0.

--Authorization for the District Attorney's Office to pay mileage to Forbes Court Reporting Services for Grand Jury stenographic services. Approved 5-0.

--Authorization for the Chairman of the Board to sign a short-term contract between the District Attorney's Office and Forbes Court Reporting Services for Grand Jury stenographic services at a daily rate of \$150 and \$4.25 per page. Approved 5-0.

--Authorization for the County to adopt a new Coroner's Fee Schedule for body removal, transportation services and authorization for the Chairman of the Board to sign a contract with Wayne County funeral homes. Approved 5-0.

--Authorization for the Chairman of the Board to sign an agreement extension between the Sheriff's Office and Black Creek Integrated System for annual maintenance of the Sally Port Jail Management Software System and Security System at the County Jail for a price of \$75,103. Approved 5-0.

--Authorization for the Chairman of the Board to sign a three-year lease agreement with Axon Enterprise, Inc., to obtain an interview recording platform for the Sheriff's breathalyzer room for a price not to exceed \$33,599. Approved 5-0.

--Authorization to re-approve two Sheriff's Office part-time Community School Safety Liaison positions. Approved 5-0.

--Authorization for the Sheriff to sign a memorandum of understanding with the Wayne County Youth Advocate Center, Inc. for the provision of problem solving and counseling services at the County Jail for a cost not to exceed \$10,000. Approved 5-0.

--Authorization for the Sheriff to sign an agreement with Oak Park Marina for free boat space rental for the Sheriff's Marine Patrol vessels. Approved 5-0.

--Authorization for the Chairman of the Board to sign an agreement amendment between the Sheriff's Office and New York State Public Safety Emergency Lighting. Approved 5-0.

--Authorization for the Chairman of the Board to sign a three-year contract for pharmaceutical and prescription services at the County Jail between the Sheriff's Office and HealthDirect Pharmacy for a price not to exceed \$300,000 annually. Approved 5-0.

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--Authorization to transfer funds from the General Fund and amend the 2022 budget to pay for the purchase of a Windows upgrade for MDTs (Mobile Data Terminals) for E-911 for a price of \$37,372. Approved 5-0.

--Authorization for the Chairman of the Board to sign an extension agreement to the Public Defender's Office ILS Distribution #8 that will allow for expenditure of funds through 2022. Approved 5-0.

--Authorization for the Public Defender's Office to accept New York State Office of Indigent Legal Services Grant Distribution #12 in the amount of \$247,713. Approved 5-0.

--Authorization for the Chairman of the Board to sign a contract amendment between the Public Defender's Office and Aguirre Language Services to allow for an expanded scope of services. Approved 5-0.

Mr. Henry Wojiaszek, CEO of OTB, was introduced. OTB was formed in 1973 and is owned by the 15 participating counties and the cities of Buffalo and Rochester. It offers off-track wagering on horse racing at Batavia Downs Gaming and other locations. Revenues generated by Western Regional OTB are distributed to participating municipalities based on population. At this time Wayne County receives approximately \$220,000 annually from this gaming revenue. A State Senator out of Erie County submitted a legislative bill that threatens the continuance of this revenue by changing the composition of the OTB Board. The legislative bill does not affect the current distribution of revenues, just the Board. However, there is concern the proposed change in Board membership would change the distribution of OTB revenues. The bill still needs to go before the Legislature for a vote and be approved by the Governor. At this time, each of the 17 participating members has one appointed individual on the Board; it is proposed that the number of seats be reduced to 15 and that representation on the OTB Board be based on population, not on participating membership. The proposal would also allow the Governor to appoint members to the OTB Board. Mr. Wojiaszek said if this occurs Wayne County would no longer have a Board member, or a voice, in the operation of OTB and Erie County and the cities of Buffalo and Rochester would have all the representatives on the Board, with the exception of a Governor's appointment. The new Board would be making decisions on how OTB revenues are distributed and if they want to sell any of the Western Regional OTB facilities. Mr. Wojiaszek noted each member of Western Regional OTB did a Home Rule request to be a member through financial involvement in the initial building of OTB in Western New York. He spoke to the other municipalities who are participating members about his concern; they have agreed to put forth Board resolutions in opposition to Senate Bill No. 7855 as it relates to membership of the Board of Directors of the Western Regional Off-Track Betting Corporation. He also made contact with Senator Pam Helming and Assemblyman Brian Manktelow.

Mr. House said he would refer to a resolutions passed in other counties for language and prepare a resolution stating Wayne County's opposition to the change in Western Regional New York OTB Board membership; it will be on the Board agenda as a Rule 14.

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The Annual Report for the Information Technology Department was received and filed. A copy of the report was distributed to Supervisors via e-mail prior to today's meeting. The Department has 17 staff that oversee approximately 1,000 computers, 12 physical and 195 virtual servers, multiple network connections, spam filtering, two data centers and 15 data closets, network security, data back-up, disaster recovery, telephone support, remote access, door access server support, along with many other IT services in the County. The report included a list of computer operations and clerical services provided to County Departments and non-county agencies that use their services. A list of technical support provided to Departments was included in the report. The Department's Help Desk received 5,508 requests during 2021; staff installed 221 pieces of hardware, and updated 52 computers to Windows 10. The Department printed, processed, and mailed approximately 85,000 village, school, town, and County tax bills. Staff upgraded multiple servers and software on security camera systems, remote access was expanded for COVID-19, the County website was redesigned along with several other activities. The report included a list of ongoing and upcoming projects for 2022.

Mr. Ury stated both summer interns utilized in 2021 have said they would return in 2022. The Department started the Countywide Cyber Security Program that will be initially paid for with ARPA (American Rescue Plan Act) monies. The Nursing Home will be the next Department to be connected to the new County phone system; the Jail will be the final area to have phones installed.

Mr. Ury informed the Committee of a retirement cost allocation report his staff has done in the past for the State. The staff member who completed this task retired and a new staff member has taken over the project. The massive report has been time consuming Mr. Ury has been discussing this project with Mr. Schmitt about what actually needs to be included in the report, and if the current process is efficient. Mr. Schmitt said this service could be outsourced to an accounting firm once the County can determine what the State wants in the report. Mr. Ury will continue to work on this issue.

The monthly activities report for the Real Property Tax Office was presented. Ms. Ambroz reviewed some activities. Staff worked with the County's Purchasing Agent to create Requests for Proposals for the conversion of AutoCAD to the GIS environment; bids should be back by the end of February. Ms. Ambroz has been assisting the Town of Lyons during the absence of their assessor, as this is a very busy time of the year in local assessor offices. Staff assisted the County Highway Department in obtaining 98 deeds to move the Crescent Beach REDI Project forward. Soil group worksheet calculations were prepared for the Wayne County Soil and Water Conservation District. The Department received revised agricultural assessment values and had approximately 190 transfers of property during January. The report included additional activities and meetings attended by staff.

The Real Property Tax Department's Annual Report was received and filed. Ms. Ambroz asked if Supervisors had any questions about the report that was e-mailed to them prior to today's meeting. The report included a staffing chart and a list of municipal assessors. The Real Property

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Tax Department continued to provide technical support to assessors and their staff. In 2021 the Towns of Walworth, Savannah, and Ontario completed reassessment projects. The Towns of Butler, Palmyra, Williamson, Huron, Wolcott, and Macedon are currently working on reassessment projects. Thirty-one applications for administration correction of error on tax rolls were investigated by the Director during the past year. Ms. Ambroz noted Wayne County has approximately 169,428 acres of agricultural property. BAR training was provided both virtually and on site in 2021. Included with the report was a chart showing 574 property transfers, 463 property splits, and 111 property mergers listed by municipality.

The following transmittals were presented for the Real Property Tax Department:

--Authorization to approve applications for corrected tax rolls in the Towns of Arcadia, Huron, Lyons, Rose, and Sodus. Approved 5-0.

--Authorization to make a correction on the Town of Sodus tax roll. Approved 5-0.

Ms. Ambroz followed up on last month's discussion about having the printing of tax bills performed by an outside vendor. At that time she was told to hold off from notifying school districts of this potential change. She wants to let them know prior to putting together their 2022-23 budgets, as she is certain this will add cost to their budgets. Ms. Leonard stated the Sales Tax Review Committee wanted a chance to discuss the issue; however, hasn't had a meeting recently.

Mr. Schmitt reviewed his monthly report with the Committee. During January the Treasurer's Office had seven contracts started for unpaid taxes, new tax payment/search software is up and running and the State's Tax Foreclosure Moratorium expired on January 15<sup>th</sup>. The Office sent letters to all affected property owners stating the County's foreclosure process is moving forward. Supervisors were informed the State's Chief Administrative Judge added a stipulation for those property owners going through foreclosure stating a settlement conference meeting between the Judge, County and taxpayer must occur before a Judge can issue the judgment of foreclosure. Mr. Connors stated the Judge has no authority to waive taxes, penalties or interest owed on a property; however, has the ability to adjust the timeframe of payment. The Treasurer's Office received one Homeowner Assistance Fund application. As of January 31<sup>st</sup> there are 217 parcels on the County's 2020 tax foreclosure list. Of the 464 COVID Hardship letters sent, approximately 40 were returned to the Office.

Mr. Schmitt distributed a year-end interest schedule. More interest was earned than budgeted for the County's General Fund. Nursing Home administration have agreed to place funds in long term investments in the new year to gain better interest rates.

Mr. Schmitt presented a transmittal requesting authorization to advertise for sealed bids for the sale of a County property at 10712 Wolcott Road, Rose. The property was obtained by the County through tax foreclosure; however, not sold at the 2021 tax auction due to legal challenges. The case was dismissed and the property can now be sold. Approved 5-0.

Mr. Humbert updated members on Landbank activities. He noted the pride he feels for Wayne County, especially as zombie properties have been removed or renovated and placed back on the tax role. The Land Bank proactively addresses the challenge of derelict properties. Through a Brownfield study several Roll Section 8 properties in the County were determined in need of environmental clean-up; only one property now remains on that list. Mr. Humbert said he is working on the sale of the RANDO property in Macedon; DEC performed additional testing on the property and found nothing new. The Planning/Economic Development Department applied for a grant that would pay for remediation work to clean-up properties with environmental issues.

Mr. Humbert noted the lack of affordable housing in the County. In 2021 Sandhill Trailer Park in the Town of Arcadia was transferred to the County through the tax foreclosure process. The few trailers remaining in the park were in extremely poor conditions and the property in deplorable condition. A meeting took place Monday with State representatives, Town of Arcadia representatives, and County officials to discuss potential usage of the land now that it has been cleaned. Mr. Humbert stated the need to build quality communities by making investments in properties and neighborhoods to better the lives of residents. He would like to see Home Leasing, a company that was started by two Wayne County residents, come to work on developing apartments on the Sandhill property as a pilot project in Wayne County. He would also like to see the State financially buy-in to such a project.

Mr. Sams presented a transmittal requesting authorization to pay annual insurance renewal policies through Eastern Shore Associates. Eryl Christiansen from Eastern Shore was present at the meeting to review cost increases. Some premiums increased because of the increase in value of County properties. Auto rates increased, as they have throughout the industry; although the number of claims Wayne County made against this policy was lower in 2021 than in past years. Overall, the premiums increased less than 2% from the previous year to a total of \$395,980. Approved 5-0.

Mr. Christiansen noted NYMIR has many built-in trainings the County could utilize at no cost. Trainings can help with the County's experience rating.

Mr. House presented the following resolutions:

--Authorization for the Chairman of the Board to sign a contract with Victor B. Chambers, Esq. to act as assigned counsel administered for the County at a cost of \$45,000. The cost will be paid for through Indigent Legal Services grant funds. Approved 5-0.

--Authorization for the Chairman of the Board to sign an agreement with Victor B. Chambers, Esq. to act as assigned counsel administrator—appellate counsel, for a cost of \$2,000. Approved 5-0.

Mr. House stated assigned counsel services are a professional service; however, to see the County is doing due diligence, later this year Requests for Proposals for the service will be issued.



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Mr. Sams presented a transmittal requesting authorization to amend the budget and appropriate \$500,000 from the Unassigned Fund Balance to the Wayne County Land Bank. The County had an agreement with the Land Bank to appropriate \$250,000 in 2020 and 2021; however, the funds were never transferred. The Land Bank recently turned in bills to charge against these funds. Approved 5-0.

Mr. House announced another distribution of COVID at-home test kits will occur this coming Saturday. There will two distribution sites, one at the FLCC Campus in Newark the other at the Walworth Town Hall between 10 a.m. and 12:30 p.m. He noted County managerial/confidential employees that assist at distribution events are compensated with flex time, other employees that work are paid at their hourly rate.

Mr. Miller informed the Committee of a discussion at last week's Public Works Committee when it was said the cost of REDI Projects along the lakefront could run 40% over budget. He stated the need to make contact with the State about additional funding for projects or to find out if projects can be scaled down to lower cost. Under the current contract, Wayne County is responsible for 1.5% of the \$30 million the State appropriated for these preventive flooding projects; the County will have a responsibility for any additional costs also.

The monthly activities report for the Audit Department was distributed with the agenda. Staff audited 1,646 invoices, denying payment of 14 for various reasons. Twenty invoices were altered prior to approval and six invoices were altered and re-submitted at the next audit. Staff completed year-end work, quarterly payroll reconciliation, bank reconciliation review, general ledger review, etc. Staff reviewed the requirements of the Contract Policy, Purchasing Policy, and Travel Policy with several Departments. Notification was given to those Departments that had contracts expiring at the end of the year. Staff is working on an audit of the Jail and gathering documents requested by Bonadio to provide their organization information needed to assist with GASB 87 statement implementation. Staff continue to address deficiencies and weaknesses presented in the management letter.

Mr. House said he participated in a NYSAC call yesterday at which time the State's Distressed Provider Assistance Account was discussed. This fund was stated in 2020 to financially help hospitals and nursing homes in distresses when the pandemic began. It was estimated to collect \$250 million from county sales taxes across the State. Municipalities have questioned if any appropriation has been made from the Distressed Provider Fund; it is believed the funds were transferred to the State's General Fund. Mr. House also noted Enhanced Medicaid funding is being held by the State; when they will refund the County is not known.

Mr. Groat moved the Committee go into Executive Session at 10:40 a.m. to discuss litigation with Mr. Connors present, Mr. VanLaeken second. The meeting adjourned at 10:57 a.m. The next meeting of the Finance Committee is scheduled for Tuesday, March 8<sup>th</sup> at 9:00 a.m.