

## MINUTES

### FINANCE COMMITTEE

Tuesday, March 12, 2019 8:30 a.m.

Present: Supervisors Pagano, Miller, Crane, Deming, Groat, and LeRoy, County Administrator Rick House, Information Technology Director Matt Ury, Real Property Tax Director Karen Ambroz, Treasurer Patrick Schmitt, County Attorney Dan Connors, County Clerk Michael Jankowski, Public Health Department Representatives Diane Devlin, Lisa Odell and Heather Loucks.

Minutes from the February 12<sup>th</sup> Committee meeting were approved as written.

The following transmittals were referred to the Finance Committee:

--Authorization for the Public Defender's Office to accept \$264,616 from the State Office of Indigent Legal Services for expansion of Hurrell-Harring Reform. Funds will be used to create a new full-time Assistant Public Defender position, increase an existing part-time Assistant Public Defender position to full-time, and increase the budget for appellate work, expert services, staff training, legal research, membership in various professional organizations and support the plan to provide Counsel at First Appearance. Mrs. Crane questioned the County's responsibility to pay unemployment expenses if an employee hired under this grant is laid off when the grant expires. It was noted the Public Safety Committee added language in the transmittal that stated if grant funds were not received any positions paid for with the funds would be eliminated. Approved 5-0.

--Authorization for the Public Defender's Office to renew and pay \$2,500 for the Annual Public Defense Case Management Maintenance and Support Agreement with the State Defender's Association. Approved 5-0.

--Authorization for the Chairman of the Board to sign a Victim and Witness Assistance Grant application for the District Attorney's Office. The grant requires a 20% local match and has been utilized in the past to offset the cost of the Victim/Witness Coordinator in the DA's Office. Approved 5-0.

--Authorization for the Coordinator of Victim/Witness Services in the District Attorney's Office to sign a memorandum of understanding with Wayne County Action Program for utilization of an individual through the Senior Volunteers Program for clerical support. Approved 5-0.

--Authorization for the Sheriff to sign a use and dissemination agreement with the New York State Division of Criminal Justice Services. Approved 5-0.

--Authorization for the Sheriff to sign an affiliation renewal agreement with the Seneca Waterways Council for the Wayne County Sheriff's Office Explorer Post. Approved 5-0.

--Authorization for the Board of Supervisors to support the Wayne County Soil and Water Conservation District in its utilization of funds from the weed harvester equipment reserve account totaling \$152,900 for the purchase of a new weed harvester. Approved 5-0.

--Authorization for the Public Works Department to obtain permanent easements from three Lyons residents for a highway project. Approved 5-0.

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--Authorization for the Chairman of the Board to sign an agreement between the Public Works Department and the Towns of Marion, Ontario, Williamson and Palmyra for roadside mowing at a rate of \$240 a mile for three complete mowings annually. Approved 5-0.

--Authorization for the Chairman of the Board to sign an agreement between the Public Works Department and Chase Enterprises for roadside spraying service at a price of \$7,697. Approved 5-0.

--Authorization to create project accounts in the Public Works Department for 2019 highway projects totaling \$1,215,000. Approved 5-0.

--Authorization to prepare a supplemental agreement between the Public Works Department and Ty Lin for the final design phase of the Ridge Road Project in Sodus for a price not to exceed \$98,000. Approved 5-0.

--Authorization for the Chairman of the Board to sign an agreement between the Public Works Department and Home Meal Services to lease office space at the Health Services Building for a price of \$673 a month. Mrs. Crane questioned why this organization is now being charged rent, as for years they have occupied space in County buildings and never been charged. Mr. Miller noted Home Meal Services is being treated as all other non-County occupants of County offices are. Approved 3-2. Supervisors Pagano and Crane opposed the request.

--Authorization to accept funds, modify the budget and solicit requests for proposals for a Wayne County high accident rate intersection study. Mrs. Crane questioned if there are funds available to correct issues identified in the report. Mr. Miller said any safety issue identified would be corrected immediately, even if on a temporary basis. Approved 5-0.

--Authorization for the Chairman of the Board to sign a contract amendment between the Public Works Department and PASCO Building Automation Systems for a price of \$5,670. Approved 5-0.

--Authorization for the Chairman of the Board to sign a contract amendment between the Public Works Department and Johnson Controls for fire sprinkler inspections in various County buildings for a price of \$5,677. Approved 5-0.

--Authorization to sell a loan portfolio from the Industrial Development Agency to the Wayne Economic Development Corporation. Approved 5-0.

--Authorization to transfer Community Development Block Grant funds into the Wayne County Industrial Development Agency budget. Funds will be used to supplement the cost of identifying properties that present a serious and immediate threat to the health and safety of a community. Approved 5-0.

--Authorization to set the date for a second public hearing for Community Development Block Grant reimbursement funding for 2017 lake flooding. Approved 5-0.

--Authorization to set the date for a second public hearing related to the County's derelict property needs assessment. Approved 5-0.

--Authorization to adopt a new position and existing vacancy review policy and rescind Board Resolution No. 76-06. Approved 5-0.

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--Authorization to amend the 2019 budget and carry over remaining 2018 Hoffman Foundation grant funds in the Historian's budget totaling \$7,504.84. Approved 5-0.

--Authorization for the Chairman of the Board to sign documents for the Board of Elections needed for grant extensions through the New York State Board of Elections Voter Education/Poll Worker Training for unutilized funds totaling \$206.70 and New York State Poll Site Access Improvement Fund for unutilized funds totaling \$999.66. Approved 5-0.

--Authorization for the Chairman of the Board to sign a contract renewal between the Mental Health Department and the Children's Health Home of Upstate New York for the provision of care management services. Approved 5-0.

--Authorization for the Chairman of the Board to sign a contract renewal between the Mental Health Department and Delphi Rise for the provision of drug and alcohol counseling services for a price of \$425,003. Approved 5-0.

--Authorization for the Public Health Department to advertise Children with Special Health Care Needs, Fight the Bite Campaign and Public Health Education at Colburn Park during the Newark Pilots 2019 baseball season for a price of \$6,900. Approved 5-0.

--Authorization for the Chairman of the Board to sign a three-year contract between the Nursing Home and Russell Phillips and Associates for the provision of fire safety training of staff. Approved 5-0.

--Authorization for the Chairman of the Board to sign an agreement between the Nursing Home and Group Workcamps Foundation for the provision of volunteer service projects during 2019. Approved 5-0.

--Authorization for the Chairman of the Board to sign a contract renewal between the Nursing Home and Sodexo Operations LLC. Approved 5-0.

--Authorization for the Chairman of the Board to sign a contract renewal between the Department of Aging and Youth and Self Direct for the provision of personal emergency response systems for a price of \$33,600. Mrs. Crane questioned if this service is also provided by the Department of Social Services. Approved 5-0.

--Authorization for the Chairman of the Board to sign a contract renewal between the Department of Aging and Youth and the Town of Ontario for the provision of a congregate meal site for a price of \$6,200. Approved 5-0.

--Authorization for the Director of the Department of Aging and Youth to sign a memorandum of understanding with the Newark Housing Authority to procure referral and application assistance services for a price not to exceed \$14,598. Approved 5-0.

--Authorization for the Chairman of the Board to sign a contract renewal between the Department of Aging and Youth and Genesee Region Home Care of Ontario County for the provision of non-medical, in-home services and non-institutional respite services for a price of \$245,000. Approved 5-0.

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--Authorization for the Chairman of the Board to sign a contract between the Department of Social Services and FLACRA for the provision of alcohol and other drug related services for a cost of \$75,848. Approved 5-0.

--Authorization for the Chairman of the Board to sign a modification agreement between the Department of Social Services and the Office of Children and Family Services in relation to a Child Care Development Block Grant in the amount of \$123,662. Approved 5-0.

--Authorization for the Commissioner of Social Services to sign an agreement with the Center for Disability Rights for the provision of administering a consumer directed personal assistance program from 2019-2021. Approved 5-0.

--Authorization for the Chairman of the Board to sign a contract between the Department of Social Service and Victims Resource Center of the Finger Lakes for non-residential domestic violence services for a price of \$22,715. Approved 5-0.

--Authorization to declare chairs in the Department of Social Services surplus and disposed of according to County policy. Approved 5-0.

--Authorization for the Chairman of the Board to sign an agreement between the Department of Social Services and the Children's Home of Jefferson County for the provision of child caring services at a price not to exceed \$275,000. Approved 5-0.

--Authorization for the Chairman of the Board to sign an amended agreement between the Department of Social Services and Cayuga Home for Children to reflect modifications requested in the Federal Family First Prevention Services Act. Approved 5-0.

--Authorization for the Chairman of the Board to sign a contract between the Department of Social Services and Victims Resource Center of the Finger Lakes for the provision of domestic violence residential services for a price of \$70,000. Approved 5-0.

The following transmittal were presented by the County Administrator:

--Authorization to adopt a local law amending the mortgage recording tax. This action would allow the County Clerk's Office the ability to continue to charge .25 percent for each \$100 in transaction of a real property tax sale. Mr. Jankowski stated this is a large revenue for the County, totaling \$709,347 in 2018. Approved 5-0.

--Authorization to pay accrued leave to County Clerk Michael Jankowski that was earned prior to him being in his elected office. The leave will be paid out at the last hourly rate Mr. Jankowski was paid prior to becoming an elected official. The total of the payout is \$6,878. Mr. House said a system is now in place so this issue will not occur again in the future. Approved 5-0.

The monthly activities report for the Information Technology Office was distributed with the agenda. In February the IT Office was relocated, along with other County offices that required the relocation of all computer equipment. During February the Office had 259 service requests submitted to the Help Desk, seven computers were upgraded and the Emergency Management EOC servers were upgraded. The Board of Elections server was replaced and the County's password management system updated. Work continues on the new telephone system;

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equipment is coming in at a slower rate than anticipated. The project may not be completed this year; however, funding is in place to cover all cost in the 2019 budget. A list of projects staff members are working on was included in the report.

The Annual Report for the Information Technology Office was distributed with the agenda. There are approximately 900 computers being utilized by County staff, along with 12 physical and 122 virtual servers. A list of support services the Department provides were included in the report. During the past year the Information Technology Office received over 4,300 support calls to the Help Desk, installed 172 pieces of hardware, upgraded RMS software at the Nursing Home and installed new operating software at the Probation Department. The Office also upgraded firewalls, updated Office policies and procedures, performed a phone and cabling assessment of all County buildings and upgraded servers in the County Clerk's Office. The Information Technology Office developed and installed ELearning systems for compliance and sexual harassment, developed and launched a new County website, completed an IT incident response plan and assisted in the installation of security systems throughout the County. A list of projects scheduled for 2019 were included in the report. Mr. Ury said the Office is working on a five-year and beyond plan to determine the best methods to be used to meet the expectations of the Department, administration and tax payers. The Office is preparing for a number of retirements that will be occurring in the next few years. Mr. Miller commended Mr. Ury on the work he and his staff perform throughout the year. The report was received and filed.

The status of the altered CGI video was questioned. Mr. Ury said it is not difficult to capture a video and then reuse it in another context. He has reported this incident to U Tube, where the video is being shown, and stating copyright infringements for use of the CGI video and vulgar language. Supervisors said they believe the altered video remains posted. Mr. Ury said any further action on copyright infringements will have to be done by CGI, as they have the copyright to the Wayne County promotional footage shown at the beginning of this video.

The monthly activities report for the Real Property Tax Office was distributed with the agenda. The Office was relocated to 76 William Street during the renovation of their building. The Office processed over 170 transfers of property in February. Preparation work for the 2019 Real Property Tax Auction is underway. The Towns of Palmyra and Huron are conducting 2019 assessment roll re-evaluations. Back-ups were requested from assessors for sales reporting to the State. Taxable status date began on March 1<sup>st</sup>, staff from the Real Property Tax Office has been helping out those towns that do not have an assessor during this process. Following the taxable status date, after all split/merge requests have been submitted, the mappers will prepare the annual tax map print.

The State is taking over the Enhanced STAR Program. Mrs. Crane voiced concern if the State would be able to handle the program as well as local assessors do.

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

--Authorization to correct errors on the tax rolls in the Towns of Wolcott, Lyons, Palmyra, Sodus and Arcadia. Approved 5-0.

--Authorization to set the date for a public auction sale of real property acquired by the County for delinquent taxes. The date of this year's auction will be June 12<sup>th</sup> at the Lyons High School Auditorium. The County Attorney has reviewed terms and conditions, adding a new section to include no County/Town Supervisor will be allowed to purchase property at the tax foreclosure

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auction and members of a town/village board can only bid on properties that are not within the municipality they represent. Approved 5-0.

--Authorization to approve an application for a corrected tax roll in the Town of Walworth. Approved 5-0.

Mrs. Ambroz updated Supervisors on the Wayne County Regional Land Bank Corporation. The group held their Organizational Meeting; at that time officers were appointed. The Land Bank Director has been terminated. The group is in the process of seeking a new Director. John Morrell, Esq has been appointed as Attorney for the Land Bank. A brief discussion took place on the \$750,000 in Community Development Block Grant funding that has to be utilized for specific projects or returned to the State. There are Federal requirements over use of these funds.

The Annual Report for the County Auditor was received and filed. A copy of the report was distributed with the agenda. Staff audited over \$55 million in claims for payment during 2018, reviewing and approving over 20,000 invoices. The Department was heavily involved with the Compliance Department in the development of a County-wide risk assessment.

The Annual Report for the County Treasurer's Office was received and filed. A copy of the report was distributed with the agenda. The Office operated with six full-time and one part-time position in 2018. The County took in gaming revenues of \$454,000. The Office increased their investment income, reduced the number of paper checks issued and developed an accounts receivable policy and procedure. Last year there were 43 properties sold at the County's tax foreclosure auction. In 2018 the County had bond payments on the Nursing Home, Public Safety Building and Energy Project, paying interest of \$769,000 on the bonds. The Nursing Home has an outstanding bond balance of \$11 million, the Public Safety Building \$7.4 million and Energy Project \$2 million. The Treasurer's Office issued 2,796 certificates of residency with payments made of \$4.6 million to community colleges. The report included a list of the roles the Department the Office provides.

Mr. Schmitt said a letter has been issued to town and villages stating the re-levy of municipal expenses against property owners on town/village tax bills will be allowed in 2019 as existing fees have already been re-levied on tax bills, but not in coming years. A determination from courts is still pending on what is considered taxable on what is a tax and what is not. Mrs. Crane questioned how municipalities can charge administrative fees on the re-levy. Mr. Schmitt said he is working on this issue with the County Attorney; the County's hands will be tied on this issue if the courts say these expenses can be re-levied on tax bills.

The following transmittals were presented by the County Treasurer:

--Authorization for the Chairman of the Board to sign a contract with Three+One Advisory Investors in the amount of \$30,000 for the provision of cash flow management advisory services, to assist and advise on interest rate negotiations and general banking advisory services. Approved 5-0.

--Authorization to purchase a Laser Fiche Rio user license, scanner and amend the County budget for this \$8,500 purchase. Mr. Schmitt reviewed the need to save records that are stored by the County Treasurer; some of the records were damaged during a waterline break in the building where they were housed. There will be a reoccurring price in the budget for licensing of \$2,500. Mr. Schmitt said staff will perform as much in-house scanning as possible. Approved 5-0.

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--Authorization for the Chairman of the Board to sign a service agreement with CBIZ Valuation Group for capital asset inventory and insurance valuation services at a cost of \$17,300. This will allow the Office to conduct its annual five-year capital asset valuation for accounting and insurance purposes. This service was put out to bid. Approved 5-0.

--Authorization to adopt a local law to amend Local Law No. 2-95 in relation to the installment payment of eligible delinquent real property tax. Approved 5-0.

The monthly activities report for the Treasurer's Office was presented. It contained a list of meetings and events attended by Mr. Schmitt and staff. Investment strategies have been reviewed. The bond sale for the renovation project at 16 William Street is scheduled to occur on March 21<sup>st</sup>. There are currently 111 properties on the County's tax foreclosure list; the last day to redeem a property is May 31<sup>st</sup>. The 2019 bond rating for Wayne County remains at AA-

Mrs. Devlin reviewed with the Committee the Public Health Department's concern with providing mandated Early Intervention services. A letter from Arc Wayne stating that agency will discontinue their early intervention services as they can no longer afford to provide the service at the financial loss they have been, was distributed. Roosevelt Children's Center, the Arc, is a center-based program and the County's main vendor for early intervention services. They offer the only school-based program and provide most of the evaluations on children with potential early learning disabilities. If they are not utilize, out of County vendors would have to be used. This would result in additional time in busing students to locations in Canandaigua and Geneva and loss of program availability; and the youngest students have a limit as to the amount of time they can be on a bus, which would exclude some from service. The State has not increased the rate they are paying early intervention service providers for the past 20 years. Mrs. Devlin noted this is a mandated program and the County has no control over the reimbursement rates the State pays. Talks have taken place with Arc reps and County Officials. It is believed the Arc would need approximately \$390,000 in funds to keep them from losing money on this program in the 2019-2020 school year. Mrs. Devlin reported the entire State is experiencing a shortage of early intervention service providers. Mr. Groat questioned the potential for the County to re-institute their tax on clothing, as Wayne is only one of six counties in the State that do this. He said the funds earned from this tax could be used to offset program costs. After a lengthy discussion, it was agreed Mrs. Devlin would get in contact with the State to see if a rep could either attend a Committee/Board meeting to hear the County's concerns or participate in a meeting via teleconference. Mrs. Devlin was also asked to attend the March 15<sup>th</sup> InterCounty Association of Western NY meeting in Waterloo where this issue can be discussed with a number of representatives from other counties that will be present at the event.

Mr. Schmitt said he would have financial figures available for next month's Finance Committee meeting in relation to clothing sales tax.

OTB Representatives Ken Lauderdale and Mike Nolan gave an update on OTB revenue disbursement. The Western Regional Off-Track Betting Corporation has been in operation since 1974 and since that time have allocated nearly \$5 million in profit distribution to Wayne County. The amount given to Wayne County in 2018 was the lowest amount in five years; this is due to a decline in horse racing revenue and the increasing number of casinos in the State that offer gaming opportunities. The amount OTB allocates to Wayne County, and other municipalities, is based on population. State legislation passed in 2001 increased the amount of funding given to the State. Mr. Nolan said OTB sites are being kept open, even though they are not making money, in the hopes that if sports betting is approved in the State it can be done at these locations. The

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amount of funds Batavia Down can keep from wagering is lower than other betting establishments; it is hoped the State will increase their take by two percent in the upcoming budget. Mr. Nolan stated he does not see a positive financial ending for the Tribal Compact Casino revenue that was once received by the County.

Mr. Connors and Mr. Schmitt updated the Committee on property located on Fisher Road in the Town of Ontario that was foreclosed upon by the County. The former owner of the property has yet to leave the home on the property. The foreclosure of the property was upheld by the Court's Appellate Division and Mr. Connors said it is not anticipated the Court ruling will be challenged. Supervisors were asked if they would want the property sold immediately through sealed bid or if they wanted to wait and place the property in next year's tax foreclosure auction. At the time the house was foreclosed upon there were \$14,000 owed in back taxes. The home was assessed for \$112,000 in 2017. It was agreed the property would be offered through sealed bid, with a minimum bid set, the owner of the property before it was taken by the County would not be allowed to bid on it, and language in the bid would state the County has the right to reject any and all bids. Mr. Schmitt said he would prepare a transmittal for this action and present it as Other Business for the March Board meeting.

The meeting adjourned at 11:08 a.m. The next meeting of the Finance Committee is scheduled for Tuesday, April 9<sup>th</sup> at 8:30 a.m.