

**FINANCE COMMITTEE**  
**February 11<sup>th</sup>, 2020**  
**8:30 a.m.**

Members: Bender, Groat, Verkey, Robusto, Emmel

8:30 a.m. [Approval of previous meeting minutes](#)

8:30 a.m. [Resolutions Referred to Committee](#)

8:40 a.m. [Treasurer, Patrick Schmitt](#)

REPORTS

Annual: [TRE Annual Report 2020.pptx](#)

Monthly: [TRE Feb Report.docx](#)

FTE: [TRE FTE Chart.docx](#)

DISCUSSION:

- Possible Date Change for June Finance

8:55 a.m. [DSS Commissioner, Ellen Wayne](#)

Medicaid Presentation

9:10 a.m. [Information Technology, Matt Ury](#)

REPORTS

Annual: [IT Annual Report-.pdf](#)

Monthly: [IT Report Feb 2020.docx](#)

Out of State Travel Request [IT Munis Conference Orlando.pdf](#)

TRANSMITTAL:

- Authorization for the execution of a renewal contract with Tyler Technologies For MUNIS Financial Software & for Operating System & Database Administration Support [IT02-RES1-Authorization to renew support for the munis financial software.doc](#)

DISCUSSION:

- School tax bill processing

9:30 a.m. [Auditor, Kristen Scott](#)

REPORT: [JAN 2020 AUDIT REPORT.pdf](#)

9:40 a.m. [Real Property Tax, Karen Ambroz](#)

REPORTS

Annual: [RPTS AnnualReport.doc](#)

Monthly: [RPT 01 20 Monthly Report.doc](#)

2019 Total Transfers: [RPT 2019 Year Total Transfers.xlsx](#)

TRANSMITTALS:

- Approving Applications for Corrected Tax Rolls [RPT01RES1Corr.doc](#)
- Tax Refund – Error on Tax Roll [RPT01RES2Refund.doc](#)
- Authorizing Public Auction Sale of Real Property Acquired by the County for Delinquent Taxes [RPT01RES3.REV.TaxAuctionTermsConditions2020\(003\).doc](#)

9:55 a.m. [Self-Insurance Specialist, Brian Sams](#)

TRANSMITTAL:

- Authorization to Renew Insurance Policies with Eastern Shore Associates [HR02Res1 Authorization to Renew Insurance Policies with Eastern Shore Associates.docx](#)

10:00 a.m. **Finance Chair, Jody Bender**

TRANSMITTAL:

- Requesting State Municipal Home Rule Legislation to Impose a Hotel or Motel or Seasonal Rental Occupancy Tax for the County of Wayne [COTB02 RES04.Home Rule HotelMotel.doc](#)

10:10 a.m. **WC Land Bank, Mark Humbert**

Update



County of Wayne  
**Office of the County Treasurer**

Post Office Box 8  
Lyons, New York 14489-0008

Patrick J. Schmitt, CFE  
COUNTY TREASURER  
-----  
315-946-7441  
WWW.CO.WAYNE.NY.US

- Attended the NYSAC Legislative Conference 1/27/2020 – 1/29/2020
  - Proposed Medicaid changes and the State budget were a big discussion items
- County Treasurer’s Office was busy working on closing the 2019 books and preparing for our audit.
- Planning to move towards a paperless record retention during 2020
- Direct Deposit Payroll policy resolution is being worked as asked by the committee, plan to present in March.
- 5 new contracts were started with owner that have delinquent taxes to help them avoid tax foreclosure during the month of January.
- 2018 tax foreclosure:

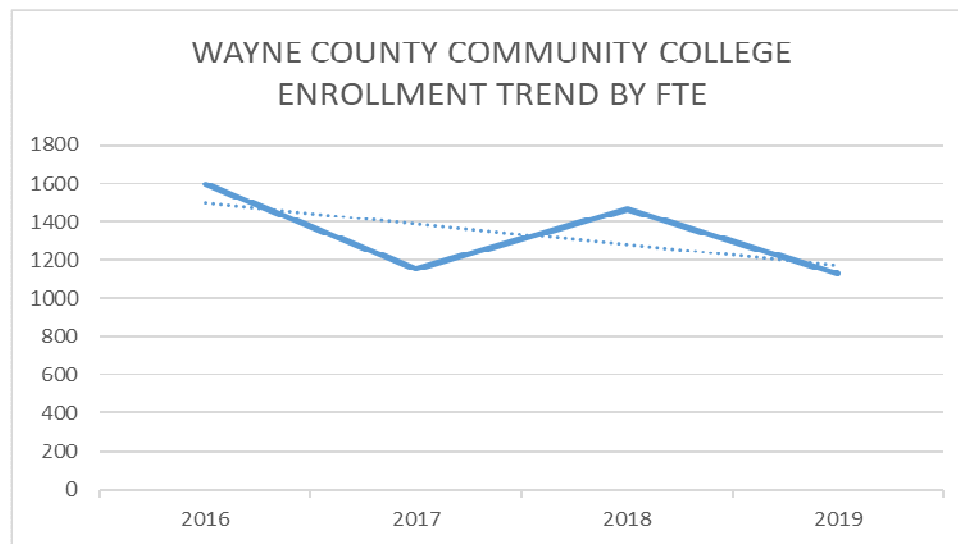
<u>Date</u>	<u>Parcels Facing Foreclosure</u>
6/19/19	719
7/5/19	641
8/1/19	611
9/1/19	532
10/1/19	436
11/1/19	338
12/1/19	242
1/2/20	225
1/27/20	204



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## Community College Enrollment Trends



FTE (Full Time Equivalent) measures attendance of full time and part time students to determine funding. Nationwide community college enrollment is on the decline, markedly in New York State. In New York, the student body has decreased by 23 percent at SUNY community colleges from 2010 to 2019. As shown above, the local Wayne County enrollment trend is on the decline as well. With the economy doing well less people are going back to school to continue their education as a means to seek job training. The economy is typically a driver of community college enrollment. Full-time enrollment has been decreasing even faster than the part-time enrollment, meaning the FTE enrollments is decreasing faster than total headcount enrollment. Some areas in New York State are also seeing a general population decline, which is also a factor in enrollment. Community colleges are funded from a combination of student tuition, state funding and county governments. Despite the State's assured portion of \$454 million for the 2019/2020 budget year, some Counties have increased their contribution to help survive the decline. In addition, the executive 2020/2021 state budget proposes to cut aid to colleges by \$31 million.

Source:

*Community colleges grapple with enrollment crash*  
<https://www.timesunion.com/news/article/Community-colleges-grapple-with-enrollment-crash-14971707.php>  
*Community college enrollment crisis? Historical trends in community college enrollment*  
<https://www.aacc.nche.edu/wp-content/uploads/2019/08/Crisis-in-Enrollment-2019.pdf>  
*Ranked which community colleges lost the most students in N.Y.*  
<https://www.timesunion.com/news/article/Ranked-Which-community-colleges-lost-the-most-14984465.php>  
*Community college funding and the NYS budget*  
[https://www.nysac.org/blog\\_home.asp?display=884](https://www.nysac.org/blog_home.asp?display=884)  
*Executive 2020-21 state budget county impact report, NYSAC, January 23, 2020.*

Wayne County Information Technology Monthly Report  
Prepared by Matt Ury  
Feb. 4, 2020

Activity:

- 563 service requests were submitted to the help desk in the month of January.
- 16 new computers were installed.
- 82 new monitors.
- 26 Windows upgrades.
- Work continued on the WBHN software migration.
- Work continued on the new phone system.
- Work continues on the NH software migration.
- A network project to put all county buildings on their own networks to improve security continues.
- Training continued for the Sheriff's office for the records management system.
- The county wireless network was expanded.
- Network hardware was installed in the 16 William street building.
- Cabling for the DSS legal team was activated.
- Cabling and phone work was done at the 911 bunker.
- Migrating to new servers continued.

Current projects:

- 911, Office of the Sheriff- CAD, RMS and Mobile software.
- Create county wide training curriculum for the Munis financial system.
- Expansion of security platform.
- Develop a cyber security training curriculum for employees.
- Install security management application for mobile phones.
- Updating of Information Technology policy and procedures.
- Document imaging- shared services project.
- Phone system upgrade.
- Replacement for County TXMI property history application.
- Sheriff/E911 Shift Scheduling roll out PossWeb as primary software to Supervisors.
- Mental Health – Convert Anasazi to Tene11.
- Convert Arrest and Warrants off AS400 to SallyPortNY.
- County Clerk – convert Records Management database to Laserfische.
- Migrate arrests and warrant application to Black Creek.

**Wayne County**  
**Out of State Travel Request**

Date: 2/3/2019

Department Name: Information Technology Dept. No.: 1680

Meeting Seminar or Conference Name: Tyler Connect 2020 (Munis Conference)

Location: Orlando, Florida Date(s): April 26-29, 2020

Mandated? Yes \_\_\_ (Federal, State, other) No  Required Educational Training? Yes \_\_\_ No

Paid for with Grant Funds? Yes \_\_\_ No  Required By: \_\_\_\_\_

Person(s) attending:  
Andrea Petrus

Org	Object	Project Code	Object Name	Available Budget	Amount
A16804	54410		Conference	\$ 1900	\$ 0 (cost covered by EPP Client)
	54483		Training-Seminars-Schools	\$	\$
A16804	54485		Travel (Airfare, Train, Taxi, Subway, etc.)	\$ 5500	\$ 500
A16804	54485		Lodging	\$ 5500	\$ 820
A16804	54485		Tolls/Parking/[Fuel county cars only]	\$ 5500	\$ 120
A16804	54485		Meals	\$ 5500	\$ 300
A16804	54919	(travel to airport)	Mileage ( <sup>110</sup> X IRS Prevailing Rate)	\$ 2600	\$ 63.80
			TOTAL	\$ 10,000	\$ 1803.80

Is there a county car available? Yes \_\_\_ No   
If no, please provide explanation No need to tie up county car, only traveling to airport

Is this training/travel required for continuing professional certification or credits? Yes \_\_\_ No   
If yes, how many credits are required in this year (Jan-Dec)? \_\_\_ How many have already been attained? \_\_\_

**Overnight travel required a detailed description of the conference or seminar agenda or schedule. Out of State travel requires the approval of the Standing Committee and the Board of Supervisors, after review by the County Administrator.**

Department Head Approval: \_\_\_\_\_ Date: \_\_\_\_\_  
 Budget Officer Review for Availability of Funds: \_\_\_\_\_ Date: \_\_\_\_\_  
 County Administrator's Approval: \_\_\_\_\_ Date: \_\_\_\_\_  
 Committee Chair: \_\_\_\_\_ Date: \_\_\_\_\_  
 Chairman of the Board: \_\_\_\_\_ Date: \_\_\_\_\_

RESOLUTION TRANSMITTAL

Committee No. 1

Date: 2/5/2020

Committee Chair: Jody Bender

Department Head: Matt Ury

Transmittal Title: **Authorization for the execution of a renewal contract with Tyler Technologies For MUNIS Financial Software & for Operating System & Database Administration Support**

WHEREAS, the MUNIS is the software program used to manage all finances and other functions including but not limited to accounting, budget, receivables, fixed assets, general billing, payroll, tax billing, purchase orders, requisitions and contracts; and

WHEREAS, the maintenance comes up for renewal on an annual basis on March 17<sup>th</sup>; and

WHEREAS, the cost for 2020 will not exceed \$248,835.00, now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Tyler Technologies for the following:

MUNIS software maintenance for all financial modules for the contract period starting March 17, 2020 to March 16, 2021 at a cost not to exceed \$248,835.00

Budgeted: yes, X no\_\_\_ Proposed Cost: \_\_\_\_\_ Reimbursed Amount \_\_\_\_\_ County cost \$248,835.00

Departmental transfer \$\_\_\_\_\_ from Account No. \_\_\_\_\_ to Account No. \_\_\_\_\_

County Administrator's Review: \_\_\_\_\_ Date: \_\_\_\_\_

Human Resources Office Review: yes \_\_\_ no \_\_\_ N/A \_\_\_ Signature: \_\_\_\_\_

County Attorney Review: yes \_\_\_ no \_\_\_ N/A \_\_\_ Signature: \_\_\_\_\_

Standing Committee: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Signature/Date Rec'd: \_\_\_\_\_ Clerk, Board of Supervisors

Referred to:

Committee: \_\_\_\_\_ Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Committee: \_\_\_\_\_ Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Date: \_\_\_\_\_ Signature: \_\_\_\_\_

**Audit Department Monthly Report**

Finance Committee

February 11<sup>th</sup>, 2020



Invoices Audited: 1,735

Invoices Approved: 1,733

Invoices Denied: 2

Assigned Counsel Invoice submitted by Bruce Chambers; this invoice was submitted more than one year after dismissal of the case in violation of the Assigned Counsel Invoice Submission Policy, resolution 358-19; \$384.28

Tuition reimbursement request did not have the proper documentation; \$369.38

Invoices Altered prior to Approval: 9 invoices were altered prior to payment

Various reasons; sales tax, incorrect amount entered, mileage calculation error, etc.

Audits/Projects being worked on:

The Audit Office worked on compiling a list of vendors that need to have a contract in place, or the current contract method needs to be documented. This list has been given to Kaleigh and Megan so we can determine how goods or services are purchased through this vendor and determine if further action, such as creating a contract or documenting the current contract being used, is necessary.

Kaleigh and I met with the Staples Printing representative to begin the quoting process for our print services, such as envelopes, letterhead, and business cards. The Audit Department gathered printing needs for each department to provide estimates on usage for the Staples representative.

Next on the Agenda:

Begin the Sheriff's STOP DWI annual audit

Prepare to move our office to 16 Williams Street

Continuing to work on Purchase Card Policy revisions



Real Property Tax Services  
Activity Report  
January 2020

The Real Property Tax Service Agency maintains and updates tax maps for Wayne County, advises assessors on the preparation and maintenance of assessment rolls, investigates applications for correction of assessment errors and refunds, apportions the county levy among the assessing jurisdictions, calculates tax rates on behalf of the towns, special benefit districts, and various special or delinquent charges and prepares the applicable tax warrant, processes title changes, serves as a member of the Wayne County Agricultural Development Board and provides annual training, administrative support, cooperation and assistance to acting Board of Assessment Review in Wayne County. RPTS works closely with local school business officials as well as village officials in addition to the town officials.

- Followed up with the county attorney regarding RPTL 922
- Attended WCAA monthly meeting
- Attended BOS meeting
- Attended Department Head meeting
- Attended Director's Winter Legislative Conference/RPTAC meeting
- Received numerous corrections or error requests including correction and refund requests
- Received the foreclosure list from the Treasurer's office
- Assisted Receiver of Taxes with tax bill questions
- Received revised Agricultural Assessment values per acres
- Conducted interviews for Sr. Account clerk replacement
- Reviewed Image Mate on line with SDG to help determine where we are in the process and develop a timeframe of when we will go "live" with this system
- Received updated information on the ACES system that will be replacing our V4 system in the future
- PDC (pre-decisional collaboration) and CAMA (computer assisted mass appraisal) ratio study information was distributed to the assessors
- Several custom reports were developed and printed per specific requests
- Full Disclosure assessments notices were printed for the Town of Rose.
- Approximately 190 transfers of property were mapped and transfer information was entered
- All transfer information including deeds and 5217's were made available for the assessors to pick up

Respectfully submitted

Karen Ambroz, CCD

<b>2019 Transfers</b>																	
	<b>Arcadia</b>	<b>Butler</b>	<b>Galen</b>	<b>Huron</b>	<b>Lyons</b>	<b>Macedon</b>	<b>Marion</b>	<b>Ontario</b>	<b>Palmyra</b>	<b>Rose</b>	<b>Savannah</b>	<b>Sodus</b>	<b>Walworth</b>	<b>Williamson</b>	<b>Wolcott</b>	<b>TOTAL</b>	
<b>January</b>	42	3	10	9	9	17	7	19	13	7	0	19	18	16	11		
<b>February</b>	21	6	15	4	15	20	5	18	6	6	6	17	14	15	15		
<b>March</b>	35	7	10	15	13	17	6	17	15	4	4	19	19	22	17		
<b>April</b>	29	4	9	8	12	14	5	32	16	6	6	18	22	17	5		
<b>May</b>	37	10	17	8	12	18	3	20	21	6	1	25	9	16	12		
<b>June</b>	29	4	15	14	10	19	19	31	21	9	8	28	24	42	20		
<b>July</b>	36	8	13	8	23	25	16	29	14	9	5	26	32	21	13		
<b>August</b>	27	8	11	15	13	22	8	27	22	8	3	33	26	15	14		
<b>September</b>	33	6	10	12	11	23	11	30	16	6	8	33	26	14	9		
<b>October</b>	22	6	8	14	18	25	5	16	23	9	2	30	20	19	14		
<b>November</b>	29	1	8	11	8	14	7	23	15	8	3	15	18	23	14		
<b>December</b>	32	2	10	12	13	17	13	26	18	3	4	22	24	13	11		
<b>TOTAL</b>	<b>372</b>	<b>65</b>	<b>136</b>	<b>130</b>	<b>157</b>	<b>231</b>	<b>105</b>	<b>288</b>	<b>200</b>	<b>81</b>	<b>50</b>	<b>285</b>	<b>252</b>	<b>233</b>	<b>155</b>	<b>2740</b>	

**RESOLUTION TRANSMITTAL**

Committee No. 1      Date: February 11, 2020

Committee Chair: Supervisor Bender  
Department Head: Karen Ambroz

**APPROVING APPLICATIONS FOR CORRECTED TAX ROLLS**

WHEREAS, applications for correction of tax rolls in relation to parcels of property identified below have been filed with the Director of Real Property Tax Services ("Director"); and

WHEREAS, the Director investigated the circumstances of the claimed errors on the tax rolls and recommends that the applications be approved; now, therefore, be it

RESOLVED, pursuant to Article 5, Title 3 of the Real Property Tax Law, the applications are approved and the officers having jurisdiction of the tax rolls are hereby authorized to make the following corrections:

**TOWN OF BUTLER**

2020 Tax Roll

Account No.	75117-20-861077	
Assessed to:	Kyle, Harold L & Dorothy M	
Total Tax Difference	\$ 99.18	Total County Tax Difference: \$ 0
Corrected Total Tax:	\$204.99	

2020 Tax Roll

Account No.	75117-20-862069	
Assessed to:	Brinkman, Thomas/Kyle, Harold L & Dorothy M	
Total Tax Difference	\$ 219.19	Total County Tax Difference: \$ 0
Corrected Total Tax:	\$ 183.71	

**TOWN OF WOLCOTT**

2020 Tax Roll

Account No.	76117-09-030748	
Assesd to:	Bundy, Frederick L & Mary L	
Total Tax Difference	\$ 125.63	Total County Tax Difference: \$ 0
Corrected Total Tax:	\$ 96.29	

**TOWN OF WALWORTH**

2020 Tax Roll

Account No.	63115-00-396779	
Assesd to:	Ruedin, Ronald & Patricia	
Total Tax Difference	\$ 655.76	Total County Tax Difference: \$ 379.98
Corrected Total Tax:	\$ -0-	

**TOWN OF ARCADIA**

2020 Tax Roll

Account No.	68110-17-221122	
Assesd to:	Sanangelo, James & Shirley	
Total Tax Difference	\$ 1,513.77	Total County Tax Difference: \$ -0-
Corrected Total Tax:	\$ 4,660	

**TOWN OF GALEN**

2020 Tax Roll

Account No.	72112-00-867073	
Assesd to:	Federico, Donald	
Total Tax Difference	\$ 5,867.27	Total County Tax Difference: \$1,408.56
Corrected Total Tax:	\$ 3,262.11	

**TOWN OF ONTARIO**

2020 Tax Roll

Account No.	62119-13-141425	
Assesd to:	Town of Ontario	
Total Tax Difference	\$ 10.58	Total County Tax Difference: \$ -0-
Corrected Total Tax:	\$ -0-	

**TOWN OF ONTARIO**

2020 Tax Roll

Account No. 62119-00-394291  
Assesd to: Town of Ontario  
Total Tax Difference \$10.65 Total County Tax Difference: \$ -0-  
Corrected Total Tax: \$10.65

**TOWN OF ONTARIO**

2020 Tax Roll

Account No. 61117-00-431194  
Assesd to: Town of Ontario  
Total Tax Difference \$17.67 Total County Tax Difference: \$ -0-  
Corrected Total Tax: \$ -0-

**TOWN OF ONTARIO**

2020 Tax Roll

Account No. 61117-14-450473  
Assesd to: Town of Ontario  
Total Tax Difference \$11.45 Total County Tax Difference: \$ -0-  
Corrected Total Tax: \$ -0-

**TOWN OF ONTARIO**

2020 Tax Roll

Account No. 62119-09-148533  
Assesd to: Town of Ontario  
Total Tax Difference \$10.58 Total County Tax Difference: \$ -0-  
Corrected Total Tax: \$ -0-

**TOWN OF ONTARIO**

2020 Tax Roll

Account No. 63117-00-256950  
Assesd to: Town of Ontario  
Total Tax Difference \$13.21 Total County Tax Difference: \$ -0-  
Corrected Total Tax: \$ -0-

Budgeted: yes \_\_\_ no \_\_\_ Proposed Cost: \_\_\_ 0 \_\_\_ Reimbursed Amount \_\_\_\_\_ County cost \_\_\_ 0 \_\_\_

Departmental transfer \$ \_\_\_\_\_ from Account No. \_\_\_\_\_ to Account No. \_\_\_\_\_

County Administrator's Review: \_\_\_\_\_ Date: \_\_\_\_\_

Human Resources Office Review: yes \_\_\_ no \_\_\_ N/A \_\_\_ Signature: \_\_\_\_\_

County Attorney Review: yes \_\_\_ no \_\_\_ N/A \_\_\_ Signature: \_\_\_\_\_

Standing Committee: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Signature/Date Rec'd: \_\_\_\_\_ Clerk, Board of Supervisors

Referred to:  
Committee: \_\_\_\_\_ Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Committee: \_\_\_\_\_ Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Date: \_\_\_\_\_ Signature: \_\_\_\_\_

RESOLUTION TRANSMITTAL

Committee No. 1

Date: February 11, 2020

Committee Chair: Supervisor Bender  
Department Head: Karen Ambroz

Transmittal Title: **TAX REFUND – ERROR ON TAX ROLL**

WHEREAS, applications for refund of real property tax claimed to be attributable to an error on the tax roll has duly been filed with the Director of Real Property Tax Services (“Director”) for the properties listed below, pursuant to the provisions of Article Five, Title 3 of the Real Property Tax Law; and

WHEREAS, the Director investigated the circumstances of the claimed errors and has submitted a report recommending the applications be approved; now, therefore, be it

RESOLVED, pursuant to Article 5, Title 3 of the Real Property Tax Law that the following applications are hereby approved and the County Treasurer is hereby authorized and directed to pay the refunds:

**TOWN OF WOLCOTT**

2020 Tax Roll

Account No. 75118-00-761808  
Assessed to: Bundy, Adam T & Leah  
Total Tax Difference \$ 101.84 Total County Tax Difference: \$ 0  
Corrected Total Tax: \$ 2,048.02

2020 Tax Roll

Account No. 75118-00-781833  
Assessed to: Bundy, Adam T & Leah  
Total Tax Difference \$ 100.61 Total County Tax Difference: \$ 0  
Corrected Total Tax: \$ 2,362.47

And be it further,

RESOLVED, that the County Treasurer is hereby authorized and directed to charge back the Refunds in the manner prescribed by Section 556 of the Real Property Tax Law.

Budgeted: yes \_\_\_ no \_\_\_ Proposed Cost: 0 Reimbursed Amount \_\_\_\_\_ County cost 0

Departmental transfer \$ \_\_\_\_\_ from Account No. \_\_\_\_\_ to Account No. \_\_\_\_\_

County Administrator’s Review: \_\_\_\_\_ Date: \_\_\_\_\_

Human Resources Office Review: yes \_\_\_ no \_\_\_ N/A \_\_\_ Signature: \_\_\_\_\_

County Attorney Review: yes \_\_\_ no \_\_\_ N/A \_\_\_ Signature: \_\_\_\_\_

Standing Committee: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Signature/Date Rec’d: \_\_\_\_\_ Clerk, Board of Supervisors

Referred to:

Committee: \_\_\_\_\_ Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Committee: \_\_\_\_\_ Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Date: \_\_\_\_\_ Signature: \_\_\_\_\_

## RESOLUTION TRANSMITTAL

Committee No. 1

Date: February 11, 2020

Committee Chair: Supervisor Bender  
Department Head: Karen Ambroz

### **AUTHORIZING PUBLIC AUCTION SALE OF REAL PROPERTY ACQUIRED BY THE COUNTY FOR DELINQUENT TAXES**

WHEREAS, pursuant to the provisions of Article Eleven (11) of the Real Property Tax Law of the State of New York pertaining to the enforcement of the collection of delinquent taxes, the County of Wayne has or will acquire title to the real property as shown on Appendix A (attached hereto and incorporated herein by reference) and is entitled to acquire title by Court Order to the properties from 2018 listed on Appendix A; and

WHEREAS, pursuant to the provisions of Article Eleven (11) of the Real Property Tax Law, real property acquired by tax deed or Court Order may be disposed of by the County at such times and upon such terms as shall be determined by the Board of Supervisors; now, therefore, be it

RESOLVED, in accordance with Article Eleven (11) of the Real Property Tax Law;

**FIRST:** The County Attorney is hereby authorized and directed to take appropriate action regarding removal of property from the auction list after the filing of the Summary Judgment of the Petition of Foreclosure and up to the time of the auction.

**SECOND:** The Director of Real Property Tax Services is hereby authorized, empowered and directed to conduct a public auction sale of the properties listed on Appendix A at the Lyons High School Auditorium, 10 Clyde Rd., Lyons, New York, on June 10, 2020, commencing at 6:00 p.m.

**THIRD:** The Director of Real Property Tax Services is hereby authorized and directed to advertise the auction in such manner as she deems suitable for obtaining the greatest public participation in the sale and to charge the advertising cost to Account No. A1364.54000 (Expenses on Property Acquired for – Advertising).

**FOURTH:** Each parcel of property shall be offered and sold at the public auction sale subject to the following terms and conditions of sale:

### **COUNTY OF WAYNE REAL PROPERTY AUCTION SALE Lyons High School Auditorium, 10 Clyde Rd., Lyons, NY June 10, 2020 at 6:00 p.m.**

#### **TERMS AND CONDITIONS OF SALE**

1. The property offered for sale has been acquired by the County of Wayne (hereinafter referred to as the "**County**") by Court Order pursuant to the provisions of Title 3, Article 11 of the Real Property Tax Law of the State of New York.
2. All potential Bidders/Buyers must provide acceptable photo identification for issuance of a bid number.
3. All Bidders/Buyers must register for this auction and hold a bid number.
4. Former owners will not be allowed to bid on their properties. No third parties shall be allowed to bid on behalf of a former owner.
5. By acknowledging and executing these Terms & Conditions, the purchaser certifies that he/she is not representing the former owner(s) of the property against whom the County Foreclosed tax liens and has no intent to defraud the County of the unpaid taxes, assessment, penalties, and charges which have been levied against the property. The purchaser agrees that neither he/she nor his/her assigns shall convey, transfer, or assign the property to the former owner(s) against whom the County foreclosed within 24 months subsequent to the auction date. If such conveyance occurs, the purchaser understands that he/she will be found to have committed fraud, and/or intent to defraud, and will be liable for any deficiency between the purchase price at auction and such sums as were owed to the County for unpaid taxes prior

to the tax lien foreclosure on the property and consents to immediate judgment by the County for said amounts in addition to reasonable attorneys fees and expenses.

6. **NO PERSON OR ORGANIZATION CAN BID ON PROPERTIES AT THE AUCTION IF THEY, OR A CORPORATION OR COMPANY THEY ARE AFFILIATED WITH, OWE PROPERTY TAXES (CURRENT YEAR OR PRIOR YEAR) TO THE COUNTY. ALL SUCH TAX LIABILITIES MUST BE PAID PRIOR TO THE AUCTION IN ORDER TO BID AT THE AUCTION.** Previously defaulting parties (i.e. parties who have a property tax installment contract or have failed to pay taxes for prior tax years) are not allowed to bid until 18 months after the default is cured.) Failure to comply with this provision will be grounds for default and forfeiture of any deposits paid without exceptions.
7. In accordance with the requirements and prohibitions set forth in Article 18 of the General Municipal Law, sitting members of the Wayne County Board of Supervisors are precluded from bidding on any parcels included in the auction. Members of Town Boards for each Town in the County of Wayne are precluded from bidding on any parcels located in their respective Towns.
8. The auctioneer's decision regarding any disputes is final, and the auctioneer reserves the right to reject any bid that is not an appreciable advancement over the preceding bid.
9. The property will be conveyed by the County to the purchaser by quit-claim deed, containing a description of the property as it appeared on the tax roll for the year upon which the County acquired title or as corrected up to date of deed. The deed will be recorded by the County upon payment in full of the purchase price and all closing fees/costs. **POSSESSION OF PROPERTY IS FORBIDDEN UNTIL THE DEED IS RECORDED WITH THE WAYNE COUNTY CLERK CONVEYING TITLE TO THE PURCHASER. TITLE VESTS AT THE RECORDING OF THE DEED.** It is agreed between the County and the purchaser that delivery and acceptance of the deed occurs upon recording of the deed, which shall constitute the transfer of legal title of the premises to the buyer.
10. Deeds shall convey title only to the person identified as the successful bidder whose bid has been accepted by the Board of Supervisors, along with the successful bidder's spouse, if so desired. No deed shall be executed to convey title in the name of anyone other than the successful bidder, and bidder's spouse, if so desired.
11. The County will not furnish an abstract of title or an instrument survey map.
12. **The County does not make any representations or warranties, expressed or implied,** (a) concerning the quality or the condition of the title to the property, or the validity or marketability of such title; the ownership of any improvements on the property; the condition of the property and any improvements thereon or its fitness for any use; or the accuracy of the property description on the tax roll or in the notice of sale or any other advertisement of sale furnished by the County; or (b) that the property or any improvements thereon presently comply with building or zoning codes, or with any state or local laws or regulations. Any information concerning the property furnished by the County or any of its officers, employees, or agents shall not be deemed to include any such representations or warranties. Any promotional tools such as photographic slides, tax maps, written or verbal descriptions, etc. are for informational purposes only.
13. Any successful bidder, who fails to tender the deposit to the Treasurer at the end of the auction, will be forbidden to participate in this or any other auction for a time period of 18 months. Any parcels which the County of Wayne Treasurer did not receive deposits for by the end of the auction will be considered defaulted. If a purchaser fails to close on the parcel(s) that he/she bids on at the auction, he/she will be prohibited from participating at future auctions held for the County of Wayne for a time period of 18 months.
14. The purchaser shall accept the property and any improvements thereon in "as is" condition with the understanding that the County makes no representation as to ownership or responsibility for any personal property located on the real property. The disposition of any personal property located on any parcel sold at auction shall be the sole responsibility of the successful purchaser following the closing of sale.
15. Evictions, if necessary, are solely the responsibility of the successful bidder after closing and recording of the deed.
16. The sale of the property is made **subject to** (a) Village, Town, New York State and Federal claims for taxes, liens or other encumbrances, and (b) all easements or rights-of-way which were in existence at the time of the levy of the tax the non-payment of which resulted in the tax deed to the County.

17. The County will convey the property free and clear of **County** tax liens accrued on or before January 1, 2020.
18. **The purchaser will pay all of the following taxes and charges, including all interest and penalties if applicable:**
  - **2020 Village Tax; current water, sewer, other special district charges, demolition charges, and any service charges levied and/or relieved against property by a Municipality - INCLUDING ANY APPLICABLE INTEREST AND PENALTIES**
  - **Federal and/or State taxes, liens and encumbrances of record**
  - **2020-2021 School Tax**
  - **2021 Town Tax & County Tax which may include re-levied village or school taxes**
  - **In order to avoid future delinquent charges, the new owner should immediately advise all tax collectors of the new ownership, and the address where future tax bills are to be mailed.**
19. All bids are subject to and contingent upon approval and acceptance by the Wayne County Board of Supervisors. The County reserves the right to sell to the second highest bidder if Purchaser defaults.
20. The Board of Supervisors reserves the right to accept or reject any or all bids, or to withdraw any parcel from the sale at any time prior to delivery of the deed to the purchaser.
21. In the event that a sale is cancelled by Court Order or judgment or by the Wayne County Board of Supervisors, the successful bidder shall be entitled only to a refund of the purchase money. Purchaser shall not be entitled to special or consequential damages, attorney fees, reimbursement for any expenses incurred as a result of ownership or improvements of the property, nor for taxes paid during the period of ownership.
22. The purchaser shall pay full payment immediately at "Knockdown" (when the Auctioneer says "sold") for any properties sold in the amount of \$2,000 or less.
23. Regarding any properties sold for more than \$2,000, the amount of \$2,000 plus 10% of the amount over \$2,000 must be paid immediately at "Knockdown". All successful bidders must have the requisite funds ready and available to them at the time of "Knockdown" at the conclusion of the auction. County staff will not wait for funds to be delivered to successful bidders to conclude settlement at the end of the auction.
24. All sales shall be final, absolute and without recourse, and in no event shall the County be or become liable for any defects in title for any cause whatsoever, and no claim, demand or suit of any nature shall exist in favor of the purchaser, its heirs, successors or assigns, against the County arising from this sale.
25. Notice is hereby given that the premises being sold may lie within an Agricultural District as designated upon the tax map. It is the sole responsibility of any bidder to ascertain which specific parcel(s) is so designated and thereby sold subject to the provisions of law applicable thereto.
26. All bids are subject to acceptance by the Wayne County Board of Supervisors. **The purchaser's bid will be submitted to the Board of Supervisors on JUNE 16, 2020. IT SHALL BE THE PURCHASER'S RESPONSIBILITY TO CONTACT THE COUNTY REAL PROPERTY TAX SERVICE AGENCY (315-946-5916) ON OR AFTER JUNE 16, 2020 TO DETERMINE WHETHER THE BID WAS ACCEPTED OR REJECTED BY THE BOARD OF SUPERVISORS.**
27. A personal check or cash may be used the night of the auction for down payment.
28. **The purchaser must pay the balance of the purchase price (paid in cash or by certified check, bank check or money order payable to the Wayne County Treasurer) together with the necessary recording taxes and fees (paid in cash or check payable to the Wayne County Clerk) to the Wayne County Treasurer's Office not later than 3PM on July 17, 2020. Upon receipt of such payments, the deed will be recorded in the County Clerk's Office and mailed to the purchaser upon completion of the recording process. The purchaser may not assign his/her right to complete the sale. ALL DEEDS SHALL BE EXECUTED SOLELY IN THE NAME OF THE BIDDER (AND SPOUSE, IF REQUESTED) AS REGISTERED AT THE AUCTION. IF THE PURCHASER FAILS TO MAKE SUCH PAYMENTS ON OR BEFORE JULY 17, 2020, THE SALE SHALL BE DEEMED CANCELLED, THE**



COUNTY SHALL NOT BE OBLIGATED TO CONVEY THE PROPERTY TO THE PURCHASER AND THE PURCHASER'S DEPOSIT SHALL BE RETAINED BY THE COUNTY AS LIQUIDATED DAMAGES.

29. The purchaser shall execute a Memorandum of Purchase at the time and place of the auction sale agreeing to purchase the property subject to the terms and conditions of sale prescribed by the County.

Budgeted: yes \_\_\_ no \_\_\_ Proposed Cost: \_\_\_ 0 \_\_\_ Reimbursed Amount \_\_\_\_\_ County cost \_\_\_\_\_

Departmental transfer \$ \_\_\_\_\_ from Account No. \_\_\_\_\_ to Account No. \_\_\_\_\_

County Administrator's Review: \_\_\_\_\_ Date: \_\_\_\_\_

Human Resources Office Review: yes \_\_\_ no \_\_\_ N/A \_\_\_ Signature: \_\_\_\_\_

County Attorney Review: yes \_\_\_ no \_\_\_ N/A \_\_\_ Signature: \_\_\_\_\_

Standing Committee: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Signature/Date Rec'd: \_\_\_\_\_ Clerk, Board of Supervisors

Referred to:

Committee: \_\_\_\_\_ Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Committee: \_\_\_\_\_ Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Date: \_\_\_\_\_ Signature: \_\_\_\_\_

**MEMORANDUM OF PURCHASE**

I, \_\_\_\_\_, agree to purchase the property identified as  
(print name)

Tax Map # \_\_\_\_\_,

Town of \_\_\_\_\_, subject to the terms and conditions of sale set forth  
above, or the purchase price of \$\_\_\_\_\_.

Dated: June 10, 2020

Name: \_\_\_\_\_ (Signature)

Social Security No.: \_\_\_\_\_

Telephone: \_\_\_\_\_

ResidenceAddress:

\_\_\_\_\_

MailingAddress:

\_\_\_\_\_

**GRANTEE DESIGNATION IN DEED:**

\_\_\_\_\_  
Name Soc. Security #

Residence Address

\_\_\_\_\_  
Name Soc. Security #

Residence Address

\_\_\_\_\_



**RESOLUTION TRANSMITTAL**

Committee No. \_\_\_\_\_

Date: FEB 11, 2020

Committee Chair: \_\_\_\_\_  
Dept. Head: \_\_\_\_\_

**REQUESTING STATE MUNICIPAL HOME RULE LEGISLATION TO IMPOSE A HOTEL OR MOTEL OR SEASONAL RENTAL OCCUPANCY TAX FOR THE COUNTY OF WAYNE**

WHEREAS, the County of Wayne presently does not have authority to enact a local law that would impose a hotel or motel or seasonal rental occupancy tax; and

WHEREAS, the proceeds of said tax would be used to promote the general welfare of the residents of Wayne County and fund county operations; and

WHEREAS, State Legislation will be necessary for the County to impose said tax; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby requests State Legislators, Senator Pamela Helming and Assemblyman Brian Manktelow to prepare a Municipal Home Rule Statute giving the County of Wayne authority to enact a hotel or motel or seasonal rental occupancy tax in the amount of 5% (five percent).

Budgeted: yes \_\_\_ no \_\_\_ Proposed Cost: \_\_\_0\_\_\_ Reimbursed Amount \_\_\_\_\_ County cost \_\_\_0\_\_\_

Departmental transfer \$ \_\_\_\_\_ from Account No. \_\_\_\_\_ to Account No. \_\_\_\_\_

County Administrator's Review: \_\_\_\_\_ Date: \_\_\_\_\_

Human Resources Office Review: yes \_\_\_ no \_\_\_ N/A \_\_\_ Signature: \_\_\_\_\_

County Attorney Review: yes \_\_\_ no \_\_\_ N/A \_\_\_ Signature: \_\_\_\_\_

Standing Committee: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Signature/Date Rec'd: \_\_\_\_\_ Clerk, Board of Supervisors

Referred to:  
Committee: \_\_\_\_\_ Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Committee: \_\_\_\_\_ Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Date: \_\_\_\_\_ Signature: \_\_\_\_\_