



Tioga County Worksession Minutes November 9, 2017 – 1:00 p.m.

Legislators present:

Legislator Hollenbeck
Legislator Huttleston
Legislator Monell
Legislator Mullen
Legislator Roberts
Legislator Standinger
Chair/Legislator Sauerbrey
Legislator Weston

Absent:

Legislator Sullivan

Guests:

Matt Freeze, Reporter, Morning Times
Doug Barton

Staff present:

County Attorney Peter DeWind
Legislative Clerk Maureen Dougherty
Deputy Legislative Clerk Cathy Haskell
Benefits Manager Amy Poff
Personnel Officer Bethany O'Rourke
Chief Accountant/Budget Officer Rita Hollenbeck

Chair Sauerbrey called the meeting to order at 1:01 p.m.

2018 Budget Update:

Budget Officer Hollenbeck reviewed the information she previously emailed to the Legislators regarding final budget numbers, which included recent developments with the Sheriff Deputies contract and health insurance. Ms. Hollenbeck reported the final numbers are less than expected, however, the total tax levy remains the same. Ms. Hollenbeck reported \$2.1 million is being appropriated from the fund balance and \$480,000 from the capital budget for a total fund balance appropriation of \$2.5 million. Ms. Hollenbeck reviewed year-to-year comparisons of expenditures and revenues over the last four years; actuals for 2015 and 2016 and budgeted for 2017 and 2018 for an overall expenditure amount of \$78 million for this year. Ms. Hollenbeck clarified that the expenditures are \$78 million, which includes State, Federal, and Local revenue of \$52 million. Ms. Hollenbeck reported this amount has been consistently in the range of \$52 million, with the exception of the years we participated in the consolidated health and the \$1 million casino revenues. Ms. Hollenbeck reported the County added to fund balance in 2015 and our expenses were less than our revenue intake, therefore, the last financial statements received reflected a healthy fund balance. Ms. Hollenbeck reported

year-end 2016 financial statements are expected to be received next month and this will reflect the withdrawal of \$1 million from fund balance even though we appropriated almost \$2.5 million in this given year. Ms. Hollenbeck reported the 2017 budget appropriated over \$3 million out of fund balance and if it comes to pass, which we are on track for this to be the case, the County will be using all \$3 million that was appropriated from a budgetary standpoint. By year-end 2017, Ms. Hollenbeck anticipates using approximately \$2 million of the budgeted fund balance. Legislator Weston inquired about the contingency fund. Ms. Hollenbeck reported every year the County was budgeting \$550,000 for the contingency fund, which has been currently reduced to \$500,000. Ms. Hollenbeck reported a second contingency fund has been added for Solid Waste. Personnel Officer O'Rourke inquired as to whether the County budget is \$78 million plus the \$52 million from State and Federal funding. Ms. Hollenbeck reported the calculation is expense less revenue, therefore, the State and Federal funding is less the \$78 million resulting in a local share of \$26 million.

Ms. Hollenbeck reported the following statements are part of the tentative budget:

- **Reserve Statements** – As of December 31, 2017, Ms. Hollenbeck estimates the reserve statement at \$18 million and a portion of this amount is restricted. Ms. Hollenbeck reported the largest reserve is the Capital Fund at \$7.5 million and most of this is restricted funds through the reserve accounts. The Worker's Comp fund is \$3 million, however, currently \$2 million of this amount is in a restricted reserve. Ms. Hollenbeck reported she is hoping to add to this restricted reserve to achieve the actuary's recommended amount.
- **Debt Schedule** – Ms. Hollenbeck reported the bonds issued in 2010 and 2013 do not expire until 2023 and 2030. As of December 31, 2017, Ms. Hollenbeck reported \$13 million is still owed.
- **Estimated Reserve Schedule** - Ms. Hollenbeck reported this schedule is estimated for year-end. Of the reserve accounts, Ms. Hollenbeck reported the only one being contributed to is the Debt Service Reserve. Ms. Hollenbeck reported the Solid Waste Building Reserve of \$38,000 should be closed sometime in 2018, as this reserve account is related to the transfer station. Ms. Hollenbeck reported this amount should go back into a restricted reserve. Ms. Hollenbeck reported the Software and Hardware Reserves are currently minimal. Ms. Hollenbeck reported the FMAS Reserve will be reduced to \$88,000 after the purchase of the tax collection software. In the coming year, this reserve should also be closed and funds transferred to one of the other reserve accounts. Legislator Monell inquired as to the process for closing out a reserve account. Ms. Hollenbeck reported closing a reserve account is a legal action taken by the Legislature via a resolution. Ms. Hollenbeck reported she is not familiar with closing out reserve accounts and since legal advisement was obtained for the establishment and funding of these reserve accounts it most likely will require legal advisement to close these accounts.
- **Exempt Impact Report** – Ms. Hollenbeck reported this report reflects the number of exempted parcels, which is down by approximately 100 parcels from 2014 to 2018. Ms. Hollenbeck reported the equalized value continues to increase. Ms. Hollenbeck reported the percentage of the total equalized value is increasing and we are almost at 25% of the total equalized value for exempt properties. Ms. Hollenbeck reported the RP495 Exemption Report reflects the different types of exemptions and the number of parcels in each area. In regards to PILOTS, Ms. Hollenbeck reported this number has fluctuated over the years, but is gradually increasing. Ms. Hollenbeck reported PILOT increases create a negative impact on the levy formula, but it is also revenue for the County outside of the regular tax levy.

Ms. Hollenbeck reported the next step in the budget process is to continue working on the published tentative budget, which is almost complete with the exception of the budget message. Ms. Hollenbeck reported she will email the Legislature the full tentative budget.

Legislative Clerk Dougherty reported the budget hearing is scheduled for Wednesday, November 15th, and a Legislative quorum is required.

Date Changes for 2nd November & December Worksessions – (11/21 & 12/19)

Chair Sauerbrey announced the 2nd Legislative Worksessions in November and December have been rescheduled to Tuesdays; November 21st and December 19th. Time will remain the same at 10:00 a.m.

Approval of Worksession Minutes – October 19, 2017:

Legislator Monell motioned to approve the October 19, 2017 Legislative Worksession minutes as written, seconded by Legislator Hollenbeck with Legislators Hollenbeck, Huttleston, Monell, Mullen, Roberts, Sauerbrey, Standinger and Weston voting yes with Legislator Sullivan being absent. Motion carried.

Action Items:

ACTION ITEMS FROM JULY 6, 2017:

ACTION ITEM #1 – 7/6/17 – Paying Costs for Demolished Properties –

County Attorney DeWind reported a decision is back regarding the Monroe County case and the judge determined that they have to consider any special assessments to be additional items for a County to make whole including demolition costs, lawn mowing, and other types of work that affects public impression of the property. Mr. DeWind reported there is no accommodation for how out of proportion that cost could end up being to the entire tax roll or to that property's valuation. Mr. DeWind reported we have a different disposition in regards to the villages, as this is voluntary and Tioga County chose in 1979 to make villages whole. Mr. DeWind reported the Legislature could change that part to be more clear as to what is or is not taxation, however, this requires repealing the existing law and adopting a new law in its place. However, with the towns it is very clear that we are on the hook for essentially anything that is added regardless of whether we have control over it and we cannot institute a cap limit. Most of the issues we have are with the villages versus the towns. Mr. DeWind reported the County can continue to do what we have been doing, which is continuing our relationships with the towns and requesting that they notify us prior to taking any action. Legislator Mullen inquired as to whether it would be beneficial for ED&P Director Tinney to provide information on how the Land Bank is going to address some of these properties and possibly abate some of the issues. Legislator Weston reported he will inquire with Ms. Tinney to see if negotiation with a Land Bank has occurred in other counties regarding this issue. Legislator Weston inquired as to whether funds could be set aside in a specific budget line item for potential expenses to avoid a significant lump sum payment.

Chair Sauerbrey requested changing this action item to tasking the Chair of the Legislature to set up a committee in January 2018 to start investigating options to determine how to proceed with the villages in regards to special assessments and property demolitions. Legislators Weston, Hollenbeck, and Mullen expressed interest in serving on this committee. **This action item will be carried forward from the November 9, 2017 Legislative Worksession.**

Legislative Support – Legislative Clerk Dougherty:

Approval of Legislative Support Committee Minutes – October 5, 2017:

Legislator Monell motioned to approve the October 5, 2017 minutes as written, seconded by Legislator Hollenbeck with Legislators Hollenbeck, Huttleston, Monell, Mullen, Roberts,

Standinger, Sauerbrey, and Weston voting yes with Legislator Sullivan being absent. Motion carried.

Legislative Clerk Dougherty reported the following:

- The November Legislative Meeting is scheduled for Tuesday, November 14, 2017, at 12:00 p.m. in the Hubbard Auditorium. The Legal/Finance Committee will meet prior at 10:00 a.m. in the Legislative Conference Room.
- Legislator Huttleston will do the prayer and pledge and start the voting process at the November 14, 2017 Legislature meeting.
- Attended a Department Head meeting in October.
- Held two Public Hearings in October
- Met with George Phillips, Reclaim NY, on October 27th.
- All resolutions from 1972 to present have been entered in Munis Tyler Content Manager. Ms. Dougherty reported the next step in the process involves ITCS to determine how to open TCM for all the users to be able to access this information without compromising sensitive, secured information. This requires security set up with the ITCS staff and Ms. Dougherty reported she does not believe they have a full understanding on this process.
- Legislative Budget is tracking well.

Employee of the 3rd Quarter 2017 –

Wayne Amendola, Mental Hygiene has been chosen as the Employee of the 3rd Quarter. Bill Ostrander, member of the Employee Recognition Committee, will be in attendance to present. Legislator Standinger will be given the option to speak on behalf of this employee.

Proclamations (4) –

- ✓ **Small Business Saturday** – Chair Sauerbrey will read and present this proclamation at the November 14, 2017 Legislature meeting.
- ✓ **Giving Tuesday** – Chair Sauerbrey will read and present this proclamation at the November 14, 2017 Legislature meeting.
- ✓ **Tioga County United Way Month** – This resolution will just be noted in the minutes of the November 14, 2017 Legislature meeting.
- ✓ **Adoption Awareness Month** – This resolution will just be noted in the minutes of the November 14, 2017 Legislature meeting.

Resolutions:

All resolutions were reviewed with discussion on the following:

- ▶ **Authorize and Fund Tax Collection Software and Appropriate Funds from FMAS Reserve Account** – Ms. Dougherty identified the purchase price includes 5 years of maintenance costs. This is being funded through the FMAS reserve account.
- ▶ **Authorize the Sale of County Owned Property Located in the Village of Candor to Chad Rose & Athena Hollard & Authorize the Sale of County Owned Property Located in the Town of Candor to Thomas D. Darpino & Deborah A. Darpino** – Ms. Dougherty reported these two resolutions represent two properties that were initially sold at the August foreclosure auction, however, the buyers defaulted on their commitment, therefore, properties were re-sold to new owners at a public auction held by the Treasurer's Office via Manasse Auctions on November 1st. Ms. Dougherty reported a resolution should have been done prior to this date to set the auction and she discussed this with the Treasurer's Office paralegal, Kevin Humes, and County Attorney DeWind. Mr. DeWind reported the initial resolution to set the August foreclosure auction does have the necessary authorization to sell the properties. However, for the sake of maintaining consistency, Mr. DeWind reported a new resolution setting the public auction date

should be done for each auction. Question was raised regarding advertising of the properties. Ms. Dougherty reported Manasse Auctions advertises on behalf of the County, therefore, it is a matter of protocol to adopt a resolution setting the public auction.

- ▶ **Ratify Collective Bargaining Agreement and Adopt 20-Year Retirement Plan for TCLEA** – Ms. Dougherty reported the Personnel Committee met prior to this meeting and recommended changes in wording on this resolution, which has been done.

- ▶ **Authorize Position Reclassification Public Works** – Legislator Roberts reported this resolution did not go through the Public Works committee earlier today, however, did go through the Personnel Committee. In an effort to maintain consistency, Legislator Roberts requested this resolution be pulled and late-filed for Tuesday, November 14th, with Commissioner of Public Works Hammond attending the Legal/Finance Committee meeting to discuss said resolution.

Resolution pulled and late-filed for Tuesday, November 14th, for further discussion at the Legal/Finance Committee meeting with DPW Commissioner Hammond.

- ▶ **Authorize Position Reclassification Public Health** – Ms. O'Rourke reported this resolution should be pulled from the meeting packet.

Resolution was pulled from meeting packet.

- ▶ **Authorizing the Creation of a Traffic Safety Diversion Program in the District Attorney's Office; Authorize Status and Non-Union Salary Hiring Range for the 1st and 3rd Assistant District Attorney** – Legislator Monell requested this resolution be pulled due to further clarification. Legislator Monell reported he reached out to Mr. Martin, but did not receive a response prior to this meeting. Providing adequate information is received in time, this resolution could be late-filed for Tuesday, November 14th, or it can be re-introduced for the December Legislature meeting.

Resolution was pulled and awaiting further information from District Attorney Martin.

- ▶ **Authorize Appointment of Accountant – Treasurer's Office** – Legislator Monell reported Treasurer McFadden was expected to attend this meeting for further discussion, however, due to his absence the Legislature was in agreement to pull and late-file this resolution at the Legal/Finance meeting on Tuesday, November 14th.

Resolution pulled and late-filed for Tuesday, November 14th, for further discussion at the Legal/Finance Committee meeting with Treasurer McFadden.

Other:

- **Legislator Mileage** – Chair Sauerbrey reminded Legislators who are claiming mileage for this year to submit their mileage log sheets by year-end. This allows for payment to come out of the appropriate budget year. Ms. Dougherty reported she would like to get back to where the Legislators are submitting their mileage on a monthly basis. Ms. Dougherty reported there are two Legislators who still need to take the driver safety training either in a classroom setting or online. Ms. Dougherty reported she has spoken to both of these Legislators directly. Ms. Dougherty reported mileage should not be paid without proof of this training.
- **Veterans Day Event** - Chair Sauerbrey reported she will be speaking at this event on Saturday, November 11th, at 10:45 a.m. in Owego along with the Veteran's Service Director John Holton and Veteran's Service Officer Mike Middaugh.

Executive Session -

Motion by Legislator Monell seconded by Legislator Standinger to move into Executive Session to discuss an individual personnel matter. Motion carried to go into Executive Session at 1:52 p.m. County Attorney DeWind and Personnel Officer O'Rourke remained in attendance. Legislator Monell exited Executive Session at 2:13 p.m.

Executive Session ended at 2:26 p.m.

Meeting adjourned at 2:26p.m.

Next worksession is scheduled for **Tuesday, November 21, 2017*** at 10:00 a.m.

***PLEASE NOTE DATE CHANGE DUE TO THANKSGIVING HOLIDAY.**

Respectfully submitted by,
Cathy Haskell
Deputy Legislative Clerk