



Tioga County Legislative Worksession Minutes January 11, 2018 – 1:00 p.m.

Legislators Present:

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

Legislators Absent:

Legislator Monell

Guests:

Matt Freeze, Reporter, Morning Times

Staff Present:

County Attorney Peter DeWind
Legislative Clerk Maureen Dougherty
Deputy Legislative Clerk Cathy Haskell
Personnel Officer Bethany O'Rourke
Chief Accountant/Budget Officer Rita Hollenbeck
ED&P Director LeeAnn Tinney (*departed @ 1:25 p.m.*)
ED&P Deputy Director Teresa Saraceno (*departed @ 1:25 p.m.*)

Call Meeting to Order –

Chair Sauerbrey called the meeting to order at 1:02 p.m.

Land Bank Update -

ED&P Deputy Director Saraceno distributed a one-page document regarding the Land Bank. Ms. Saraceno reported the Land Bank was established in January 2017 and since that time staff and the Board have been busy getting established with all the necessary requirements such as:

- Completion and approval of the Certificate of Corporation
- Notification received from Authority Budget Office (ABO)
- Assignment of Employer Identification Number (EIN)
- Acquired Board of Directors liability insurance – currently the Land Bank is named as an additional insured party under Tioga County’s general liability and public officials liability insurance until such time properties are acquired.
- Participation in the statewide Land Bank Association. They have allowed Tioga County to participate even though dues have not been paid and we are not an official member. Ms. Saraceno reported the Land Bank Association is hoping to establish a statewide insurance policy in the future for all Land Banks to participate. Ms. Saraceno reported she and Kevin Humes, Treasurer’s Office, attended a workshop last month in Binghamton, NY.
- PARIS (Public Authority Reporting Information System) has been set up with a reporting deadline established of 3/31/18. In addition, IRS 990 filing in progress with a filing deadline date of 5/15/18. Ms. Saraceno reported minimal reporting is required at this time as the Land Bank does not have any funds, however, reporting is still required.
- 1st Board of Directors meeting was held in May 2017 with the following action taken: establishment of policies and by-laws, officer appointments, establishment of Audit, Finance and Governance Committees, and resolution adopted regarding Public Open Meeting Notice postings.
- Establishment of Land Bank logo, seal and website.
- All board members completed their code of ethics review/attestation, workplace violence prevention, and all other required policies.
- IRS 501c3 was approved the week of 11/9/17 with an effective date of 3/20/17.

Ms. Saraceno reported ED&P and IDA in conjunction with Tioga Opportunities, Inc. are in the process of completing a housing study through a contractual consulting firm. One of the action items of this housing study is the identification of targeted residential neighborhoods and assessments of homes that need to be demolished for rehabilitation. This will be a very good resource for the Land Bank to determine their plan for the first couple of years. In addition, this document will also be a good tool when seeking funding. Ms. Saraceno reported she will continue to meet with the Treasurer’s Office regarding foreclosed, abandoned, and vacant properties, as well as with municipal code enforcement officers. In anticipation of the Attorney General’s announcement for Community Revitalization Initiative Funding where there may be possible Land Bank funding, Ms. Saraceno reported she has begun reviewing applications from other Land Banks to determine how they prepared and presented themselves, so she can begin Tioga County’s narrative. Ms. Saraceno reported a formal agreement or letter of intent from Tioga Opportunities, Inc., is needed to include with a funding application, as they are partnering with the Land Bank. In addition to this formal document, Ms. Saraceno reported a formal administrative services agreement between ED&P and the Land Bank is needed now that the Land Bank is a separate 501c3 entity. Ms. Saraceno reported this is basically an agreement stating ED&P will provide the administrative services for the Land Bank.

Ms. Saraceno reported Land Bank Board membership is currently comprised of the following seven board members:

Name	Officer/Board Member	Municipality
Martha Sauerbrey	Chairwoman	Tioga County Legislature
Dale Weston	Vice-Chairman	Tioga County Legislature
Ralph Kelsey	Treasurer	Tioga County IDA
Steve May	Secretary	Village of Owego
Chris Brewster	Board Member	Village of Waverly
Lewis Zorn	Board Member	Town of Tioga
Stu Yetter	Board Member	Town of Newark Valley

ED&P Director Tinney reported the housing study is in the final stages and the partners involved are ED&P, IDA, and Tioga Opportunities, Inc. The plan recommends additional assessment work needs to be done through action plans to identify targeted areas for this type of development. Ms. Tinney reported a half-day worksession is being planned with the three communities named in the plan; Village of Owego, Village of Waverly, and Village of Newark Valley for the purpose of developing an action plan. Ms. Tinney reported the overall purpose of the housing study was to determine housing need and to review our statistics across the county for each municipality to determine need, existing housing stock, condition of existing housing stock, and workforce.

Legislator Mullen inquired as to whether properties can be gifted to the County. Ms. Saraceno reported this is a legal question and requires case-by-case review to determine if there are back taxes and/or liens against the property, ownership, etc. Legislator Mullen reported the initial seed money for acquisition of properties will come through grant funds as we work to establish a fund. Ms. Saraceno reported the purpose is rehabilitation and demolition of properties with the intent to turn the properties over to homeowners. Ms. Saraceno reported the housing study confirms what we already know which is the housing stock is old, minimal new starts, and significant number of dilapidated and flooded properties.

Ms. Tinney reported a presentation is scheduled for the housing study partners in February with a public presentation to follow at a later date. All legislators will be invited to attend the public presentation.

Ms. Saraceno reported legal counsel for the Land Bank will most likely be Joe Meagher representing the not-for-profit entity with Mr. DeWind representing the County. Ms. Saraceno reported Mr. Meagher has done pro bono work in assisting with establishing the Land Bank, as there are currently no funds available yet. In regards to the IRS 990 form, Ms. Saraceno reported Jan Nolis, CPA also did pro bono work and provided advice on filing. Ms. Saraceno reported it is possible these two individuals could become the accountant and attorney for the Land Bank.

Chief Accountant Hollenbeck inquired about the liability to the County. Ms. Saraceno reported we are currently on the County's policy, however, once funding is established and properties are acquired, the Land Bank will move towards making a change.

Legislator Roberts inquired about separation, as this could be perceived borderline real estate developers within government. Ms. Tinney inquired as to whether Legislator Roberts was referring to county staff working for the effort. Mr. DeWind reported ultimately once the Land Bank is established and becomes a fully functioning and completely funded not-for-profit entity they will fall under their own insurance and legal representation, however, a formal administrative services agreement will need to be prepared outlining duties and relationship to the organization and then the Land Bank will be the ones in the real estate development

speculation. Mr. DeWind reported we are currently at an in-between point, which is not an issue as we do not have any properties.

Legislator Weston inquired as to whether the acquisition of properties will be County properties. Ms. Saraceno confirmed these will be County properties and initially the main source for acquiring properties is the foreclosure list, but you can also acquire from banks that are selling properties. Ms. Saraceno reported this will all be part of the legal process. Ms. Saraceno reported property consideration will include location, impact of the neighborhood, cost, and biggest impact for the amount of money awarded.

Driver Safety Training Schedule -

Chair Sauerbrey reported Safety Officer Kenville provided a list identifying Legislators Huttleston and Standinger are due to take the driver safety training this year. Chair Sauerbrey reported classes are anticipated to start in March and encouraged legislators to take the class as soon as they are offered as to not miss this year's opportunity. In addition to the above-referenced legislators, Chair Sauerbrey reported this would also be a good opportunity for Legislator Mullen to take this class. Chair Sauerbrey reminded the legislators driver safety training is required in order to receive mileage reimbursement.

Approval of Worksession Minutes – December 19, 2017:

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

Action Items:

ACTION ITEMS FROM JULY 6, 2017:

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

Chair Sauerbrey reported Legislators Hollenbeck, Mullen and Weston previously expressed interest in serving on the Building Demolition Committee and inquired as to whether any other legislator was interested. Chair Sauerbrey will make the formal committee appointment of Legislators Hollenbeck, Mullen, and Weston at the January 16, 2018 Legislature meeting. The committee will be charged with identifying a committee chair and conducting meetings to bring recommendations back to the full Legislature. Chair Sauerbrey reported the committee will need to decide whether additional invitations should be extended to County Treasurer McFadden and County Attorney DeWind or any other key personnel. **This action item is completed and will be removed from the Action Item List.**

Legislative Support – Legislative Clerk Dougherty:

Approval of Legislative Support Committee Minutes – December 7, 2017:

Legislator Sullivan motioned to approve the December 7, 2017 minutes as written, seconded by Legislator Hollenbeck with Legislators Hollenbeck, Huttleston, Mullen, Roberts, Standinger, Sauerbrey, Sullivan, and Weston voting yes with Legislator Monell being absent. Motion carried.

Legislative Clerk Dougherty reported the following:

- The January Legislative Meeting is scheduled for Tuesday, January 16, 2018, at 12:00 p.m. in the Hubbard Auditorium. The Finance/Legal Committee will meet prior at **10:30 a.m.** in the Legislative Conference Room. ****Please note new start time for Finance/Legal.***
- Legislator Mullen will do the prayer and pledge and start the voting process at the January 16, 2018 Legislature meeting.
- Attended a Building Coordinator's meeting in December.

- Distributed employee handbook annual spreadsheet update.
- Legislative Budget is tracking well.

Recognition Resolutions (2) –

- ***Resolution Recognizing Randy Kipling's 27 Years of Dedicated Service to Tioga County-*** Resolution will just be noted in the minutes of the January 16, 2018 Legislative meeting, as the employee will not be in attendance. However, Sheriff Howard will speak on behalf of the employee.
- ***Resolution Recognizing Paul C. Rhodes 26 Years of Dedicated Service to Tioga County*** Legislator Mullen will read and present this resolution at the January 16, 2018 Legislature meeting. Sheriff Howard will speak on his behalf.

Committee Appointments:

Chair Sauerbrey will formally make the following committee appointments at the January 16, 2018 Legislature meeting:

- ***Cornell Cooperative Extension*** – Legislator Standinger
- ***Building Demolition Committee*** – Legislators Hollenbeck, Mullen, and Weston
- ***Budget Committee*** – Legislators Sauerbrey, Mullen, Monell, Standinger, and Budget Officer Hollenbeck. In the event Legislator Monell is unable to serve on this committee, Legislator Sullivan reported she would take this under consideration.

2018 Standing Committees:

Chair Sauerbrey reported she has not received any requests for committee changes, therefore, will formally announce the 2018 Standing Committees will remain the same at the January 16, 2018 Legislature meeting. Chair Sauerbrey reported the only change is the start time of the Finance, Legal, Safety Committee which will now be starting a half-hour later (10:30 a.m./4:30 p.m.).

Resolutions:

All resolutions were reviewed with discussion on the following:

- ***Re-Establish Prior Year 2017 Capital Projects for 2018 Budget –***
- ***Re-Establish Prior Year 2017 Grants for HHS for 2018 Budget –***
- ***Re-Establish Prior Year 2017 Grants for 2018 Budget –***

Ms. Dougherty reported the above-referenced resolutions did not go through the appropriate committees, as these are the annual resolutions prepared by the Budget Officer. Ms. Dougherty reported this is the same annual practice in December with the staff changes resolutions prepared by the Personnel Office. Ms. Dougherty inquired as to whether the Legislature wanted to continue with this practice or if they wanted to change the practice and have all resolutions go through the appropriate committees regardless of whether another department is preparing the resolutions on behalf of other departments. In addition, Ms. Dougherty reported resolutions for Assigned Counsel/ILS, Public Defender, and District Attorney do not go through the Finance/Legal Committee, as these individuals do not attend monthly committee meetings.

Legislator Sullivan recommended that Department Heads must attend their respective committee meetings to present and discuss their resolutions.

The Legislature agreed that if a committee is listed on the resolution as a referred committee then the respective Department needs to bring the resolution through their committee regardless of who prepared the resolution.

In regards to Indigent Legal Services (ILS), Chair Sauerbrey reported she would like periodic status updates in this area, therefore, suggested Mr. DeWind request Ms. Graven

attend the Finance, Legal, Safety Committee on a periodic basis. Mr. DeWind reported he will address this request with Ms. Graven, as well as her attendance at next week's Finance, Legal & Safety Committee to discuss the resolution.

ACTION ITEM: Legislative Clerk Dougherty will assist Chair Sauerbrey in drafting a memo to Department Heads directing all resolutions must go through the referred committees listed on the resolution regardless of what department prepares the resolution and the Department Head must be in attendance to present their resolutions and field questions.

UPDATE: Memo was drafted and sent to the Directors and Legislators on January 12, 2018.

Other:

- **Budget Committee** – Chair Sauerbrey reported she would like to appoint a Budget Committee at the January 16, 2018 Legislature meeting for commencement in early June. Chair Sauerbrey reported the purpose of the committee is to partner with Budget Officer Hollenbeck as she prepares the budget. Chair Sauerbrey, Legislator Mullen, and Legislator Standinger expressed interest in serving on this committee. Suggestion was made for the Legislator Monell to also serve on this committee, as he is Chair of Finance. Chair Sauerbrey will reach out to Legislator Monell regarding this suggestion. Chair Sauerbrey will formally appoint Legislators Sauerbrey, Mullen, Monell, and Standinger, as well as Budget Officer Hollenbeck to serve on the Budget Committee at the January 16, 2018 Legislature meeting. In the event Legislator Monell is unable to serve on this committee, Legislator Sullivan indicated she would take this under consideration. Legislator Sullivan reported historically we have only had a budget committee when larger issues such as insurance were foreseen, therefore, inquired as to whether the formation of the committee is due to anticipation of serious or significant budget issues going into 2019. Chair Sauerbrey reported this is a legislative budget that requires providing input to the Budget Officer. Chair Sauerbrey reported the intent is not to micromanage, but to support the Budget Officer and be aware of where we stand financially.
- **2018 ERC Legislative Representation:** Ms. Dougherty reported she received a letter from the Employee Recognition Committee (ERC) requesting quarterly Legislative representation for 2018. In 2017, Ms. Dougherty reported Legislators Hollenbeck, Mullen, Standinger, and Sullivan served and all legislators agreed to serve again in 2018.

2018 ERC Quarterly Legislative Representation

<i>Legislator</i>	<i>Quarter</i>
<i>Legislator Hollenbeck</i>	<i>1st Quarter</i>
<i>Legislator Sullivan</i>	<i>2nd Quarter</i>
<i>Legislator Mullen</i>	<i>3rd Quarter</i>
<i>Legislator Standinger</i>	<i>4th Quarter</i>

Executive Session -

Motion by Legislator Hollenbeck seconded by Legislator Mullen to move into Executive Session to discuss an individual personnel matter and litigation. Motion carried to go into Executive Session at 1:54 p.m. County Attorney DeWind and Personnel Officer O'Rourke remained in attendance.

Executive Session ended at 2:24 p.m. Meeting adjourned at 2:24 p.m.

Next worksession is scheduled for Tuesday, January 25, 2018 at 10:00 a.m.

Respectfully submitted by,
Cathy Haskell, Deputy Legislative Clerk