

ADMINISTRATION COMMITTEE

Tuesday, January 10, 2022

9:00 a.m.

*Legislative Chambers, 3rd Floor, Annex Building
Bath, New York*

****MINUTES****

COMMITTEE: Brian C. Schu, Chair Robert V. Nichols, Vice Chair Kelly H. Fitzpatrick

EXTRAORDINARY CIRCUMSTANCE: Hilda T. Lando

STAFF: Jack K. Wheeler Christopher Brewer Jennifer Prossick
Jennifer Galvan Brenda Scotchmer Jennifer DeMonstoy
Wendy Jordan Nate Alderman Vicky Olin
Colleen Hauryski Tammy Hurd-Harvey James Allard

LEGISLATORS: Scott J. Van Etten Carol A. Ferratella Jeffrey P. Horton
James Kuhl John V. Malter Nicholas D. Pelham
Frederick G. Potter

ABSENT: Gary D. Swackhamer

I. CALL TO ORDER

Mr. Schu called the meeting to order at 9:00 a.m. and noted that Mrs. Lando was attending under extraordinary circumstance. Mr. Schu asked Mr. Nichols to lead the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE DECEMBER 13, 2022, MEETING MADE BY MRS. LANDO. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

III. DEPARTMENT REQUESTS

A. Elections

1. **Budget Transfer to Pay Election Inspectors** – Mrs. Olin explained with the new MUNIS program, they added a line item for inspector training. However, when that was paid at the end of the year, it was paid out of the new line item instead of the old. She requested authorization to transfer \$71,270.63 from the new line item 518145 to the old line item 542305.

MOTION: AUTHORIZING THE COMMISSIONERS OF ELECTIONS TO TRANSFER \$71,270.63 FROM THE NEW LINE ITEM FOR ELECTION INSPECTORS (518145) TO THE OLD LINE ITEM (542305) MADE BY MS. FITZPATRICK. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

B. Real Property Tax Service Agency

1. **Senior Citizen / Disability Tax Exemption Income Limit** – Mrs. Jordan stated that since last month’s meeting she was asked to provide additional income limit options for both the senior citizen and disability tax exemption. Mr. Van Etten stated he had asked Mrs. Jordan to look at both \$40,000 and \$50,000 for the sliding scale. The two women who attended the December Legislative Meeting shed light on this. There are other municipalities in the County, including the cities, that are setting a higher limit than we are.

Mrs. Jordan explained prior to the legislative update, the maximum income at the 50 percent exemption level was \$29,000. The City of Corning has indicated they will be presenting at their February meeting to increase the income to \$41,600 at the 50 percent exemption level which would bring the income maximum to \$50,000 to receive the 5 percent exemption. The Erwin Town Assessor is proposing \$54,840 at the 50 percent exemption level and \$43,240 at the 5 percent exemption. She noted that Canisteo passed \$25,000 at the 50 percent exemption level.

Mr. Malter asked what is it now? Mrs. Jordan replied currently to receive the 50 percent exemption you have to make less than \$22,500 and if you make less than \$30,900 you are eligible for the 5 percent exemption. The State will allow you to set the maximum income for the 50 percent exemption at \$50,000. If you maintain the sliding scale down to 5 percent, then a property owner could make just below \$58,400 to be eligible. Mr. Malter asked what is the tax impact? Mrs. Jordan replied that is difficult to quantify because the State issued a report that showed property owners 65 and older could be eligible for exemption if they make \$58,400 or lower. She noted that she does not have that specific income information as it is private and she cannot determine how many individuals would qualify for the senior citizen exemption.

Ms. Fitzpatrick commented with the household income, to calculate that, it includes all income, whether taxable or not. In situations when you are considering that, that really could be a married couple collecting Social Security and that could be over \$40,000. With regard to the impact on taxes, we are just shifting the burden to everyone else. You will not have a good dollar amount as you are just spreading it around.

Mr. Nichols commented you will be making the young folks pay; it's not that there will be less taxes collected. There are young families struggling to pay taxes and that is reality. Mr. Van Etten commented that he would say they probably have a dual income household and most seniors do not.

Mr. Schu commented we could do it incrementally and then revisit it. Mr. Van Etten stated he did not want us to be lower than the other municipalities in the County. He stated that he would like to recommend going to the higher, \$50,000 amount than what was adopted last month.

MOTION: AMENDING THE LOCAL LAWS RELATIVE TO BOTH THE SENIOR CITIZEN AND DISABILITY TAX EXEMPTION ON REAL PROPERTY TO STATE THAT THE SLIDING SCALE INCOME LIMIT WILL BE SET AT \$50,000 FOR THE 50 PERCENT EXEMPTION MADE BY MS. FITZPATRICK. SECONDED BY MRS. LANDO.

Mr. Potter commented if we do this and it has a greater impact than we think, it will be hard to reverse it. Mr. Nichols stated that he would rather increase it a little at a time. Mrs. Lozo commented Social Security is going up for a lot of individuals this year and will bump them out of the income brackets. This may not be as big an impact.

Mr. Horton asked these exemptions are on primary residences in the County? Mrs. Jordan replied yes. She stated the average Social Security for 2023 is \$1,827 per month. With a maximum of \$3,627 per month those individuals would be earning approximately \$43,524 per year. Mr. Malter stated I think we should go with \$35,000 just to see what the impact will be. Mr. Schu commented you do not want to have to set it back.

MOTION: AMENDING THE PREVIOUS MOTION TO SET THE SLIDING SCALE INCOME LIMIT FOR BOTH THE SENIOR CITIZEN AND DISABILITY TAX EXEMPTION AT \$35,000 FOR THE 50 PERCENT EXEMPTION AND AT \$43,400 FOR THE 5 PERCENT EXEMPTION MADE BY MS. FITZPATRICK. SECONDED BY MRS. LANDO. ALL BEING IN FAVOR. MOTION CARRIES 5-0. (Resolution Required)

2. **Senior Citizen Tax Exemption** – Mrs. Jordan stated it has been a part of the Real Property Tax Law that a notice is to be put on the tax bills saying “you may be eligible for exemption – contact your assessor for more information”. This law was amended by legislation to require a second copy of the notice to be sent 30 days prior to the taxable status filing deadline. The Real Property Tax Law states this notice will go to all

residential property owners. ABS (Applied Business Systems) that did our tax bills, is formulating a postcard solution to address this for all counties. The pricing is \$0.49 per postcard for printing and mailing. There will be a \$150 setup charge and then \$20 per municipality. She stated she ran a report of parcels in the 200 property class codes and for the entire County we have approximately 36,000 parcels. Any duplicate owners would be filtered out. This initial run would exclude the two cities. She noted that the City of Hornell is already past their taxable status filing deadline and the City of Corning will put a notice in their re-evaluation assessment notice. She stated we would have approximately 30,000 parcels and the total cost to do this mailing would be \$15,490 which includes the \$150 setup fee and the \$20 fee per municipality. Mrs. Jordan stated the best and most efficient way to do this is to have the County enter into this agreement for the towns and then have the towns reimburse the County for the cost. We did not budget for this and neither did any of the municipalities.

Mr. Wheeler stated for this first year he would agree. The question is if the County is willing to do this, how do you want to handle the chargebacks? Do you want to absorb the cost for the municipalities so they have time to budget, or do you want to do the chargebacks? Mr. Van Etten commented he would have the County absorb the cost. Mr. Nichols stated he agrees. It is not right to do to the chargebacks to the municipalities as they did not know this was coming. Mrs. Lando stated she also agrees. Mr. Wheeler commented we would need to do this anyway. The County would be absorbing the \$7,500 cost for the first year.

MOTION: AUTHORIZING THE DIRECTOR OF THE REAL PROPERTY TAX SERVICE AGENCY TO AMEND THE CONTRACT WITH ABS (APPLIED BUSINESS SYSTEMS) TO INCLUDE THE MAILING OF POSTCARDS TO ALL PROPERTY OWNERS WHO FALL UNDER THE 200 PROPERTY CODE FOR A TOTAL INCREASE OF \$15,490 WHICH INCLUDES THE COUNTY ABSORBING THE \$7,500 COST FOR THE MUNICIPALITIES FOR THE FIRST YEAR MADE BY MS. FITZPATRICK. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

C. Personnel

1. **Reclassification – Personnel Office** – Mr. Alderman requested authorization to reclassify a vacant Personnel Technician position, Management Grade E to a Personnel Clerk, Management Grade D.

MOTION: AUTHORIZING THE RECLASSIFICATION OF A VACANT PERSONNEL TECHNICIAN POSITION, MANAGEMENT GRADE E, TO A PERSONNEL CLERK, MANAGEMENT GRADE D IN THE DEPARTMENT OF PERSONNEL MADE BY MR. NICHOLS. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

2. **Appointing Personnel Clerk Above the Mid-Point** – Mr. Alderman requested authorization to appoint Dana Stratton, currently Senior Typist, to Personnel Clerk and setting her salary approve the mid-point of Management Grade D at Step 9 for \$54,125. He noted this represents an increase of \$4,300, however, we are still seeing a savings over the original position.

MOTION: AUTHORIZING THE PERSONNEL OFFICER TO APPOINT DANA STRATTON, PERSONNEL CLERK ABOVE THE MID-POINT OF MANAGEMENT GRADE D WITH A SALARY OF \$54,125 (STEP 9) MADE BY MR. NICHOLS. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

3. **Reclassification – Sheriff's Office** – Mr. Alderman requested authorization to reclassify a Criminal Investigator position to a Deputy Sheriff position.

MOTION: AUTHORIZING THE RECLASSIFICATION OF A CRIMINAL INVESTIGATOR POSITION TO A DEPUTY SHERIFF POSITION IN THE SHERIFF'S OFFICE MADE BY MS. FITZPATRICK. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

4. **Funding a Temporary Part-Time ADA Emeritus/Senior ADA Position** – Mr. Alderman stated no committee action is necessary, but he wanted to inform the committee that the District Attorney is

requesting authorization to fund a temporary part-time ADA Emeritus/Senior ADA position. This position will train and mentor junior ADA's in the District Attorney's Office.

D. County Manager

1. **Social Media Archiving Services** – Mr. Wheeler stated that he would like to pull this item. We have requested the 2023 pricing and have not yet received that information.

2. **Administrative Code Revision** – Mr. Wheeler requested a revision to the *Administrative Code* under the Budget Transfer section. This revision will include additional language which will clarify transfers relative to the salaries/wages and overtime line items. These happen few and far between, but there is currently a donut hole where departments can spend over their salaries/wages, overtime and temporary hire lines without coming back through committee for approval to exceed as they can transfer between those lines. We want to close that up. With the new language, if it looks like the overtime or temporary hire lines will be overspent, they department head would have to come to standing committee and the Finance committee to request a Contingent Fund transfer and then if approved, that would also go to the Full Board. If there is a smaller transfer, those can be done by the County Manager and Commissioner of Finance.

MOTION: APPROVING A REVISION TO THE ADMINISTRATIVE CODE RELATIVE TO BUDGET TRANSFERS FROM THE SALARIES/WAGES AND TEMPORARY AND OVERTIME LINE ITEMS MADE BY MS. FITZPATRICK. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

3. **C-PACE** – Mr. Wheeler explained this is a program the State created a couple of years ago which allows companies that commit to energy improvements to apply for project financing. This allows those companies to borrow at different rates and that then becomes a lien on the tax bill and the lien follows the property. The Energy Improvement Corporation (EIC), is the official designee of the State through NYSERDA to enter into these agreements. The County, if interested, needs to adopt a local law to establish the sustainable energy loan program. He noted there is a company in Corning that is looking to do a major energy improvement project. We feel that doing this would be a low risk. He stated that Mrs. Jordan, Mrs. Hurd-Harvey and Ms. Prossick have done a lot of work to research this and they do not expect that there will be much activity through this program. Mr. Wheeler recommended the County opt in to this. Once the County opts in, the other taxing entities would not need to. If you choose to opt in, it would require the adoption of a local law as well as an agreement with EIC.

Ms. Fitzpatrick asked what is the lien on the tax bill? Mr. Wheeler explained it would look like a utility charge. The company pays back the loan annually through the property taxes. Mr. Nichols asked what happens if the property is foreclosed? Mr. Wheeler replied the lien will follow the property and the County would get paid first.

Mr. Malter asked who has the financial responsibility for the repayment of the loan? Mr. Wheeler replied EIC is responsible for collecting from the owner on the taxes, but that is administered separately. Mr. Van Etten asked what are the terms of repayment? Mr. Wheeler replied that varies depending on the project and the amount of the loan.

Ms. Fitzpatrick commented it is just another lien that shows up on the tax bill. Why would they want that? Mrs. Hurd-Harvey explained it is a lien, not a tax and it is not connected to their taxes. The loan repayment just shows up on the tax bill. Ms. Fitzpatrick asked why is it necessary to adopt this local law? Mrs. Hurd-Harvey replied because the lien stays with the property. Mr. Wheeler stated under State law and requirements, the foreclosing entity has to formally adopt this local law and enter into an agreement with EIC in order for any company to take advantage of it. He stated that in talking with Mr. Johnson, he recommends adopting as it gives them another tool.

MOTION: PRESENTING, FOR CONSIDERATION NEXT MONTH, A LOCAL LAW ESTABLISHING A SUSTAINABLE ENERGY LOAN PROGRAM IN STEUBEN COUNTY MADE BY MS. FITZPATRICK. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (Resolution Required)

MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.F. THE MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR PERSON OR CORPORATION, OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON OR CORPORATION MADE BY MS. FITZPATRICK. SECONDED BY MRS. LANDO. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. NICHOLS. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

4. **Elections** – Mr. Wheeler stated he has talked with Elections about changes in their department including early voting and turnaround timeframe changes, etc. The staff has no downtime and they would like to add two positions to the department. These will very likely be Senior Clerks and he would recommend doing this. He stated that he really fears that we are quickly approaching a time of burnout with the staff. He stated he wanted to put this on the committee's radar that they are developing two positions that we will be presenting next month.

Mr. Van Etten asked is this due to the fact that they are still doing work from the November elections? Mr. Wheeler replied it is because of all the changes and being behind is an issue. They are working overtime and the Commissioners do not get paid overtime. He noted that they do not take creating new positions lightly.

MOTION: TO ADJOURN MADE BY MS. FITZPATRICK. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Tuesday, February 14, 2023 at 9:00 a.m.**

**Agenda items due to the Clerk of the Legislature's Office
NO LATER THAN NOON
Wednesday, February 8, 2022**