

## FINANCE COMMITTEE AGENDA

May 3, 2022

Committee members: Bill Holgate, Doug Paddock, Tim Cutler (Zoom), Mark Morris, Dan Banach

Others present: Jesse Jayne, Bonnie Percy, Dick Harper, Terry Button, Rick Willson, Carlie Chilson, Ed Bronson, Leslie Church, Pat Killen, Nonie Flynn, Emilee Miller, Meghan Kincaid, Jessica Mullins, Jeff Ayers, Marian Walrath, Marsha Devine

Bill & Dan will do the audit this month.

Minutes of the March & April meetings were approved as presented.

### PUBLIC COMMENT

Grant Downs provided an update to the Legislature on the situation at Torrey Station. The owner had a court appearance in front of the town justice where he had to plead to a violation of a special use permit. The owner was advised of his rights and the charge was read to him concerning from October 2021 and the judge, on behalf of the defendant entered a plea of not guilty. Two weeks for the next appearance, at which time the owner of the property will have an opportunity to consult with an attorney and bring any documentation forward for his case. Grant stated that La Bella of Rochester was taking core samples at that site according to the owner, on behalf of the DEC. These samples are to be sent to Ohio for analysis to determine if there is contamination or not. According to the information that Grant has, these tanks are supposed to be inspected annually and, if not in use, they are to be removed. It would be very useful if they could get some clarification from the DEC at this point as to where they are on that process. Grant would like to have the legislature consider removing the tax exempt status of this property by March 1 of 2023.

Marsha Devine stated that she spoke with an Attorney from the DEC and they expect the tanks will be removed. They are going to leave the canopy and the buildings and look at the 2011 consultant report on the subsurface spill. They need to do probes, but the observation by the inspectors that were there was that the spill was less than 2011 due to environmental air quality and such dissipation. They expect to have the tanks removed and anything that they will clean up will be done by the end of the summer. At that time, if it's a larger remediation that would be put on to whoever purchased the property. The owners insist that they have people that are interested in the property. Marsha's expectation is that once this is cleaned up, they have the tanks removed, and the cleanup spill is taken care of that they send them a letter and put it back on the tax rolls and they either pay the taxes or they don't.

### Real Property: Meghan Kincaid

Meghan reported that the Tentative Assessment Rolls are available for viewing on the Real Property webpage.

Meghan reported that she held the Board of Assessment Review training on Thursday, 4/21.

Meghan reported that she attended a meeting at the I.D.A. office with Steve Griffin, Jessica, and Marsha from the Finance Department, Ashley Doyle from Penn Yan School District, and several Yates County assessors.

Meghan reported that two students from Keuka College met with her and staff in the Treasurer's office, to discuss their roles in the tax process. She also met with a group of 9<sup>th</sup> graders that visited from GST BOCES to talk to them about possible future careers in Real Property.

Meghan reported that property owners wishing to go before their town's Board of Assessment Review to contest their tentative assessments should contact their Town Assessor. Grievance information and procedures are available on the Yates County Real Property's website.

Meghan reported that her focus this month will be the village tax bills that come out June 1<sup>st</sup>.

Meghan reviewed the minimal changes between the 2022 and 2021 assessments.

### **ReConnect: Marian Walrath**

Marian introduced Bart Bretsch, President, New York Engineering Services.

Bart stated that he is in the process of hiring four to six new outside fielders and inspectors. The fielder job requires no experience, they will train them and the inspector job they require three years of experience. They have a very good response so far, he has a stack of resumes that he will be going through this week and conducting some interviews and also we're very pleased to have been awarded the Madison county fiber ReConnect contract. Their firm has a lot of experience, 12 years with RUS builds, that's pretty much all they do, and as you know, there's a lot of contract administration with those jobs. Their RUS experience has been mostly with independent telephone companies, regional phone companies, and power companies. The County is their first hybrid, the first in the state really, that has done both and so it's a lot of work and a lot of the application process is rather onerous.

Marian reported that the Change of Scope Phase 1A was approved by RUS on 4/27/22. The plans and specifications for Phase 1A are being submitted for the RUS review and approval during the week of May 2. The bids for Phase 1A materials was opened on April 27.

Marian presented the following:

### **ReConnect Phase 1A OSP Material Bid Assessment**

- 4 bids received for 14 materials
- Bid document
  - Requested both prices and expected fiber delivery date
  - Award process would use the Yates County Best Value Law → price AND delivery
- Right Price bid disqualified
  - Quoted only 3 of 14 items
  - Did not provide specifics on materials quoted
- We reviewed the remaining bids in detail
  - Complete, clear, well presented, and easily comparable
  - All the firms have strong reputations in this space

## Bid Recommendation

Company	Material Bid (14 items)	Fiber delivery
Graybar	\$386,255.10	Currently in stock and could ship ASAP if available at time of order
FirstLight	\$381,223.60	24 weeks
Walker	\$340,720.15	52+ weeks

Recommendation is to accept the Graybar bid for the following reasons:

- Fiber is in stock
  - vs. 24 or 52+ weeks
  - Only in stock due to a cancelled order
  - Being held through 5/3/2022; other customer already asking for it
- Expected network monthly revenue is ~10K  
→ more than justifies price differences
- Fiber option from Graybar is armored
  - Actually "better" than our specification
  - A better choice for out backbone build e.g. stronger, more resistant to squirrels
  - Empire and NYSEG have both given the OK to use

Marian introduced Alex Cook, Outside Sales Representative, Broadband, Graybar Inc.

Marian stated that their bid recommendation is to accept the Graybar bid. They are the most expensive bid, by about \$45,000 over Walker and about \$5,000 over FirstLight, but they really recommend them main reason is because the fiber is in hand, it is it's available right now. The other two suppliers were 24 or 52 plus weeks out. Right now, this fiber is being held by Graybar for them through today, that's why there was urgency to call a special meeting of the legislature. There are other customers that are already asking for it if they don't take it someone else will. Marian wanted to put it in perspective and another thing that people need to understand is that they are just lucky that this fiber is available. It is only available because there was a cancellation of an order that had actually already been delivered to a customer and they sent it back.

Discussion took place regarding the fiber from Gray Bar, the main topics included: armored fiber, buy American, additional fiber, location and condition of fiber storage, and security.

Marian reviewed the following resolutions that would be needed. After discussion the Committee approved.

- Authorize Chairwoman to Sign Contract with Graybar Electric Company for Outside Plant Materials for Phase 1A of the ReConnect Project

### **Planning: Jeffrey Ayers**

Jeff reported that Yates County Planning Board seven applications this month, only one didn't pass. The members of the planning board would have had an opportunity at three of their four training hours just in that week. That was one of his goals, to really up the training and last week alone was a really great opportunity for that.

Jeff reported that they are still waiting on the funding announcement for the CDBG Septic Grant.

Jeff reported that he understand YTS's next presentation will be different and they will be more prepared. He reached out to them to make sure that was clear. The County Attorney is still working on the contract with them.

Jeff reported that, the CIP forms went out for the Capital Improvement Project and he has received forms back from I.T., Elections, Highway, Central Garage, Emergency Services and Buildings and Grounds.

Jeff reported that he drafted 1 additional redistricting map.

Jeff reported that he updated the Planning Department website showing the date for Schuyler County's Household Hazardous Waste Day. They still haven't released what their application is going to be for the public. When Schuyler County releases their registration form is when they will know what they'll take or not take.

Leslie Church stated that the town of Milo does a cleanup day jointly with the Village of Penn Yan and it is this Saturday at the sewage treatment plant.

Jeff reported that they did a lot of work in the GIS portal this month. He started working on the Dundee zoning map. There is a lot of work to do there for several private facing Apps that he built for the Highway Department. None of them will be able to go there and see them, but when Doug Rapalee or Charlie Bishop logs into the portal, they will be able to see certain maps, certain gauges, how old some of the bridges are, and streets that are owned by the County, that sort of thing.

Jeff reported that the Fulkerson Contract for the Natural Recreational Resources grant had some errors in it, so that's come and gone again. Hopefully, all those contracts will be sorted and they are all at the County Attorney's except for that one.

### **Finance: Jessica Mullins**

Jessica reported that for the appropriations, they added the two from the last meeting there's no change to the encumbrances and there's no changes to the contingent fund.

Jessica reported that for the sales tax that they had very strong growth. They were noted in the comptroller's report for this month, saying that they were the second highest county in New York State with 22.2% over what they had this time last year. Being one of the smaller counties in New York State, that is pretty good growth. Not to say that those funds aren't going towards higher priced services and products and stuff as well. Everyone should have the updated sales tax report from Sherry, a new one should be coming out the beginning of next week.

Jessica reported that they have a meeting for the audited financials for Monday morning at noon and two auditors will be here to present on that.

Jessica reported that Sherry in the Finance office, is the one who manages the Occupancy Tax process. It is a manual process and they have been contacted by some platform companies that have this all computerized. They go out there, they find the Air B & B's and the single rental places that are out there and they compile all that information, sort it, send the letters, collect the tax, and all of that, and it's all computerized. It is purchased in modules, so they have been looking into what the cost of it is and what all they have to offer, to see if it would be a benefit for the County. Yates County does have three lakes, short term rental houses are all formulated usually right on those lakes. With COVID going on they are seeing a lot more of those short term rentals and people may not know that they need to pay the occupancy tax.

Jessica reported that over the next few pages they are going to see where they stand, they should be at 25% for the budget. They are going to see the people and the budget lines that are above that 25% mark. The ones that have the asterisks next to them is where they did not have any money projected or an allowance. She did look through every department and they do have money in which they can do a budget transfer to cover these costs moving forward. The bolded properties are the utilities or the gas the fuel budget lines that are over the 25% mark.

Jessica provided the following presentation:

# 2022 Fuel/Gasoline Updates Quarter 1:

5 year Comparisons

2018-2022

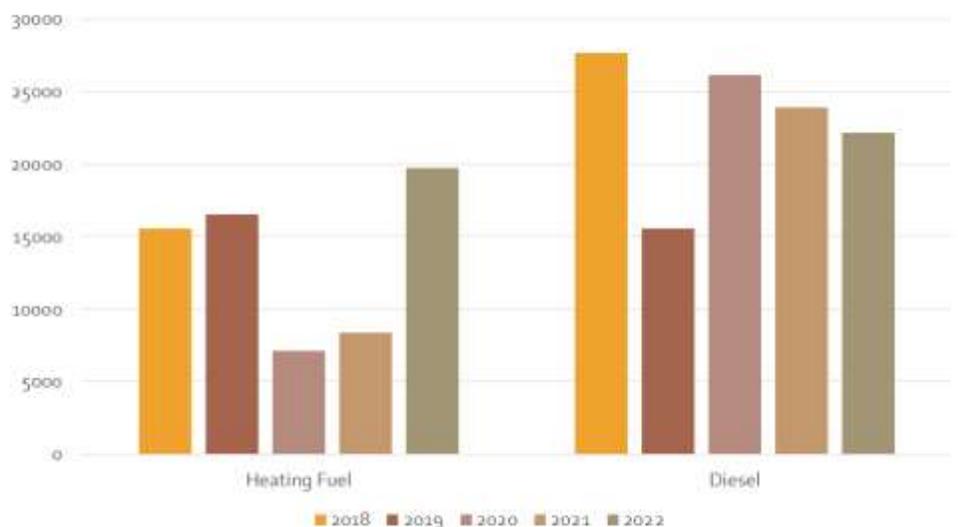
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HEATING FUEL

DM5130.54652  
DIESEL FUEL

FIRST QUARTER COMPARISONS

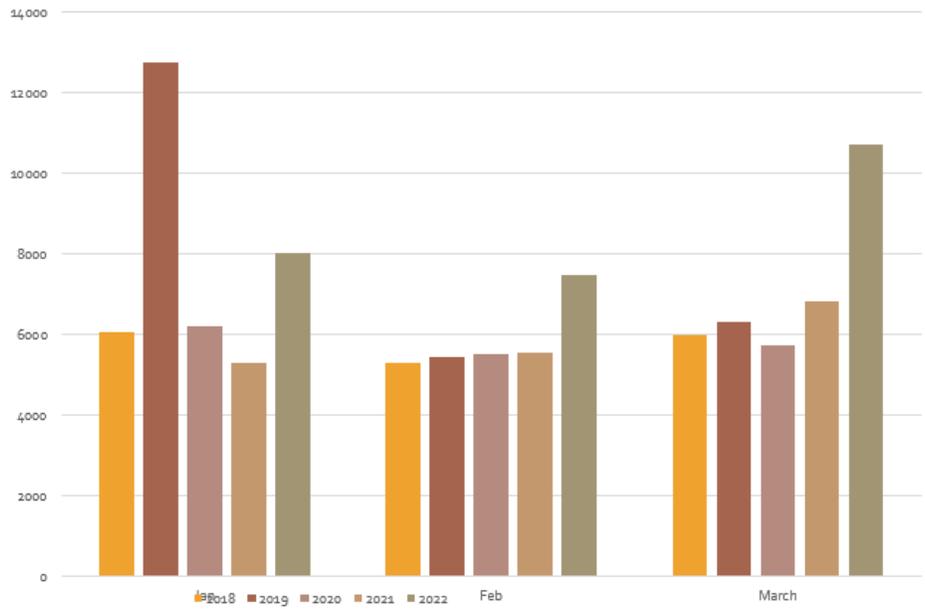
2018-2022

Jan-March



# SHERIFF; Gasoline A3110.54653

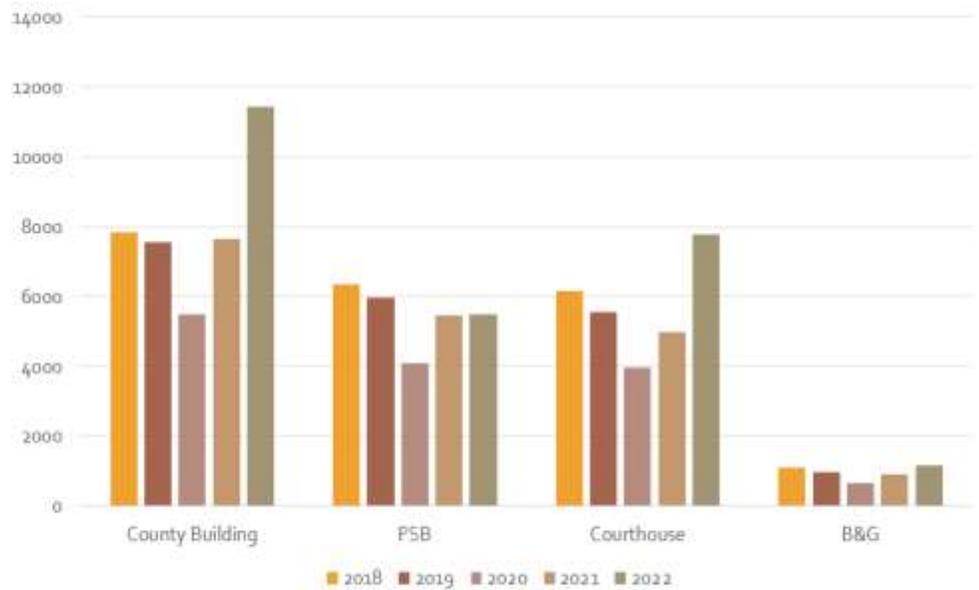
Budget \$75,000



# UTILITIES; GAS .54678

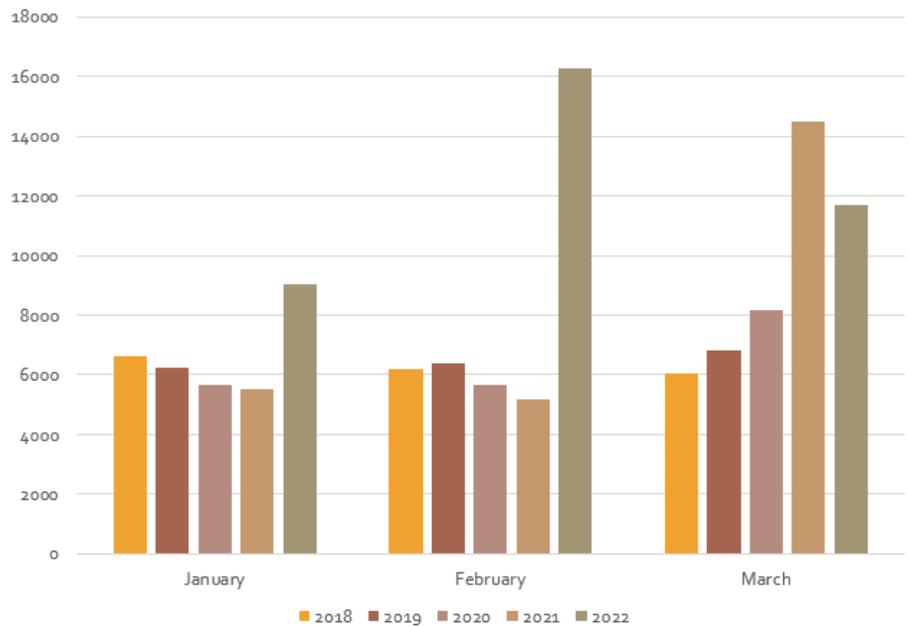
- County Building
- Public Safety Building
- Courthouse
- Building & Grounds

FIRST QUARTER COMPARISONS  
2018-2022  
Jan-March



ROAD  
MACHINERY;  
Gasoline  
DM5130.54653

Budget: \$120,000



Jessica reviewed the following resolutions that would be needed. After discussion/edits the Committee approved.

- 2022 Budget Transfers
- Amend Resolution 168-22 (Social Services)
- Appropriate State Aid (Highway)
- Appropriate Funds (Social Services)
- Appropriate Funds (Social Services)
- Appropriate State Aide (Sheriff)
- Appropriate Infrastructure Reserve Funds
- Appropriate Additional Revenue (Public Defender & Assigned Counsel)
- Adopt Investment Policy 2022

The Finance Committee suspended the meeting at 4:18 p.m. for a Special Legislative meeting.

The Finance Committee meeting reconvened at 4:45 p.m. with all Committee members present and Tim Cutler on Zoom.

**Treasurer: Marsha Devine**

Marsha reported that the tax enforcement delinquency notices went out and many of them are coming back not being able to forward on to the addresses. A lot of property owners are calling, these are property owners that have already gone through this process, and now they're realizing that they may be foreclosed on. They have referred people to Keuka Housing and Legal Assistance Western New York. They have until the 25th of July to pay off those 2020 taxes and at that time they will go ahead with the tax auction in October.

Marsha reported that she was trying to look at a couple of options for Torrey Station. There are two properties in the Village of Penn Yan that are condemned, one is on Benham Street. She talked to Jamie Kincaid and Katie in the Village office. The basement needs some work, the foundation in the basement, and the back porch but, otherwise, it looks redeemable. So that's probably not too much of a problem. The other one is 320 East Elm Street, it's been vacant, and that property is fairly derelict. She has asked both Nonie and the County Attorney, about the possibility, that the County did take the property doing a partnership with the fire department to do a controlled burn of the property. Removal by either the Village or/and County departments

working together to remove any debris. That way, they would have a saleable lot in the Village, rather than the property now, which is totally condemned and not habitable at all. She'd like to at least explore that possibility and what would be involved and before she did that she wanted to see if there was any feedback or thoughts on that.

Dan doesn't think they can do a control burn because of asbestos and everything else. It is pretty close proximity to other houses and if he lived next door he wouldn't want them to burn.

Bill stated that they had one right across the street years ago and that was actually taken over by Habitat for Humanity. That place was full of all kinds of stuff, but now it's a beautiful home. Bill suggested that they reach out to Habitat for Humanity to see if they would be interested in undertaking a project.

Doug asked if it was the house that the neighbors wanted to purchase and it is. He doesn't know why they would do anything different than their standard procedure.

Marsha has probably 50 or 60 people on her email list and another 20 that get letters with the property list. There's a lot of people that are watching this they're hungry for property, so she doesn't see a problem with selling the property be honest.

Terry stated that they sell it at auction, buyer beware, they want to tear it down, they take out all the costs of the permits to remove the asbestos, that goes on all time and then they do whatever they do with it, so he thinks they just continue to move forward.

Marsha stated that she just didn't want it, not on the tax auction and the County Attorney had said that he thought there'd be a liability on the property, because it was in such bad shape and they would get stuck with it.

Doug stated he would like to hear what the County Attorney's concerns are. If it is that nobody will buy it, he is not sure that's the case because they've had interest in that particular property already.

Bonnie stated that she thinks they will be liable for it if the Village says they have to tear it down or something, it will be the County that has to do it.

Marsha stated that if they take the property in early August and the tax auction is in October, they are only talking a couple months. She doesn't see that as a problem.

Marsha reported that the tax reconciliation is nearly complete. She sent all but one town tax collector their Reconciliation Forum. There was a little bit of a delay because there was a discrepancy between the tax warrant and the New York state controllers form that went to the state. Jessica had a different figure in Munis than Marsha had on the tax warrants and it took us a little bit to figure that out, but they have straightened that out.

### **County Administrator: Nonie Flynn**

Nonie reported that the state cap for the gasoline sales tax is going into effect June 1<sup>st</sup> through the end of the year. If the County wants to have a county cap on the local sales tax for fuel, they would have to act by August 1<sup>st</sup> for it to go into effect by September 1<sup>st</sup>.

Doug stated that he thinks they missed an opportunity here. The summer is the busiest month Yates County has always had higher gas prices than others. This would have been an opportunity to reduce their tax it similar to the way Wayne County approached it, which is eight

cents per gallon on a gallon basis instead about cost basis, he thinks they really missed an opportunity here.

Leslie stated that there's no guarantee that the gas stations will reduce the cost of the gasoline weekly and not just be receiving the revenue from it.

Doug stated that would be considered price gouging and they can have someone investigate that.

Terry stated that \$2, \$3, or \$4 right is the cap, that's not the cost of the product. He sees where the state is changing their energy policy.

Ed clarified that the way that he understands it, is if it was a cap on \$2 they would collect sales tax on a gallon of gas up to \$2 and over \$2 would be tax free. They pick the dollar amount that they want to collect tax up to.

Carlie stated that for example if it's \$10 a gallon they are only taxing on \$2 of that and the consumer is getting \$8 tax free per gallon.

Mark asked if Doug thinks they are missing an opportunity, if he wants to move that they do something.

Doug stated that it is too late, they had to do it yesterday in order to have it in effect in July.

Nonie stated that it all came about through the New York State, recently enacted, budget, that's what provided the local option for counties to cap the sales tax and motor fuel, it includes diesel.

There was continued discussion between the Committee members, the other Legislators present, and the County Administrator regarding the gas tax cap. The consensus of the Committee was to wait until they can enact this in August for September.

Mark stated that that Noni, Marsha, and Jessica met to clarify roles and responsibility in the departments. He questioned if it was something they were going to get a report on.

Nonie stated that it was primarily splitting up who would be the responsible person for pilots. For calculating the pilot calculations and it's going to stay in the finance office.

Bill stated that Jessica and Marsha both attended a meeting and there was a question as to who is handling the pilots, so it was kind of a Gray area and director of finance normally would handle that. They wanted to just clarify with Marsha and Jessica, that Jessica will be handling the pilots.

Ed went back to the gas tax cap and requested that they do a Local Law or Resolution in July, the Committee agreed.

Bill stated that they also need to have good press on the gas tax cap, so the local gas stations will feel like they are being watched.

Nonie reported that Yates County will receive 25% of the local tax on cannabis revenue. The other 75% will go to the villages and towns within Yates County.

**Airport: Dick Harper**

Dick reviewed the following resolutions that would be needed. After discussion the Committee approved.

- Authorize Chairwoman to Sign Contract with R.L. Powers for Hanger Heater Equipment and Installation

Dick reported that there is a lot of different projects up at the airport, they buried a man lift trying to get to the last camera to be installed, and they're waiting for dryer conditions to install those security cameras.

Dick reported that they are working on the easements that were outlined in that environmental assessment that was done a year ago, this is to start getting tree removals and things like that.

Dick reported that they are continuing to work on the deicing equipment. They have the truck, which was bid, and approved.

Dick reported that they are still working on the collection system and the disposal options. Passero is supposed to have a final plan for them on the collection system next month.

Dick reported that the fence repair is being finalized, they went to Double M Fence, which is a Mennonite company over in Dundee and gave them the contract, but they really don't deal with liability insurance or workers comp. They had to work through some of the exemptions for them and he doesn't know if they have dropped that back off.

Dick reported that they did get the state grant for two fuel trucks. That is about \$400,000 in grants for fuel trucks, so they were working on compiling the specs for those.

Dick reported that there is fence maintenance needed and this is another item that's kind of being pushed a little under the cares grant. When the fence was put up, it was put up with, not a lot of room left on the outside of the fence. There's been a lot of brush growing up, they need to be able to get something in there, like a skid steer with a forestry mulcher on it, but they don't have the room to get it down through there. They are going to have to go for some easements with some of the neighbors.

Dick reported that a lot of these things have put the airport in a very desirable position. Airport hangers across the state and maybe even nationwide are at a premium right now and they are full. They have five or more people really chomping at the bit to try to get in. One of the things that they are going to be looking at now, is what would the wire options be for more hangar space up there. It's not going to be cheap, they will have to definitely look for some funding, but they know they do need to look at that and bring in more revenue for the airport in the process.

Bill stated that one of the issues that he is aware of at Penn Yan Airport, as far as private flight goes, is that there are a number of people who fly private, who have used Penn Yan in the past, but no longer do, and one of the reasons that they no longer use it is that nobody there to answer the phone in the evening for conditions or if they are going to be able to get fuel. Now there is deicing and that sort of thing. It seems like with all the fuel trucks, all this deicing, and it seems like there should be somebody there to actually take care of private industry.

Dick stated that he doesn't know if they have people there 24 hours, but they had a person on like a second shift. He can ask what coverage they do have.

Bill stated that he knows that they are all flying out of First Flight now in Elmira and there's quite a few local people who fly private around here, but they're flying out of Elmira. First Light offers jets, but then there's all these broker services. Most of them wanted to land in Penn Yan because it is closer to their homes, but they've learned the hard way when they had to get

dropped off in Elmira because no one was at the Penn Yan Airport and all their cars were at the Penn Yan Airport.

Bonnie asked what they have done for getting more NASCAR drivers to fly with Penn Yan Airport.

Bill stated that for NASCAR races, when they get to these private airports, they have all these tents, they have all these goodie bags, and it's a whole thing, it's a big deal. He has spoken to Seneca Flight about this before, quite a few years ago, if the Penn Yan Airport could get that it would be great. They have to put on a show and the other thing is, they have to have all the car services and everything else that are going to get these guys off of the plane, waiting right there for them, to get them down to the track.

Leslie stated that if they knew when they would be coming in, then she thinks they would be able to manage.

Dick stated that he believes that they have a couple of NASCAR drivers that do fly into Penn Yan right now, but one of them is more local.

Bill stated that as far as the actual fiber they talked about security cameras that's something that will follow up on.

Nonie thought another option might be that if the bays at the highway facility are not being used maybe they could put the fiber in the bays.

Dick stated that they had a Mennonite that gave them a low bid for the gravel and work, but they the County in there as well, for \$5,000 and it really wouldn't cost them \$5,000. They could go and use even some of the millings that they probably took off of Lovejoy Rd. to put down for a pad. Dick is really wondering why they are even looking outside the County. They are paying their employees what they are going to pay anyway, he thinks they should be using the County and using millings.

Doug stated that if it is a County undertaking, they don't have to get a quote. Unless they needed to do it for the grant, but he thinks they could have the County do it, maybe use millings and even get reimbursed by the grant.

Nonie stated that this is not part of the grant.

Dan stated that they are coming into the busy time of the year, and they have jobs scheduled. They are only limited to a certain number of people to get certain things done so, when they start plugging in a project, even if it takes a day or half a day, that's something that has to be planned for. He is not saying that that they won't want to do it, or they can't do it, he is just saying don't expect things to happen in the next second that's all.

Meeting adjourned at 5:24 p.m.