

**WAYS & MEANS COMMITTEE MEETING MINUTES
MONDAY, SEPTEMBER 9, 2019
1:30 P.M.**

PRESENT: D. Pangrazio, D. Knapp, D. Fanaro, E. Gott, W. Wadsworth, D. LeFeber, D. Mahus, B. Donohue, M. Falk, I. Coyle, B. Mann, S. Hillier, J. Gunther-Intern

Ways & Means Chair Dan Pangrazio asked County Attorney Shannon Hillier to lead the Pledge of Allegiance.

COUNTY AUDITOR – TERRY DONEGAN

Pre-approved Informational Item(s) To Be Reported

1. Actuarial Report by Liz Long, By the Numbers and Greg O’Sullivan, Self Funding, Inc.-Mr. Donegan introduced Ms. Long and Mr. O’Sullivan. Ms. Long gave an overview and reviewed the Actuarial Report details for the Committee. The main purpose of doing the report is to determine your outstanding liabilities and to promote stability in your financials and to find out today rather than later whether there are any outstanding large unexpected developments. An actuarial report helps promote stability in the bottom line financials. Mr. Coyle explained that this is the whole comp pool covered in the Livingston County Worker’s Compensation Fund. This is something that will have to be done more regularly moving forward so that we capture anything we need to pay attention to.

PERSONNEL ISSUES

DEPARTMENT OF HEALTH – JAMES PERAINO

Action Item(s) To Be Reported

AMENDING THE 2019 LIVINGSTON COUNTY SALARY SCHEDULE: DEPARTMENT OF HEALTH

RESOLVED, that the 2019 Livingston County Salary Schedule is amended as follows:

Department of Health:

Convert one part-time Mental Health Licensed Therapist position to a full-time position at a Wage Grade 16 per CSEA Contract effective 9/3/19.

For: This position is necessary to meet the increasing numbers of the Mental Health Clinic clientele.

Mr. Peraino reviewed the position and explained that this position is necessary to meet their ongoing needs in the Mental Health Clinic.

Motion: Mr. Wadsworth moved and Mr. Gott seconded to approve the foregoing resolution ... Carried.

COUNTY TREASURER – AMY DAVIES

Action Item(s) To Be Reported

AMENDING RESOLUTION NO. 2019-110

WHEREAS, Resolution No. 2019-110 authorized the County Treasurer to establish Capital Project Account **H5113.2900** in the amount of \$200,000.00 to be funded from Interfund Transfers **H5113.5031** in the amount of \$200,000.00, and

WHEREAS, the Assigned Fund Balance Account number was incorrect; now therefore be it

RESOLVED, that the County Treasurer is hereby directed to transfer budgeted funds from Fund Balance **D0914.09090** to Bridge Assigned Fund Balance Account **D0914.51170** in the amount of \$200,000.00; and be it further

RESOLVED, that Resolution No. 2019-110 is hereby amended.

Mrs. Davies explained that the original transfer needed to be corrected.

Motion: Mr. Fanaro moved and Mr. Mahus seconded to approve the foregoing resolution..... Carried.

Pre-approved Informational Item(s) To Be Reported

1. Update – Court Ruling – King Cole Bean Properties-Mrs. Davies explained that she attended court on 8/28 and how King Cole Bean did not have any real reason for not paying taxes. Mr. Cole spoke on their history within the County and asked the Judge to allow more time to be able to reach out to sellers so that his creditors could get paid. Judge Wiggins decided to reserve his decision for a couple of

weeks. Since then, King Cole Bean has done another plea to the court to wait longer to make a decision because they may have a buyer. Neither Mrs. Davies nor Phillips Lytle has received a decision from the Courts.

2. Update – Court Ruling – Wenglein Property-Mrs. Davies explained that this case was similar to past cases where the funds were set aside in an escrow account. The Judge allowed Mr. Wenglein to pay the taxes. Mr. Wenglein did not think he should be made to pay the attorney fees because he had contacted us prior to going to auction and that the County could have resolved it without any attorney fees involved. The Judge decided that if the attorney fees are reasonable, the taxpayers are required to pay them. There was discussion on what is and is not reasonable attorney fees and actions taken in the past.

COUNTY ATTORNEY – SHANNON HILLIER

Pre-approved Informational Item(s) To Be Reported

1. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A LEASE AGREEMENT WITH NEW YORK STATE DEPARTMENT OF EDUCATION (ACCES-VR)

RESOLVED, that the Livingston County Board of Supervisors finds that approximately 541 square feet located in the Livingston County Government Center, 6 Court Street, Geneseo, New York is no longer necessary for Livingston County public purpose; and be it further

RESOLVED, that the Livingston County Board of Supervisors authorizes the Chairman of the Board to sign a lease with the New York State Department of Education (ACCES-VR) for 541 square feet located in the Livingston County Government Center commencing September 1, 2019 and terminating December 31, 2019, at \$1,266.20 per month, said lease to be subject to the approval of the County Attorney and County Administrator.

Ms. Hillier reviewed the lease renewal she has been working on for ACCESS-VR office in the Government Center next to the Public Defender’s Office. The monthly rent increase is ~\$37.00 per month. The lease renewal is for four months until the end of the year. Mr. Coyle explained that we have had the agency here for many years. They are classified under the GLOW Workforce Development Region as an essential partner for Workforce Development so they should be relative in proximity to the One Stop Office. We are very tight for space here and are in the process of doing a space analysis with the Public Defender’s Office because of their long-term needs. Mr. Coyle had recommended we just do a short term extension to give us some breathing room to determine if we want to consider taking over that space.

Motion: Mr. Gott moved and Mr. Fanaro seconded to approve the foregoing resolution.....Carried.

Ms. Hillier reported that, per discussion on iCompass at the last meeting, the letter was been mailed today outlining the problems and that we will not be renewing.

MOTION TO MOVE AGENDA

Mr. Gott moved and Ms. Fanaro Seconded to move the agenda moving Real Property to the end of the agenda today.

INFORMATION & TECHNOLOGY SERVICES – JASON PARKER

Action Item(s) To Be Reported

AMENDING RESOLUTION NO. 2017-307

WHEREAS, the County of Livingston would like to amend the professional services contract to allow for additional services during the ERP project management and change management process increasing the total contract amount by \$143,000.00 plus travel expenses; now, therefore, be it

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the following contract amendment, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
Owen Lewis Consulting PO Box 3634 Ann Arbor, MI 48106	Project Completion	\$143,000.00

For: Third party project management services to also include change management services during ERP Project implementation.

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Project Funds	100%	Yes X No

And be it further,

RESOLVED, that Resolution 2017-307 is hereby amended.

Mr. Parker explained that he reported on amending the Owen Lewis contract at the last meeting and after reviewing the contract with the County Attorney it was determined that a formal resolution is needed for a contract extension.

Motion: Mr. Gott moved and Mr. Wadsworth seconded to approve the foregoing resolution ... Carried.

ECONOMIC DEVELOPMENT – BILL BACON

Action Item(s) To Be Reported

AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING PILOT AGREEMENT FOR LIVINGSTON COUNTY: HELIOS ENERGY, LLC

WHEREAS, Livingston County has received formal notice from Helios Energy, LLC (“Helios”) that it plans to build and operate a “Solar Energy System” as defined under New York Real Property Tax Law (“RPTL”) Section 487(1)(b) on land located on Rochester Street in the Town of Avon, more specifically known as tax map number 21.-2-9.123, which will have an expected nameplate capacity of approximately four (4) Megawatts AC; and

WHEREAS, Livingston County has not opted out of RPTL Section 487; and

WHEREAS, under the PILOT Agreement, Helios (or any successor owner of the project) shall be required to make payment in advance of the project to the County and said payments shall not exceed the amount that would otherwise be payable but for the RPTL 487 exemption; and

WHEREAS, the Agreement shall commence on the first taxable status date selected by Helios following commencement of the project construction and shall end the fifteenth (15) fiscal year thereafter. The single payment shall be in the amount of \$50,475.00 (\$841.25 per Megawatt AC of Capacity at 4 Megawatts (\$3,365.00) multiplied by the 15 year exemption period); and

WHEREAS, during the term of this Agreement, the project shall be subject to standard land taxes and applicable special district taxes. The improved property will be placed on the exempt portion of the assessment roll and Helios shall not be assessed for any statutory real property taxes for which it might otherwise be subjected under New York law; now, therefore, be it

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign said PILOT agreement for Livingston County, and any future amendments to said Agreement, according to the term(s) designated, subject to review by the County Attorney and County Administrator.

Mr. Bacon reviewed the payment agreement discussed at the last meeting asking for a one-time payment up front from Helios. The company was agreeable to one payment up front in the amount of \$50,475.00. A land tax would be collected annual each year after that. This would closely mirror the town PILOT. There was discussion on there being no escalator. Mr. Fuller confirmed that you still get the land tax if you have a PILOT. There was discussion on the taxes on the 16th year. As of today, the law says 15 years for a PILOT. There was discussion on our PILOT requests increasing. Mr. Bacon explained that there is a trigger that issues payment almost like a certificate of operation.

Motion: Mr. Wadsworth moved and Mr. Knapp seconded to approve the foregoing resolution Carried.

COUNTY ADMINISTRATOR – IAN COYLE

Action Item(s) To Be Reported

1. APPROVING ABSTRACT OF CLAIMS #9A-SEPTEMBER 11, 2019

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #9A dated September 11, 2019 in the total amount of \$1,877,854.82.

Motion: Mr. Fanaro moved and Mr. LeFeber seconded to approve the foregoing resolution ... Carried.

2. AMENDING 2019 LIVINGSTON COUNTY BUDGET – DEPARTMENT OF HEALTH &

SHERIFF'S OFFICE(2)

RESOLVED, that the Livingston County Treasurer is authorized and directed to make the requested Budget Amendments per the Budget Amendment entries, which have been approved by the Livingston County Administrator.

Mr. Coyle reviewed the amendments for approval.

Motion: Mr. Fanaro moved and Mr. Gott seconded to approve the foregoing resolutionCarried.

3. ESTABLISHING AN ACCOUNT – OFFICE FOR THE AGING

RESOLVED, that the Livingston County Treasurer is authorized and directed to establish a new account per the electronic entries, which have been approved by the Livingston County Administrator.

Mr. Coyle explained that this is for some new funding allotted to OFAs across the state.

Motion: Mr. Gott moved and Mr. Wadsworth seconded to approve the foregoing resolution ...Carried.

Pre-approved Informational Item(s) To Be Reported

1. Budget Updates-Mr. Coyle reported that we are continuing to work on the 2020 budget. He will have a rough draft at the next Committee meeting.

2. Finance & Administrative Updates-The nursing home does not have a tax levy, just the IGT impact , so we will need to find money for that match. State retirement is close to flat, the estimate was high but the actual bills are where we thought they would be. Sales tax right now is tough to read with the prior period adjustment taken in the second quarter. Mr. Coyle is not budgeting the mortgage tax revenue or casino money right now. We haven't received a response on the prison FOIL so we sent something else to the Committee on Open Government. Negotiations with LCCOPS (Road Patrol Unit) and NYSNA will begin soon. Conversation with the County in York tonight is at Dublin Corner's in Linwood. Mr. Coyle reviewed the Election Commissioners request to increase the inspector salaries. This is a reimbursable expense from the towns. There was discussion on how difficult it is to find election inspectors and making it worth their while to take a day off. Mr. Coyle will put the increase in the 2020 budget.

EXECUTIVE SESSION

Motion made by Mr. Fanaro and seconded by Mr. Knapp that the Committee adjourn and reconvene for the purpose of discussing information regarding proposed, pending or current litigation and all Supervisors, County Administrator Ian M. Coyle, Bill Fuller, Shannon Hillier and Michele Rees remain present. Carried.

Mr. Gott moved and Mr. Knapp seconded that the Committee reconvened in regular session. The following report was presented.

The Ways and Means Committee having met in Executive Session, hereby reports as follows:
No action taken.

REAL PROPERTY TAX SERVICES – BILL FULLER

Action Item(s) To Be Reported

1. CORRECTING TAX ROLL (INVALID) – TOWN OF NORTH DANSVILLE

WHEREAS, the Director of Real Property Tax Services has transmitted a written report of his investigation and recommendation with regard to one (1 parcel) application for correction of the tax rolls, pursuant to the Real Property Tax Law, as prepared by a representative of the taxpayer within the Town of North Dansville on the tax roll for the year hereinafter set forth, and

WHEREAS, said investigation and recommendation state that the 2017, 2018 and 2019 North Dansville Town and County Tax Rolls are correct as originally printed and that a correction is not warranted; now, therefore, be it

RESOLVED, that the Director of Real Property Tax Services is authorized and directed to forward a copy of this resolution to the owners and/or representatives of the parcels stating that the application for correction of the 2017, 2018 and 2019 tax rolls have been denied.

Year, Municipality Owner(s) Parcel	Taxing Jurisdiction	Original Tax Bill	Corrected Tax Bill	Refund to Owner	Chargebacks to Taxing Jurisdictions
--	------------------------	----------------------	-----------------------	-----------------------	--

1. 2017 North Dansville

Finger Lakes Soaring Club, Inc.
Tax Map Number
189.18-1-31.2

APPLICATION DENIED

2. 2018 North Dansville

Finger Lakes Soaring Club, Inc.
Tax Map Number
189.18-1-31.2

APPLICATION DENIED

3. 2019 North Dansville

Finger Lakes Soaring Club, Inc.
Tax Map Number
189.18-1-31.2

APPLICATION DENIED

Mr. Fuller reported that he has found no correctable error made by the Dansville Town Assessor and he recommends that this request be denied.

Motion: Mr. Gott moved and Mr. Fanaro seconded to approve the foregoing resolution.....Carried.

Pre-approved Informational Item(s) To Be Reported

Discussion of Real Property Tax Services Fee Schedule. Propose to increase School and Village tax roll processing from \$.50 per parcel to \$1.00 per parcel; and increase the minimum fee from \$50 to \$200. Current fee schedule below:

LIVINGSTON COUNTY REAL PROPERTY TAX SERVICES FEE SCHEDULE	
Tax Maps:	
Hardcopy:	\$5.00 per 30" X 42" Sheet \$1.00 per photo copy (11 X 17)
Electronic:	\$500.00 for entire county \$50.00 per town \$5.00 for individual map
Reports:	
Hardcopy:	\$25.00 set up charge \$0.25 per page additional
Electronic:	\$25.00 set up charge \$0.025 per parcel additional
Labels:	
	\$0.05 each \$25.00 minimum

<p>Tax Rolls and Bills:</p> <p style="text-align: center;">\$0.50 per parcel for schools and villages</p> <p style="text-align: center;">\$50.00 minimum</p>
--

Mr. Fuller reviewed fees listed and explained that he is requesting that we increase the charge for the school and village tax rolls to \$1.00 per parcel.

Motion: Mr. Gott moved and Mr. Mahus seconded to increase the fees charged for village and school tax bills to \$1.00 per parcel..... Carried.

Motion: Mr. Gott moved and Mr. Fanaro seconded to approve a resolution Establishing The Livingston County Real Property Tax Fee Schedule..... Carried.

ADJOURNMENT

Mr. Fanaro moved and Mr. Wadsworth seconded to adjourn the meeting at 2:15 p.m.

Respectfully submitted,

Michele R. Rees, IIMC-CMC
 Clerk of the Board