

Minutes

Administrative Services Committee

February 19, 2019, 5:00 pm, Room 331

Gerace Office Building, Mayville, NY

Members Present: Scudder, Davis, Muldowney

Members Absent: Starks, Himelein

Others: Tampio, Ames, Chagnon, Bentley, Borrello, Hemmer, Wisniewski, Barmore, Abdella, DeMarte, J. Sayegh, L. Stearns, D. Sanderson, Dennison

Chairman Scudder called the meeting to order at 5:16 p.m.

Approval of Minutes (12/10/18)

MOVED by Legislator Muldowney, SECONDED by Legislator Davis

Unanimously Carried

Privilege of the Floor

No one chose to speak at this time.

Proposed Resolution- Appointing Deputy Clerk/Secretary to the Legislature

Clerk Tampio: As you can see from the resolution, Lori Foster, our current Secretary to the Legislature/Deputy Clerk is retiring effective February 27th. So we need a new Secretary to the Legislature and Deputy Clerk for February 28th. Chairman has recommended that we approve Olivia Ames in that position and set salary.

Chairman Scudder: Any comments? I for one, thinks that that would be a great idea so I will be voting in favor of this. All in favor?

Unanimously Carried

Proposed Resolution- Setting Salaries for Certain Wastewater Treatment Plant Operator Titles

Mrs. Wisniewski: Just me this time. The two Sewer Districts Director friends are not here so I will try and answer and discuss anything that you would like. So currently, we have three positions. We have the Waste Water Treatment Operator Trainee and is currently at at Grade 8

and the Wastewater Treatment Directors have asked HR to review it to see if the salaries can be increased. So they are asking for the Trainee as 8 to 11. The Operator is currently a Grade 11 and they are looking to increase it to a Grade 14 and the Supervisor position is currently a Grade 17 and they are asking it to be an 18. As you can see on the resolution it has the hourly rates and the per year amounts. Just so you know, the Trainee position, there is zero income. There is nobody in either district. Operator there is one North County, one South County, and the Supervisors, there is only one in South County so we're talking about three positions right now that they will be looking to increase in 2019. There are various reasons as to why they would like to see the increase. The main reason they stated in the previous committee was one; recruitment. They are having trouble with recruiting these titles, these positions as well as retaining them. As I said, there is a lot of training in certification that goes into these roles and the HR Department looked at other municipalities within the County. For example, the City of Dunkirk, the Village of Fredonia, Brocton Village, as well as Jamestown and they are making in between \$23.00 a hour to \$26.00 an hour. They stated they have recently lost an Operator to another municipality so they are looking to be in more align and competitive with the other municipalities and also surrounding counties as well.

Chairman Scudder: Their Operators are making that amount?

Mrs. Wisniewski: Correct, the Operators. They wanted to have a few steps and is why the Trainee is there and there is no incumbent right now but they would like to start someone off as a Trainee. They do pay for the certification, they would move into the Operator position when appropriate, when they have met those qualifications and then potentially be into a Supervisory role if a vacancy was to occur.

Chairman Scudder: What is the overall annual expense of this?

Mrs. Wisniewski: I actually talked to Budget about this.

Mrs. Dennison: The overall annual expense, we don't have any Trainee positions budgeted or occupied at this time so that one has no effect. But for the Operator position, the annual increase would be anywhere from thirty eight, forty eight to \$5,075. That is wages per position. So between South and Center and North, there are three Operator positions budgeted. In the South and Center Sewer District, that District did not budget the positions at the higher Grade. North County did. So the budget for North County already includes the effect of increasing in the Operator up to maybe \$5,000 more than it what it is now. South & Center, as I said, do not have those increases in its budget, so South & Center has up to \$10,000 exposure for the Operator and up to \$2,000 exposure increase cost for the Supervisor.

Chairman Scudder: Any questions or comments?

Legislator Muldowney: Do you know where that money would come from?

Mrs. Dennison: User fees.

Chairman Scudder: All in favor?

Unanimously Carried

Proposed Resolution- Amend 2018 Budget for Year End Reconciliations – Information Technology Services

Mrs. Dennison: Mr. DeAngelo could not be here tonight so he asked me to speak on his behalf. The resolution is self-balancing. The two bigger, I guess three bigger items, there was a slight overrun in the personnel services for Office Services and that is largely due to cost of replacing the person who answered the phones, the switchboard operator. She was out on some medical leave and so there needed to be substitute pay so that is the main contributor to the overrun there. However, there was a budget for substitute pay in the Communications department which it can go either way, the actual expense, can either go to Office Services or Communications so Communications personal services was actual under budget. So really between those two departments, it was pretty much a wash. There is an overrun in contractual costs for the Print Shop. That is because the Print Shop did more work than it anticipated and so the revenue for the Print Shop also were in excess of budget. So this resolution – it could have been balanced by revenue from the Print Shop but Jon elected to balance it by decreasing the appropriations for it's personal services in his main department of Information Technology. He had a retirement and was able to replace the position at a lower cost so there was some savings in the Information Technology Department.

Legislator Davis: It's budget neutral.

Mrs. Dennison: It's budget neutral, yes.

Chairman Scudder: All in favor?

Unanimously Carried

Proposed Resolution- Amend 2018 Budget for Year End Reconciliations – County Clerk

Mr. Barmore: I have discussed this with you before, the first one, the personal services, Record Management, since we've stopped charging every other department for storing the records, retrieving the records, etc., etc., we've gotten excessive records that we've never gotten before. Plus, we discovered that we have 700 records on an old AS 400 server which I have no idea what that is but it didn't sound old to me and Mr. DeAngelo wishes to shut it down before it blows up. So we put both Debbie and Michelle, our two Records people on 40 hours where they were on 35 hours, for the remainder of the year and that is what this expense is for, both Records Management people. As good news, our software provider, IQS, believes they have discovered a way that they can transfer those records from the AS 400 onto a server that we have here at the County. So we're not in danger of it blowing up and leaving us stranded and also Jon can shut it down which is really what he wants to do and then we can still make sure that we always have those records there. Because we are not sure if they are on our main system or not. They may already be there but we don't know so the girls have to go through each record, one by one, and check it with our system to see if it's actually there or not. If it is, fine, if it isn't, then we have to add it but it's very time consuming. That is what that is for. And the Weights & Measures, we

had it all figured out so when our Supervisor retired that we could hire a replacement. It wouldn't be a replacement for him but the body that took the place before his retirement so he could go out and work with the assistant who is going to become the Supervisor and learn the job so that when Marshall left, they could both hit the ground running working on their own and after we hired him Mr. Ball discovered he had to work 2 months longer than he had planned in order to meet his retirement requirements. So, we had a little financial expense there. So considering what he made and only brought \$2,800 over on a two month work, wasn't too bad. Anyways, we have enough money in personal services that we didn't use in other areas, just to transfer over to cover that and we still have extra money left over.

Chairman Scudder: Thank you for the explanation. Anybody? All those in favor?

Unanimously Carried

Proposed Resolution- Amend 2018 Budget for Year End Reconciliations – Law Department

Mr. Abdella: We experienced a deficiency in our employee benefits line item. Not due to anything that changed from our original budget roster but after the budget was adopted, there was incentive put in place to incentivize individuals taking the high deductible plan. In our department, we had a number of individuals who either were already in the high deductible plan or joined it after budget adoption so we experienced that cost even though we had no change in personnel in any other way. So we had surpluses in some other accounts that offset roughly two-thirds of it but then the last third had to be balanced from another outside source.

Mrs. Dennison: I just want to add to what Mr. Abdella said that yeah, this resolution is self-balancing but the Law Department could not be self-balancing because as Mr. Abdella stated, the change in the benefits for the high deductible plan. So we did have to use a surplus in the Community College tuition to compensate for the overrun of the Law Department. Just to give you an example, the County opted to fully fund the contributions to the health savings account or fully fund the deductible for people on the high deductible plan. In the budget for a single person in 2018, normally the County had not been contributing 100% of the deductible so the budget assumed a contribution for individuals of \$13,041 and instead contributed \$26,000. For a family of two plan, the budget assumed a contribution of \$2,711 and in fact contributed \$5,200 and then for a family of three, the contribution was expected to be \$1,263 and was in fact \$5,200. So any department that had somebody that was already in the high deductible plan and budgeted that way, the health savings account contribution was much more than budgeted. So in a small department like that, that initial expense could not be – it's difficult to cover from general operations.

Chairman Scudder: So this Community College tuition, how does that get picked?

Mrs. Dennison: The Community College tuition, the actual expenditures were less than budget so that account has a surplus that can be used to cover overruns in other departments. I guess in general we're looking for a surplus of \$2,678 or \$2,680, somewhere. It could come from a lot of different places.

Chairman Scudder: It was just interesting reading through it that it said Community College.

Mrs. Dennison: Like, why did it come from that? That traditionally have been a department that generally is under budget and has a surplus. It's also one that's – it's not really administered by a particular person in the County. It's under budget by no fault of its own, you could say so that is one source that we generally look to to balance overruns.

Chairman Scudder: Did you say how much was left in there?

Mrs. Dennison: You'll see in other resolutions – not tonight. It was under budget in excess of around \$200,000.

Chairman Scudder: O.k., thanks. Anyone else?

Unanimously Carried

Proposed Resolution- Amend 2018 Budget for Year End Reconciliations – County Executive

County Executive Borrello: Just wanted to kind of run over what - we were over in our payroll this year for a couple of reasons. First of all, last year we had a very busy year in the County Executive's office and as you are probably aware, we took on a lot of new initiatives and Carm did not normally work Friday's and we had her come in on several Friday's to work on the 100 businesses in 100 days to everything else that we've done along the way. In addition to that, I think you are probably all aware that Amanda left unexpectedly, had her baby six weeks early and as a result, we had to have Carm come in every Friday for the rest of the year, after Amanda went out. So, that was the bulk of the roughly \$5,000 that we were over budget. Fortunately, we were under budget in what we had budgeted for health insurance by \$13,000, so we can cover that and still be under budget overall.

Chairman Scudder: Any questions?

Unanimously Carried

Proposed Resolution- Amend 2018 Budget for Year End Reconciliations – Human Resources

Mrs. Wisniewski: If you need more, just let me know but this is budget neutral. So this is not asking for any more funds and it's within the HR umbrella that we need to reallocate our 1430 to increase it and decrease our BENE. When this was being developed, this was in 2017, I had just joined the County in June of 2017 and went right into creating a budget. At that point too, we weren't sure exactly how the benefit, BENE Department is going to be housed, what we were going to do with it, how many people were going to be in it so this really was just an estimate overall. So, I would say that I'm happy that it's just this amount and it's able to be covered within the Human Resources, just reallocating it back to, the \$45,000, back to the 1430 and not to the BENE Department. Overall if you look at our performance report back in 2018,

we're under approximately \$60,000 with budget so we have plenty to cover it and move it around.

Chairman Scudder: Questions, comments, concerns?

Unanimously Carried

Proposed Resolution- Amend 2018 Budget for Year End Reconciliations – Finance

Mrs. Dennison: I have to admit, I thought that Director Crow would be here to speak to this resolution so I have not reviewed it as thoroughly as I might have otherwise. I will do the best I can. It is self-balancing. It does cover a number of departments within the Finance organization. We did have some changes in Finance because of the reorganization that Jessica just discussed so there were some different allocations of salaries between Finance and employee benefits. So, that's why we do have a little bit of an overage. One of the reasons in the Department of Finance personal services is because we try to anticipate as best we could the effects of that reorganization but as you saw in Human Resources, the actuals worked out to be a little bit different than expected when we reorganized the budget because of those changes. In the contractual Department of Finance, that one to be honest, I don't have a perfect explanation as to what is driving that. I can look that up and come back to you with that information. I can look it up this evening and come back with more additional information on that if you would like that. Employee benefits for the Department of Finance, again, is attached to the reorganization with Human Resources.

Chairman Scudder: Let me say, yes, I would like that. No one answered.

Mrs. Dennison: Do you want to skip over this resolution and come back to it?

Chairman Scudder: No, does this go through Audit & Control?

Mrs. Dennison: It does.

Chairman Scudder: O.k., just have it for them.

Mrs. Dennison: O.k., no problem.

Chairman Scudder: Sorry, didn't mean to interrupt.

Mrs. Dennison: That's fine. Real Property Tax had some additional expenses for its software but did have some savings in other areas in Real Property Tax and there were some minor changes, again in their health insurance and employee benefit elections in the Real Property Tax Department. So those are the areas that we're over budget. Under budget, in Real Property Tax there was a savings in personal services due to retirement and replacement at a lower grade. Same situation with their – they had some equipment they did not buy. In the tax rolls and maintenance processing area, again, change in personnel contributed to some savings there. The Department was able to counteract the increase in the computer programming costs

with some savings in the tax assessment area. That is as much information as I can provide at this time.

Chairman Scudder: Well then, we're not going to ask you any more questions. I mean, having the confidence that Audit & Control is going to be all over this, I think that we should vote in favor of it. All in favor?

Unanimously Carried

Proposed Resolution- Amend 2018 Budget for Year End Reconciliations – Liability Insurance Accounts

Mrs. Dennison: This one, I'm not going to try and talk intelligently about, sorry. This one, I really don't feel comfortable discussing. I'd like to defer to the Director of Finance. I sent her an email to ask if she was coming to the meeting, so could I suggest that we skip this one and come back to it at the end?

Chairman Scudder: At the end of?

Mrs. Dennison: At the end of the meeting this afternoon.

Chairman Scudder: Sure.

Mrs. Dennison: I would be happy to drop downstairs and –

Chairman Scudder: Well, can we just pass this along to Audit & Control?

Mrs. Dennison: This one is self-balancing but I know that we have made some adjustments to the results after the resolution was drafted and the numbers need to be changed. I apologize. So this one, there may be an amendment needed to it. I have some preliminary numbers but I –

Chairman Scudder: How do we do this? How can we just pass it along?

Mr. Abdella: You can pass it along without recommendation. It's what you have done in the past.

Chairman Scudder: Shall we do that?

Legislator Davis: Yes.

Chairman Scudder: O.k., -

Legislator Chagnon: Mr. Chairman?

Chairman Scudder: Yes.

Legislator Chagnon: I would like to make a suggestion that your committee might like to know the explanation of why contractual Insurance Administration need an increase in appropriations. So after today's meeting, perhaps that information can be provided to you.

Chairman Scudder: Yes.

Mrs. Dennison: I'm sorry, could you repeat that Mr. Chairman? Explanation on the contractual in A.1310 and –

Legislator Chagnon: Increase in appropriations for Insurance Administration.

Mrs. Dennison: Oh, for Insurance Administration.

Legislator Chagnon: Yes.

Chairman Scudder: Can you do that for us? I mean, I always read those minutes. It's fascinating that Audit & Control minutes.

Mrs. Dennison: Yes, we can get the explanation and send it to the committee.

Chairman Scudder: O.k., so we're passing it along but we're going to get an explanation.

Mrs. Dennison: So passing it as improving it but with explanations to follow?

Chairman Scudder: Yes.

Legislator Muldowney: Don't we vote on that?

Chairman Scudder: Vote on passing it along, all in favor?

Unanimously Carried to pass on without recommendation.

Proposed Resolution- Amend 2018 Budget for Year End Reconciliations – Transfer to Capital

Mrs. Dennison: This one I can speak to because I wrote it. There was a capital project for Jamestown Community College for the Science Building construction. It was closed and reconciled and we believed that it was completed but there was a late charge that came in for this account so we had to book an additional expense to that capital project. So, it had been closed out and any surplus or deficit adjusted to the capital reserve but we had an additional expense of the \$26,268 so that was charged to the project so we needed to take additional funds from the capital reserve in order to accommodate that charge.

Chairman Scudder: What was that charge?

Mrs. Dennison: I see the gentleman from JCC are here. I don't know if they know the answer to that, I don't have the specifics but I believe it was due to some change in what was anticipated by what would be paid by the State and what had to be paid by us.

Chairman Scudder: That sounds right. Thank you. All in favor?

Unanimously Carried

Proposed Resolution- Amend 2018 Budget for Year End Reconciliations – Board of Elections

Mrs. Sanderson: As you can see in the resolution, we were over budget in our personal services and that was mostly due to additional hours to some seasonal employees. We can make that budget for reconcile it through our own budget by budgeting – excuse me, by decreasing our contractual. So our personal services were over budget. We can balance our budget by pulling that from our contractual.

Chairman Scudder: What caused the additional hours?

Mrs. Sanderson: The addition was due to additional hours from our seasonal employees that we bring in during election time, was the majority of it and also the CSEA 2% wage increase wasn't taking effect into account for the budget.

Chairman Scudder: Any questions?

Unanimously Carried

Proposed Resolution- Amend 2019 Budget – Board of Elections

Ms. Stearns: In our 2019 budget we allocated \$100,000 to purchase nine new voting machines and two new scanners. This would be part of a multi-year plan to replace our current inventory of machines that are now 10 years old and in need of replacement. The actual cost of these machines are going to come to \$111,540, so this will put us \$11,540 above our budget amount. To cover this, we would like to propose that we use funds that we currently have in our HAVA grant funds and these funds are currently under contractual and we would like to move them to equipment to pay for the difference. Once these machines are purchased, we will submit a voucher to the State and they will reimburse us for those charges.

Chairman Scudder: What are those funds, AHA or HAHA?

Ms. Stearns: HAVA. Help America Vote Act. They have certain allowable – there are certain expenses that are allowable under the grant and this is one of the expenses that we can use the funds for.

Chairman Scudder: Questions or comments?

Legislator Davis: This is to keep us all in office, we don't even need the machines.

Chairman Scudder: Yeah, we just decide whether we're going to keep serving, would lower the cost. Wow, what concept.

Legislator Muldowney: These machines go all over the County?

Ms. Stearns: Yes, we are replacing them portions at a time.

Mrs. Sanderson: Right. We're going to start in the City of Dunkirk and work our way around. So, we're going to start there.

Chairman Scudder: You have to start where accuracy matters. How many machines are there? How many do we have?

Mrs. Sanderson: We have 102 which includes some training machines. We put out 99 machines that go out in the field during an election, Countywide.

Chairman Scudder: All in favor?

Unanimously Carried

Proposed Resolution- Amend 2019 Budget for Internal Audit

Clerk Tampio: In 2018, the Legislature contracted with Freed Maxick to conduct internal audit services. It was originally set to be completed by the end of 2018, however, it got delayed through the bid process and the contract execution and so on. So, the balance of their work has to be done in 2019, the contract term was extended through 2019, so the portion of the contract – o.k., it was budgeted at \$100,000, the contract with them is not to exceed \$94,270. We've only expended so far, for 2018 services, \$39,613, leaving a balance in their contract of \$54,657. So upon the recommendation of the Audit & Control Committee members, they wish that we amend the 2019 budget to include that balance of the amount of that contract. In addition to the \$100,000 that is in there, in the 2019 budget also.

Chairman Scudder: Makes sense to me.

Legislator Davis: Just a carryover.

Clerk Tampio: So while it comes out of fund balance, that money was returned to fund balance from 2018.

Chairman Scudder: All in favor?

Unanimously Carried

Proposed Resolution- Amend 2019 Budget Due to Changes in Town Property Tax Warrants

Mrs. Dennison: Well, I was expecting reinforcements for this one too so I'll do my best. When we do the budget for Property Tax, we calculate the entire levy and then we split that amount

into two accounts. One for Real Property Tax and a portion goes into non-property tax town share. I have to admit, I just learned about this split when I got this resolution. So, there were two towns – I believe how it works is that they – the towns send us money as part of their sales tax allotment. So they are changing that process so now almost – what we’re doing is moving money out of that non-property tax account and putting it into the Property Tax Levy account. So there will only be one – only the Town of Portland will do this strange distribution thing with their sales tax. So, we’ll end up on the non-property tax account with the budget of \$50,000 and all the rest of the levy will be in the Real Property Tax account. The mechanics of it is that the levy, there will still be a split, but, all of the levy will be in the Real Property Tax account except for \$50,000 associated from the Town of Portland.

Legislator Davis: So when the Town of Carroll did this, because I know that I’ll be asked about it, how does it impact their taxes overall?

Mrs. Dennison: It doesn’t.

Legislator Davis: It doesn’t. It’s a net nothing.

Mrs. Dennison: It’s a net nothing to them.

Legislator Davis. Right, o.k., and that is what I was understanding in talking to the accountant there but I just wanted to confirm that.

Mrs. Dennison: Yeah, they used to send the County money and then probably they got it back through their sales tax allocation. So now they are not going to send the money, they are not going to send that money here so they –

Legislator Davis: They are just moving it.

Mrs. Dennison: Yes, just moving it. Sorry that is not a very clear explanation but that’s the best I can explain it.

Chairman Scudder: The results are the same.

Mrs. Dennison: The results are the same and has no bottom line affect.

Legislator Davis: For the County or the town.

Mrs. Dennison: Correct.

Legislator Muldowney: Can I go one step further then? Why does the Town of Portland do this?

Mrs. Dennison: I have no idea.

Legislator Davis: (*Cross talk*) because they don’t know they can keep that money.

Mrs. Dennison: And I think that we need to convince them to not do it because now that they are the only one, it's a \$50,000 annoyance that I think that needs to go away. I don't know why the Town of Portland is doing this.

Legislator Davis: I don't believe the towns know. The Town of Carroll did not know. We found out because we got a new accountant this year.

Mrs. Dennison: Probably didn't know that they didn't have to do it that way.

Legislator Davis: Correct.

Mrs. Dennison: So I agree, we should approach the Town of Portland.

Chairman Scudder: Put the pressure on.

Mrs. Dennison: Yes.

Chairman Scudder: Put the County Executive on it.

(Cross talk)

Chairman Scudder: O.k., thank you for that explanation. All in favor?

Unanimously Carried

Proposed Resolution- Process for Transfer of Foreclosed Properties to Chautauqua County Land Bank Corporation

Mr. Abdella: In a nut shell, prior to the expected enactment of this resolution, properties were removed from the auction really at the last minute for the purpose of being held for the Land Bank. There was concern on a couple of levels, I mean, from Legislator Chagnon and Scudder regarding that process. What this resolution will do is, provide the Legislature representatives and the County Executive direct - designated Legislators, director input into that process and moves most of it earlier than the day before the auction. So the properties will be screened and not later than 10 days prior to the auction. A number of them will be designated at that point with the approval of this special committee as being withheld from the auction. Allowance is made for there to still be, depending on what redemptions occur, the possibility that a few more properties may be withheld on the eve of the auction but the hope is that that will be far fewer. Also the resolution calls for as much publicity as possible to be made and use of the Internet and website updates so that those attending the auction will be made aware the night before what properties are left. That is important not just for these Land Bank properties but also for any redemptions that occur because many property owners wait until that last day and so there is someone out there thinking that a property is going to be in the auction and as late as 4:00 o'clock on the Friday before, the owner can come in and redeem it - well, make the offer to reacquire which then allows it to be withheld from that auction. So this gives direct input to legislative representatives and the County Executive on what properties will be designated for the Land Bank. I'll also note that the final transfers to the Land Bank still remain subject to

approval by the full Legislature. This is simply designating which ones will be withheld from the auction.

Chairman Scudder: With us being the ultimate deciders, we just felt that we should be more in the process of the Land Bank removing the properties. Bottom line, when someone says, well, who took that property out, we did. That was kind of the unanswered question that I would get at the auction. Where did that property go? And sometimes I have to be honest with you, I'd say, I don't know and then you'd come back. So, it's giving us – we're in the selection process, it's putting the ball basically in our court. We're making the decision and that is how we feel it should be.

Legislator Muldowney: Along with the Land Bank Committee or is this just –

Chairman Scudder: Yes, we're working with the Land Bank. But we are actually going to meet Friday night before the auction and do the final approval.

Mr. Abdella: This special committee will meet a couple of times and yes there will be Land Bank representatives there. It will be the decision of the committee as to which properties are designated.

Legislator Muldowney: Will these properties be advertised to begin with though with the auctioneer?

Mr. Abdella: Well, they will for a period of time but then several of them will be taken out in this period, 10 days before the auction. The goal was to try and have as much advance warning that a property is not going to be there.

Chairman Scudder: But those properties could come out by –

Mr. Abdella: By reacquisition.

Chairman Scudder: Right up till Friday night.

Legislator Muldowney: Just another question. The latest listing of all the properties in the local newspapers, I did notice where it said these properties can, whatever the word is, by April 15th. How does that, if it's advertised as April 15th, how do we go to that Friday before the auction? How does that –

Mr. Abdella; Well, April 15th is the statutory minimum redemption period and that's where no questions asked. An owner can come in or mortgage holder and redeem the property. After that date, it was simply at the option of the Legislature, there is what we call the reacquisition period in which mortgage holders and owners, at that point, former owners, can, in that period between April 15th and the auction two months later, make an offer to reacquire their property. What was found in court proceedings related to all of this and bankruptcy proceedings was that if you offer this reacquisition period, you have to have it right up until the night before the auction. At one point a few years ago we moved it to two weeks back –

Legislator Muldowney: Right and the courts reversed it.

Mr. Abdella: The courts were ordering us to sell to property owners who came forward in that two weeks. So we were really forced to put it back to the night before the auction.

Chairman Scudder: But from now until that April date, we're basically not involved.

Legislator Muldowney: Right.

Mr. Abdella: Yes.

Chairman Scudder: We're not deciding on fates of property.

Legislator Davis: We're just deciding on the committee –

Chairman Scudder: Well no, then after the April 18th, technically we decide. I mean, if somebody comes in and we have done it, we've said no, we're not going to take your money, before April 18th, or whatever, 18th?

Mr. Abdella: The 15th.

Chairman Scudder: Before the 15th we don't but after that it allows us to be in on the decision which we normally give back.

Legislator Davis: Will that date change this year because of the Governor's declaration of Chautauqua County and a portion of the Town of Poland and things like that being –

Mr. Abdella: No. Because if it ends up even being applied, only affects that initial tax payment period for this year's taxes. The foreclosure is dealing with previous taxes and stretches all the way back to April 15th so there is not a storm issue with January on paying by April 15th.

Chairman Scudder: All in favor?

Unanimously Carried

Discussion- Jamestown Community College- President DeMarte and John Sayegh

Other-

Chairman Scudder: Is there any other, other? O.k.

Mr. Abdella: We would need a motion to go into executive session to discuss pending litigation.

MOVED by Legislator Muldowney, SECONDED by Legislator Davis

Unanimously Carried (6:31 p.m.)

MOVED by Legislator Davis, SECONDED by Legislator Muldowney to come out of executive session.

Unanimously Carried (7:27 p.m.)

MOVED by Legislator Muldowney, SECONDED by Legislator Davis to adjourn.

Unanimously Carried (7:29 p.m.)

Respectfully submitted and transcribed,
Olivia Ames, Committee Secretary – Lori J. Foster, Deputy Clerk/Secretary to the Legislature