

Minutes

Administrative Services Committee

March 15, 2021, 5:00 p.m.

Virtual Meeting via Zoom

Gerace Office Building, Mayville, NY

Members Present: Scudder, Davis, Starks, Vanstrom, Muldowney

Others: Tampio, Ames, Dennison, Button, Crow, Chagnon, Abdella, K. Meleen

Chairman Scudder called the meeting to order at 5:05p.m.

Approval of Minutes (02/16/2021)

MOVED by Legislator Starks, SECONDED by Legislator Davis

Unanimously Carried

Privilege of the Floor

Clerk Tampio: We do not have any items for privilege of the floor.

Proposed Resolution - Confirm Appointment - Chautauqua County Ethics Board

Chairman Scudder: The name is Dr. John Hamels from Ripley. Any discussions, questions, comments, concerns?

Legislator Starks: I've known John a long time, he's a very fine upstanding gentleman.

Legislator Muldowney: I agree.

Legislator Davis: He is. Very community minded very (*inaudible*)....

Chairman Scudder: All in favor?

Unanimously Carried

Proposed Resolution – Authorization for Receipt of Bids and Offers via Electronic Submission

Chairman Scudder: In this day and age, it seems like a really good idea.

Ms. Crow: Kristin Wright in the Law Department has been working on this with Tracy France and it recently got finalized. We actually have to pass legislation in order to do this so that's the reason for the resolution.

Chairman Scudder: I assume there are safeguards in place that it goes through like a regular bid would, like a sealed bid type of thing.

Ms. Crow: Yea, some of the exact procedures of what we – when we release an RFP for example, we would have instructions in that RFP how they're – or that when we release a bid, how they are allowed to respond and instructions. Whether they're going to respond electronically or if they still want to submit by paper, that's fine too. The last RESOLVED there where it talks about I.T., proposals, the reason for that one is because that's just a specific category that we can require it to be submitted electronically. It doesn't mean that we will require it, it's just where we'd be allowed to.

Legislator Davis: Kitty, you haven't received anything before this?

Ms. Crow: No, we haven't. We have actual bid openings where the bidders come in to the office or they would drop of their bids by a designated time that is required. So, it's something that kind of bubbled up obviously starting this last year as it would be really nice to move into this direction. There is still the details to be worked out but step one is to just have authorization by legislation to allow us to do this.

Chairman Scudder: Anybody else, any comments or concerns? Sounds good. Like I said, seems like it's time to do it. All in favor?

Unanimously Carried

Proposed Resolution – Application for Credit of Real Property Taxes for 2021

Mr. Button: The size of the adjustment is due to the fact that the property in question had originally been owned by one of the Jamestown area church's in the Town of Busti, out in West Ellicott. They sold it to a private individual however it was sold after the rolls for this current tax year were established so the exemption should have stayed in place. The assessor took it off by mistake and consequently we're cancelling both the school tax that was re-levied on the property from last year as well as the current year tax of the County/Town.

Chairman Scudder: That seems simple enough.

Legislator Muldowney: Isn't that one of the (*inaudible*) exemption and it changes to a private owner, don't they have the ability to change it automatically?

Mr. Button: Well, I thought so too but not in the towns. Once the roll is set for the year the roll is set, the only one that does do apportionments is the City of Jamestown and they do allocated tax adjustments.

Legislator Muldowney: O.k., didn't know that.

Mr. Button: It didn't make me very happy either but it is what it is.

Legislator Muldowney: I always thought it was automatic.

Ms. Crow: I just want to take a quick opportunity if you don't all know Kim Meleen. She's on the call and getting used to the committee meetings and such but she's the current Acting Director of Real Property. She and Todd have been working together closely on the transition but I just wanted to introduce here while you are all here.

Ms. Meleen: Thank Kitty.

Chairman Scudder: Welcome. Any other discussion? All in favor?

Unanimously Carried

Proposed Resolution - Extend 2020 Tax Foreclosure Redemption Date

County Attorney Abdella: The resolution kind of lays out the history here as far as – you unfortunately due to the pandemic had to extend the redemption date of the 2020 foreclosure now a few times. Now this resolution is requesting that you extend it hopefully one more time and the last time but the State Legislature and Governor had signed legislation in December that put further limitations on foreclosure actions through May 1, 2021. We currently had the redemption date for the 2020 foreclosure having been extended out to April 15th of this year but in light of the May 1st limitations we (*inaudible*) amongst the Law Department and the Real Property Tax Department and Finance Department and looked at how we might revise a calendar for a potential sale based on moving the redemption past May 1st. What we're proposing to you is to have redemption day moved to the middle of June, June 18th, putting us way past the May 1st issue but that's with the mind of planning on having an option in mid-August, two months later and that would correlate to our normal two month window between the redemption date and the auction. That gives us time to finalize the judgement and also have the usual reacquisition period for at least a month prior to the auction. That gives the owners the final chance to acquire the property back. That would be sort of the initial thoughts and certainly Todd or Kim could pipe up and we'd be willing and happy to answer any of your questions.

Chairman Scudder: So we're taking the two years of properties and putting them all into one, yes?

Mr. Button: No. This auction we're hoping to have this year is the one that we should have had last year, that we never did for the 2018 delinquent taxes. Assuming that we can get by this little hurdle, then come next January, then we're going to do a double for the 19's and 20's and run that together.

Chairman Scudder: These are the properties where the letters were sent out last January for?

County Attorney Abdella: Correct.

Mr. Button: Yes.

Legislator Muldowney: And they have until June 18th to pay up, right? Is that what I'm understanding?

Mr. Button: Yea, they would have until June 18th to pay off the foreclosure delinquency and once we take judgement then between foreclosure and the auction to reacquire, they would have to pay off anything and everything that they owe. So, we are kind of giving ourselves a little latitude to be nice to people. Technically I think that if they came in prior to June 18th, they would be required to pay off everything anyway but in a normal foreclosure cycle, they have the opportunity to pay off just the delinquent they owe because we haven't loaded the current year's delinquent back. But anybody who does that, they're really going to have to be counseled because you can pay it off before June 18th, in a sense it would be the 2018 and 2019 taxes that you owe but if you don't pay anything more than that, you are going to be right back in the cycle coming next January for your 20's.

Chairman Scudder: When the 18th comes along Todd, I know in a typical year the April deadline then there's an extra cost that has to be paid for them to redeem the property. Is there anything extra, how do I want to word this? Did we –

Mr. Button: You mean other than the taxes that they actually owe?

Chairman Scudder: Yea, isn't there a –

Mr. Button: Well, there is a \$150.00 search fee that goes on the property.

Chairman Scudder: So that was already done last –

Mr. Button: That was put on last year.

Chairman Scudder: So nothing will be added on again this year?

Mr. Button: No, but if they go past the redemption date, between redemption and foreclosure, then they have to pay the taxes, they have to pay the search fee, they have to pay actually all the taxes that they owe plus they would have to then pay a deed recording fee because once we foreclose, technically we own it.

Chairman Scudder: Right.

Mr. Button: So that's like another \$305.00

Chairman Scudder: So if they pay their property off by June 18th, do they not pay the fee from last year as if they had paid it by April 15th of last year?

Mr. Button: No, they are stuck with \$150.00.

Chairman Scudder: O.k., it's on there. I just got a feeling that I'm going to get this question so I want to know.

Mr. Button: No, they are stuck with it because we apply that fee to cover our search costs, our pre auction prep.

Chairman Scudder: So, that's on there.

Mr. Button: That's currently on there because we load that on May of the year we're doing the searches.

Chairman Scudder: That's o.k. to me but if I've confused anybody else –

Legislator Starks: Thank you for asking all of those very linear simple questions, not simple questions but it helps my mind, so thank you for being on my wavelength.

County Attorney Abdella: I will just mention that if the Legislature approves this on March 24th, because of the multiple extensions, our plan is to have a letter sent out to all the remaining delinquent in this group to specifically inform them of the June 18th redemption date and let them know that that is coming up and probably say something about the fact that if they wait past the 18th, the reacquisitions are going to be a lot more expensive so we will be doing that just to add to whatever publicity there may be newspaper or otherwise.

Chairman Scudder: And that June 18th, which happens to be my birthday, but you don't have to write that down, before June 18th they come in and pay it, it's a done deal. I know typically after the April 15th, then it's – they come in and pay it and there is usually not any ordeal about it but it is kind of at the discretion of the Legislature then, after the typical April 15th, am I correct? So the June 18th becomes the April 15th.

County Attorney Abdella: Yes

Chairman Scudder: I mean, we typically don't make an issue out of anyone paying their taxes after that date but I think legally it is our decision then, yes?

County Attorney Abdella: That's right. The reacquisition period, all of those reacquisitions are subject to legislative approval.

Mr. Button: We just need the redemption date established so that we know that once that date is passed, then we can go to the Judge to get the foreclosure.

Chairman Scudder: O.k., like I said, it's taken 12 years to figure this out but I'm getting there. And I'll ask a question that there is probably no answer to, are we feeling good that they are not going to move this again on us or who knows or it seems like they have to wrap it up sometime yes? No answer, o.k..

Mr. Button: It's up in the air. At one point we thought that the Feds had put it in the latest stimulus package but it was in there and I guess they took it out in the final version but then I heard that somebody tell me it was in there again. I don't know. God knows what the State will do.

Chairman Scudder: I think it's time for us to move forward on this.

Mr. Button: Well, we are in the planning process of trying to find a venue for this auction. We already know that we cannot have it at Chautauqua Lake High School because they are going to be in the middle of a capital project in the summer and they don't want to have any outside people on campus then. So we're looking at other options right now.

Chairman Scudder: O.k., all those in favor?

Unanimously Carried

Other

Chairman Scudder: That's all that I have on the agenda. Is there anything anyone would like to discuss?

Legislator Vanstrom: I just want to say go JCC swim team. They are having a virtual meet right now and my son is on there.

Chairman Scudder: You mean they don't really swim?

Legislator Vanstrom: They really swim and I'm (*inaudible*) watching them because I'm with you.

Chairman Scudder: Good. Would anyone like to make a motion to adjourn so Lisa can get back to her swim meet?

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

Unanimously Carried (5:26 p.m.)

Respectfully submitted and transcribed,
Kathy Tampio, Clerk/Olivia Ames, Deputy Clerk/Lori J. Foster, Sr. Stenographer