

Minutes
Audit & Control Committee
March 21, 2024, 8:35 a.m., Legislative Chambers
Livestreamed on YouTube
Gerace Office Building, Mayville, NY

Members Present: Pavlock, Niebel, Chagnon

Members Absent: Scudder, Wilfong, Johnson

Others: Lee, Chagnon, Swan, Thomas, Martin, Crow, Ihrig, McCoy, Parker, Meleen, Aldrich, Oehlbeck, Carlson, Guttman, Westphal, Makowski, Card, Brumagin, Rodgers, Taylor, Zafuto, Songer, Woodbury, Przybycien

Complete video of meeting can be viewed on YouTube

Chairman Pavlock called the meeting to order at 8:38 a.m.

Approval of Minutes (02/22/24)

MOVED by Legislator Niebel, SECONDED by Legislator Chagnon

Unanimously Carried

Privilege of the Floor

Hi my name is Susan Parker and I know I have 3 minutes. I sent an email out to the Audit and Control committee after we had a discussion in Administrative Services about the new property tax exemption level for seniors 65 and over. We had a discussion about the resolution proposed for \$30,000 as the upper level for the exemption after last month there was unanimous vote for \$58,400 which of course could not be maintained and has to be changed so the reason I'm here is I would like to add to your discussion and request or suggest that you have a discussion of whether or not this can be raised to \$35,000 at the minimum. I worked with a senior who was 65 - a couple I've worked with and he worked at one of the plants in the north county for many years. The plant closed, the retirement was pretty minimal and he had to retire in his late 50's after years of work with a medical injury. So as a result, he has a number of medical problems as a lot of our seniors who have worked particularly manual jobs have a lot of injuries in their 60's and later as many of us do. They make \$35,000 or they did when I worked with them and I think that level allows the \$58,400 - actually the town assessors went to the trouble of figuring out how much that would cost the county and it was determined to be too high but because we actually are working to be helpful I think to our seniors, we have a housing problem, we have a long-term care problem. Long-term care is extremely expensive and we want to keep our seniors, 65 and over, in their homes as long - they want to stay in their homes. I was just reading that you know, you have 90-year-old people in a nursing home and they want to go home so the value of having your home is so important and I would like to suggest that the legislature extends or increases the proposed amount at least to \$35,000 for the reason of

inflation. The increased cost of many things that have resulted and just the situation for many seniors who are struggling even though they're making \$35,000 as a household because the amount for the exemption is for the household, it's not for an individual. So anyway, that's my thought for the day.

Legislator Pavlock: Thank you for coming in today and your vision on this topic.

Legislator Nelson: I agree. I think \$58,400 is too high but has - this has been amended?

Legislator Pavlock: So if you have a lot of questions or discussion on it Terry, let's hold it until that time,

Legislator Parker: Oh, until the actual thing.

Legislator Pavlock: If you have a specific question for Susan, ask it. It is just the privilege of the floor also so sometimes we don't have the discussion or talk back at this time.

Legislator Niebel: Okay, but she's here.

Legislator Pavlock: I get it. If we can, if you want, we can call her back up in that discussion (*inaudible*).

Legislator Niebel: Well, Dan the only problem is, this is the last item on the agenda. I don't want you to have to wait here Susan for 2.5, 3 hours to ask a question.

Legislator Parker: Well, either way is fine, I can stay or I can -.

Legislator Niebel: No, I mean, 2.5, 3 hours, I'm sure you have other things to do.

Legislator Pavlock: If you have a specific question, ask her the specific question. We'll have the discussion later.

Legislator Niebel: Okay. And I intend to participate in the discussion later. Okay, I guess Susan, a specific question is, and apparently this has been changed to \$30,000 in administrative services?

Legislator Pavlock: As it stands Terry, so this will not do – it's a discussion item so in order for it to be amended it will need to be brought up during the full legislature meeting. And that current proposed amendment is for making it from \$58,000 to \$30,000 and that was made by the original sponsor of the resolution and that was considered and made and discussed and that \$30,000 was what was selected for different various reasons and different various information that was put into it. Discussion with the proper departments and the assessors but also it was suggested that it be looked at in a couple of years, after the \$30,000 was implemented to see the true ramifications and implications that it would have.

Legislator Niebel: Okay, but Dan it was discussed in Administrative services earlier this week? Monday or whatever. Okay I guess my question to Susan, why \$35,000 as opposed to \$30,000?

Legislator Parker: Well, I think that \$35,000 is more inclusive and also includes more inclusive and is appropriate for a lot of couples and individuals who are 65 and older due to their limited or kind of increasing limited ability to maintain their -.

Legislator Niebel: No, I understand. Okay, I think that's a I think that's an admirable reason for increasing it but I've been in the legislature for a while and we have raised this - I think from \$15,000 or \$16,000, when I first got in, to \$22,000 and now I guess the suggestion is from \$22,000 to \$30,000? You're proposing a little bit higher than that.

Legislator Pavlock: No actually so in theory as it stands its \$58,000.

Legislator Parker: \$58,400.

Legislator Pavlock: Last month we made the amendment but what we didn't realize is it was actually above what was allowed by the state and so this is also just keep in mind a recommendation. So towns, all individual townships have their choice of whether they're going to follow and allow for this to be utilized in their own individual townships and school districts.

Legislator Niebel: They do Dan but what the county does I think will impact a lot of the towns and villages in the two cities and what we do will probably to a certain extent, put pressure on them so I'm just concerned about raising it too high. Susan, so \$35,000, are you basing that on - have you spoken to people in the office for the Aging or the tax department? What effect is that going to have raising it from say \$30,000 to \$35,000? What effect will that have on the county tax revenues?

Kitty Crow, Finance Director: We had planned - Kim will be here for the discussion and on the agenda and we have some information to share and I don't know if -.

Legislator Pavlock: So let's, do our normal proceedings. This is still just a privilege of the floor and I think we are getting over a little over of what it's attended to do.

Legislator Parker: Okay, absolutely.

Legislator Pavlock: We have a discussion item and it's later on the agenda if you would like to take part at that time. I'll allow some second privilege of the floor and you can come back up but I think we need to just continue on and let the meeting flow as it is. Save your questions for when we have the discussion, Terry.

Legislator Niebel: Okay, no problem.

Legislator Pavlock: Because I can see that the discussion is going to continue.

Legislator Parker: Yeah, and I do want you to know that I sent you like a full email on Monday with a lot of information so I don't want to be surprising anyone. Thank you.

Legislator Pavlock: Thank you. Any other privilege of the floor? Not seeing anyone, we will move into our proposed resolutions.

Proposed Resolution – Acceptance of CARTS Public Transportation Section 5311 Capital Grant – *Presented by Michelle Westphal, Senior Projects Coordinator at CARTS*

Unanimously Carried

Proposed Resolution – Authorize Agreement with NY State DOT for Performance of Federal-Aid Project PIN 5764.0 – *Presented by Drew Rodgers, Deputy Director of Public Facilities Engineering*

Unanimously Carried

Proposed Resolution – Authorize Extension of the Agreement Between the Portland Pomfret-Dunkirk Sewer District and the Village of Fredonia for Sewage Treatment Services – *Presented by Mathew Oehlbeck, Director of North Chautauqua Lake Sewer District*

Unanimously Carried

Proposed Resolution – Amend Resolution 262-19 – Confirming User Charges: Portland Pomfret- Dunkirk Sewer District – *Presented by Mathew Oehlbeck, Director of North Chautauqua Lake Sewer District*

Unanimously Carried

Proposed Resolution – Amend 2024 Budget to Implement the PPDSD I & I Project, Using Funding from the American Rescue Plan Act (ARPA) – *Presented by Mathew Oehlbeck, Director of North Chautauqua Lake Sewer District*

Unanimously Carried

Proposed Resolution – Reallocating Salary Grade for Bridge Construction Supervisor and Carpenter – *Presented by Drew Rodgers, Deputy Director of Public Facilities Engineering and Alexey Brumagin, Engineer at DPF*

Unanimously Carried

Proposed Resolution – Setting Salary for Carpenter Trainee – *Presented by Drew Rodgers, Deputy Director of Public Facilities Engineering and Alexey Brumagin, Engineer at DPF*

Unanimously Carried

Proposed Resolution – Setting Salary for Senior Carpenter – *Presented by Drew Rodgers, Deputy Director of Public Facilities Engineering and Alexey Brumagin, Engineer at DPF*

Unanimously Carried

Proposed Resolution – Cancellation of Taxes on Donation to Land Bank – *Presented by Todd Thomas, Assistant County Attorney*

MOVED by Legislator Niebel, SECONDED by Legislator Chagnon to Amend (Amendment Shown Below) – Unanimously Carried to Amend

RESOLVED, That the Tax Enforcement Officer is authorized to cancel 2023 property tax arrears that approximate \$6,122.54 on the following parcel:

501 South Roberts Road

79.16-6-1

Unanimously Carried as Amended

Proposed Resolution – Transfer American Rescue Plan Act (ARPA) Spending Plan Budgets from 2023 to 2024 – *Presented by Blake Ihrig, Director of Administrative Services with the Department of Finance*

Unanimously Carried

Proposed Resolution – Amend 2024 Budget for Probation Department ATI Pre-Trial Award – *Presented by Gilbert Taylor, Director of Probation*

Unanimously Carried

Proposed Resolution – Amend 2023 Budget for Year End Reconciliations – Department of Mental Hygiene and Social Services – *Presented by Sam Zafuto, Fiscal Supervisor for the Department of Finance assigned to Social Services and Public Health and Dianna Songer, Deputy Director of Finance for Human Services*

Unanimously Carried

Proposed Resolution – Authorize Lease Agreement Renewal with Warwick Plaza, LLC for Chautauqua County Department of Mental Hygiene – Mobile Crisis Team Office Space – *Presented by Todd Thomas, Assistant County Attorney*

Unanimously Carried

Proposed Resolution – Policy Guidelines for Administering Proceeds of Original 3% Occupancy Tax – *Presented by Nate Aldrich, Economic Development Coordinator and Todd Thomas, Assistant County Attorney*

Unanimously Carried

Proposed Resolution – Amend 2024 Budget for New York State Community Development Block Grant Award – Microenterprise Assistance Program – *Presented by Nate Aldrich, Economic Development Coordinator and Stephanie Nicks, Special Projects Coordinator with the Department of Planning & Economic Development*

Unanimously Carried

Proposed Resolution – Authorize Use of Chautauqua County 2% Occupancy Tax Reserve Funds for Removal of Damaged Steel Dock Structures from Dunkirk Harbor – *Presented by Dave McCoy, Chautauqua County Watershed Coordinator, Randy Woodbury, DPW Director of the City of Dunkirk and Michael Przybycien, Deputy Director of Public Works with the City of Dunkirk*

Unanimously Carried

Proposed Resolution – Authorize Use of Chautauqua County 2% Occupancy Tax Reserve Funds for Morse 2% Project Repairs – *Presented by Dave McCoy, Chautauqua County Watershed Coordinator*

Unanimously Carried

Proposed Resolution – Environmental Assessment of Applications for 2024 2% In-Lake Occupancy Tax Grant Program Funding – *Presented by Dave McCoy, Chautauqua County Watershed Coordinator*

Unanimously Carried

Discussion –

Renew and Amend Resolution 71-24 – Amend Senior Real Property Tax Exemption –
*Presented by Kim Meleen, Real Property Tax
Director, Kitty Crow, Finance Director and Susan
Parker, Legislator of District 4*

Other –

DPF Updates – *Presented by Tim Card, DPF Director*

Variances from 2023 Budget – *Presented by Jennifer Swan, Budget Director and Kitty
Crow, Finance Director*

MOVED by Legislator Chagnon, SECONDED by Legislator Niebel to adjourn.
Unanimously Carried (11:18 p.m.)

Respectfully submitted and transcribed,
Olivia Lee, Clerk of the Legislature/Kristi R. Zink, Deputy Clerk