

FINANCE - COMMITTEE

Monday, April 18, 2022 - 10:30 AM

Thomas Scozzafava, Chairperson
Noel Merrihew, Vice-Chairperson

Chairman Scozzafava called this Finance Meeting to order at 10:30 am with the following Supervisors in attendance: Clayton Barber, Robin DeLoria, Stephanie DeZalia, Shaun Gilliland, Roy Holzer, Ken Hughes, Noel Merrihew, James Monty, Tom Scozzafava, Joe Pete Wilson, Davina Winemiller, Margaret Wood and Mark Wright. Charlie Harrington, Steve McNally, Matt Stanley and Ike Tyler were excused. Derek Doty was absent.

Department Heads present: Michael Diskin, Dave Wainwright, Judy Garrison and Dan Palmer. Laura Carson and Joe Provoncha were excused.

Also present: Chelsea Merrihew

News Media: Sun News – Tim Rowland.

SCOZZAFAVA: Okay we'll call the Finance meeting to order. We'll start with Chelsea. Joe has been excused.

C. MERRIHEW: Good morning. So in March we collect \$919,000, sent \$595,000 of that to the Treasurer. April 8 I sent out the semiannual mortgage tax report covered the tax that we collected from Oct 2021 through the end of March. I have not yet received the approved report yet back from Tax and Finance.

In DMV we're down to four, full time employees one of which is new within the last few months and we have one-part time employee that helps cover the Lake Placid office with those numbers, I don't think it's feasible for us to continue to operate both satellite offices two days a week so until we get some more bodies we're going to reduce the satellite offices down to one day per week. Lake Placid will be open on Mondays, Ti will be open on Wednesdays. Even with the reduction during the summer when there is employee vacations there's a couple of weeks that we are probably going to have to close the satellite offices for the entire week but Char is making up the schedule now and we're going to get it posted so everybody has ample notice of what the hours are going to be. Along the same lines court security at the courthouse is also having staffing shortages and OCA refuses to pay them overtime so they approached myself and Kristy Sprague about temporarily reducing the hours that the courthouse is open to the public so until they get more staff, they are going to open from 8:30 to 5:00 instead of the normal of 8:00 to 5:00. I don't think that will affect the county clerk's office much most of our work comes in electronically and through the mail so there's plenty to do even during that half hour where we won't have the public coming in. For the DMV, they are going to modify their work hours and work 8:30 to 4:00 with a half hour lunch and that should allow them to stay open most days during the lunch hour so that's what I have.

SCOZZAFAVA: Any questions?

HOLZER: So how many positions do you need to bring DMV back up to full staff, including the satellite units?

C. MERRIHEW: I think three.

HOLZER: Three? And they are full time positions?

C.MERRIHEW: They are full time positions. They just offered the test the first week in March, so we're kind of in that catch 22 where we are kind of waiting for the certification to come out before we hire anybody but I know Personnel offers continuous recruitment a few weeks ago for an account clerk typist, we might try to pull one person and offer that and get them in and trained if we can.

MONTY: I just, I've got to wonder, what is the policy for people going to DMV or the Clerk's why do we have to have them go through court security?

PALMER: Mostly is because we don't have an outside entrance to get into there. Jim Dougan and I had actually looked at potentially building an outside entrance that would get us by that where they would go directly through into the basement as opposed to coming through the court security but anybody, based upon the state's office of court administration department that comes through the front door has to go through security.

MONTY: Understood if they are going to court or anything but the last two times I went there I've been treated quite rudely when I had appointments to be seen in the Clerk's office and they told me that they don't take appointments until 9:00 and I said, well, that's funny I've got an appointment for 8:30.

PALMER: Court security told you that?

MONTY: Court security. They were very rude and finally I became me and –

PALMER: Turned into you all of a sudden.

MONTY: I explained to them and I don't think of myself as anybody, I really don't but I told them, I said look, I am a town supervisor, I'm also the Vice-Chair of the Essex County Board of Supervisors so I think if I want to come down here and the county offices is open, I'm coming in.

C. MERRIHEW: I would just say, the flip side to that is that especially during Covid they know what our set hours are and typically we don't take people until 9:00 so they kind of help to weed out those people you know that will come down and wait outside the door or waiting for DMV and get mad that we're not open, they kind of filter those people out so.

MONTY: I understand that but the hours say we're open here.

PALMER: What are the hours over there now?

C.MERRIHEW: Nine to five.

MONTY: I think there needs to be something done.

PALMER: But it is listed 9 to 5, that's what our hours are listed.

SCOZZAFAVA: For what it's worth, I've received numerous complaints from my constituents in

regards to which you are talking about, in regards treatment and so on and I think a lot of what is going on, I think there are a lot of new officers over there.

MONTY: That don't want to be there.

C. MERRIHEW: And none from Essex County.

SCOZZAFAVA: And I understand, they have a job to do obviously and you are going into a combine use building there but I think a separate entrance somehow would be –

PALMER: Even if we had a separate entrance we would have to deal somehow with the elevator issue because if you go into the basement you can actually get up the third floor of the courtroom through the elevator.

WOOD: How often do people have early appointments? Is it rare?

C. MERRIHEW: Yes. I think she made the exception for Mr. Monty in that case.

WOOD: Well, it's all communication just let them know so and so is going to be here at such at time before the regular hours so if it's only once or twice a month or a week, it's communication. That's cheaper than building a separate entrance.

PALMER: Yeah, but we've always had that issue with constituents saying, I'm only going to Motor Vehicles why do I have to be frisked at the door but again, whether we did that or didn't do that I guess is really a board decision but you know, at one time we had talked about trying to avoid that situation.

WOOD: Send them to New York for a day.

PALMER: Yeah, right.

SCOZZAFAVA: I think they still mandate masks, correct?

C. MERRIHEW: They do.

SCOZZAFAVA: That's another confusion that I've been called on. You know, I thought the county dropped the mask requirement, we went to DMV and we had to wear a mask.

C. MERRIHEW: When they enter the building.

MERRIHEW: Under representation of the hours being dictated by the court system, not starting at 8:00 but 8:30, will the employees have the ability to work another half hour or they lose that time?

PALMER: No they can flex. We can flex their schedules. We would just do a flex schedule yes.

C. MERRIHEW: Yeah, we have plenty to do. Most of our work comes in electronically or through the mail anyway. We see less and less walk in work in compared to a few years ago. DMV is a little more customer and friendlier driven so there's not as much for them to do if the public is not there that's why they are going to try that modified schedule to hopefully also appease not being

there at lunchtime.

SCOZZAFAVA: How much do they pay us rent Dan?

PALMER: I don't know the exact number Tom.

C. MERRIHEW: Not enough.

SCOZZAFAVA: Well, we could certainly use the space and I've got the perfect campus, the whole court system could move to tomorrow and we could use that space for social services and so on.

DEZALIA: You had just mentioned we have three openings in DMV, they are not on the vacancy list. There's no openings for DMV on here so I was wondering how accurate is this list then?

PALMER: I don't know. I know we have more people working currently working in DMV than we currently do, we have four.

SCOZZAFAVA: I have one question, the mortgage tax collected by town which is the first time in memory where Moriah is above North Elba, \$226,000 collected?

C. MERRIHEW: You had a \$16-million-dollar mortgage, no exemptions come in at the middle of the month that really boosted our mortgage tax. I would not expect that to be a regular.

SCOZZAFAVA: Wow. Well, there's our bucket truck. That's on the solar farm right?

C. MERRIHEW: I think so, yeah.

SCOZZAFAVA: Anything further for Chelsea? If not, good report. Thank you.

C. MERRIHEW: Thank you.

SCOZZAFAVA: Laura has asked to be excused. Next, we have Dave Wainwright, Real Property. Were there any questions for the Auditors? They are available if anybody has any questions? Any questions for the Auditor? Okay, Dave.

WAINWRIGHT: Good morning. You all have a copy of my budget. If there are no questions on that, this is an extremely busy time for us. We are working hard trying to get everybody's roll ready and all the information in from the assessors. They are all in various stages of completeness. We've got eight towns change of assessment notices printed so far and we should probably pick up another six or seven this week and then just clean them up at the end and we are printing out the assessment rolls and we should be done. Other than that, I don't have anything.

SCOZZAFAVA: So grievance day is? Third Tuesday, correct?

WAINWRIGHT: Fourth Tuesday in May, the 24th this year for most towns.

SCOZZAFAVA: Any questions? I guess not, thank you. Mike Diskin.

DISKIN: Good morning. I will start with the sales tax. I sent you the information out. We did get

another payment late in the week and I just recorded it on Friday and sent it out to everybody the second payment of the month that we received, it was actually a little bit less than the first one it's not by much, a little over \$11,000 less for the month we had a total increase and to date we are about \$1,424,000, above last year a lot of that we know just a general increase in prices and commodities but some of it obviously is sales tax on fuels as well although that is coming down. If you have traveled around anywhere outside of Essex County, I was in Glens Falls yesterday and I saw gas that was around \$4.00 a gallon, it was \$4.03 so it's starting to come back down a little bit and I think once the State sales tax kicks in reduction in tax is going to make a difference in that on the motor fuels. While we are on sales tax there was one thing that came in that I probably should have included in my report but as you may or may not realize in the State budget this year, they are doing away with the, for lack of a better word confiscation of our sales tax to pay AIM and the fiscally distressed health facilities that's all been restored so there is not going to be any deductions for AIM or the for the distressed health care facilities. Over the last year, there were in February of 2021, they took \$189,378 and then for $\frac{3}{4}$ of the rest of the year, they took a total of \$140,168.21 and then there was the fourth quarter of the reduction for the fiscally distressed health care was taken in February of this year, and that was for \$42,722, so for the three year period, AIM deductions were taken up over a period of three years to the tune of about \$966,117 and during the two years that the fiscally distressed health care funds were taken out were \$372,269, so the total that has been taken away from us in sales between the three year period for AIM and the two year period for fiscally distressed health care facilities was \$1,338,368. That's over that period of time that sales tax was intercepted so we're going to get restored, we are going to get that \$322,039 this year, it's not going to be taken away from us and the additional \$1,899,378, that would have been fiscally distressed health care facilities is coming back to the county so that's a little bit of good news for us as far as getting sales tax back again.

On the occupancy we had a really good year. I looked at March figures and what we took in March is obviously a reflection of not only the 5% increase but also continuing enrollment of vacation rentals. We took in a little over a million dollars a month last year. The first year we did this we took in about a million dollars so the month of March alone we took in as much as we took in all year the first year we did this in the year 2000. We took in \$1,016,550.72, so for the year, we're up \$120,689, we're up about 10% for the year right now on the occupancy and again, we are still continuing to get people signing up. We've been looking as we've had time, we've been going town to town. We've signed up a number of people from St. Armand that you sent. We did a few from Westport. We found some in Moriah that we hadn't had and we sent letters out to them, they are signing up with us now. A lot of the things and I think they are probably correct is that they are saying, we were only doing it through Air B&B so we didn't think we had to and they've been really good about sending it in when we made them aware that yes, you still have to register just so we know you're out there and if you rent on your own or if you go through anybody else you need to pay your own so it's been pretty successful. We are going to continue. We have some more in Westport, we just sent some letters out. I know we just found some in Lewis Jim that we are sending out letters to them, we'll get replies from them. Anybody hears any more from your town or you see something that you think we should be sending a letter out, just let us know. We have a pretty much standard form letter that we send out that we've got good responses from most of the people that we send letters out to; they send in applications right away. Probably we are not going to get a whole lot more money if they've been in Air B&B but at least we're getting them registered.

GILLILLAND: Can we pick up a list for each of the towns of who is registered already so I can just have it at the front desk in the town?

DISKIN: It won't be as complete as it should be because, I say that because a lot of the

registrations that we get in are summer people that register in their home area so they might be registering that they are in Pennsylvania so we are not 100% sure what town they are in when they are sending the money in but we can through that and go back, it will take a little while, we have to go back through that and see what they are registering for to follow through and find out what town they are located in.

GILLILLAND: Okay thanks.

HOLZER: So, in the application process so, don't we have a tax map requirement or a description on that?

DISKIN: We have a location but when we enter it under our data, we haven't been entering the location, we're just entering their name and address so that's why we have to go back through those vacation rentals and that's what we're going to start doing is going back through and find out where they are located. Yeah, when they originally apply it says location of the property but we don't necessarily put that in our data base. We were putting in name, address and so on and the occupancy number that we assign them at that point we weren't putting them in as to where their location is so we have to go back through probably a couple thousand of those applications and find out what town they are in.

HOLZER: That would be extremely useful.

DISKIN: It will take a while to do it but hopefully we will accomplish that.

HOLZER: Right, as we are all enforcing occupancy tax regulations and stuff like that, that helps us.

DISKIN: It's primarily since we have been doing the short term rentals obviously when we were just doing in the early stages of this, we were just doing local people we were asking the short term people to register so back then it was easy because we could just do it by zip code. There were very few of them that came in that were not a zip code that was within Essex County now that we've gone to the short term rentals, we haven't been putting that in our data base so we need to go back and add that to the data base and it's going to take a while to get that data base build up with it if that's what we are going to be doing with them.

DELORIA: Mike wouldn't you think using the tax map number be a perfect solution and then when these applications are filled out there is no guess work involved.

DISKIN: The problem is that most people don't know their tax map number, they know where their property is located and some of them, they don't even put that down, we have to go back and they don't completely fill out the application in other words, they fill out where they are from but they don't necessarily put the location of the property so we have to contact them back and say please, let us know.

DELORIA: I'm sure they have the tax map bill on their properties wouldn't the tax map number be on their tax bill?

DISKIN: It is but when they put the application in they don't necessarily fill that information out.

WOOD: Then you don't give them the permit.

DISKIN: Well, we could do that I guess.

DELORIA: I think moving forward, if they could just –

DISKIN: I guess we would have to go back and do that for everybody maybe going forward we could do that but to go back and send these people all this information, I don't think we would gain a lot from it. We can go back and the applications I have, have on it the location of the property because if they haven't given it to us we contact them and have them give it to us it's just going back, it's generally by town they just say what location they are at, it may say such and such a number in Newcomb or this number in North Hudson or whatever so we would have to go back in the applications that's why I say since we have done the short term rentals, that's when we started seeing an increase in the out of town people register.

MONTY: Mike during Covid there was a lot of purchases made on properties for second homes and possibly third homes that ended up being turned into vacation rentals, is there any way to track that because a lot of them may not have registered claiming they didn't know they had to which I think, you know would it be legal for us to ask them what their purchases were at?

DISKIN: I guess we would have to go back through the County Clerk's information to find out what deeds were filed? I don't know how we would get that information?

MONTY: I'm just thinking because I know two years ago in Westport you could drive through and drive four miles through Westport and there was 26 homes for sale and I think Ike will tell you there's maybe one now and probably half to two-thirds were bought and turned into vacation rentals.

DISKIN: When we went through the Town of Westport about a month ago, maybe three weeks ago we sent out about fifteen letters to people and they were all out of town people, they were all people, prior to that the owners had been local. Ernie's Market is a good example, where the old former market was in Westport that's been turned into two Air B&B units and there's others down on Presbury Point that we sent letters to, some out on the Furnace Road, up near the camps there. There's a lot of them that have been doing that before that they were all local people but if they don't register with us we have no idea if they're using their house for their personal use or renting it out. So I've been going onto it and we've been trying to go onto the Air B&B website you kind of have to do a little CSI on it, to figure out where they are because it doesn't exactly say but you can read it and you can look at the comments and you can find somebody's name and then you can kind of ball park where it is and by going to GIS survey you can look at that and figure out where they are and send letters to them.

MONTY: Yup, that's how I found that first group that I sent to you. I've got another group that I've found because there's not just the Air B&B site, there's ADK by owner, there's like six different groups that they are using to put this information out there so when I get a minute I go on or my clerk will go on and search some of these sites and that's how we are coming up with, Dan told me six months ago I had none and now I know I've got twelve and those have been on there for a while.

DISKIN: We started with Air B&B because obviously it was the big elephant in the room, so to speak but there are other sites that they can be on especially if they are doing it on their own not that ADK by owner and all that.

DELORIA: Mike, at some point if we could get that list for towns that Shaun had referred to? That would be helpful.

DISKIN: Yes, we have to accumulate all that stuff and put it in and figure out what zip code they are on.

WOOD: How many towns have a short term rental law in our county? We do.

DISKIN: You have one on the books now Roy?

HOLZER: Yes.

DISKIN: I know that Keene has been working on one, I think Schroon you're working on one?

WOOD: We have passed it and it's been a long, painful two and a half years or so and then it became even more painful after everybody who didn't come to two or three public hearings all of sudden were livid but it passed in December and with our January tax bills we have a form letter that notified every tax payer there that the law had passed, where they could see the law in three different places in our antiquated website, which is almost redone and that we gave everybody one year to apply for everything and our Code's person has a town member volunteering to put in all the information and of course the tax number is right there so it's painful to pass the law but once it's done you shouldn't need to rely necessarily on the county.

DISKIN: I know that when we first started this short term rental we talked about sending a letter out with every tax payer out there. I think we decided not to do that because it would be probably 90% of them would be a waste of time because they are private homes so we never did send that out but on a town wide base, if town by town they did that –

WOOD: It just went with the tax bill –

DISKIN: If you did that in your own town, if you wanted to do something in your own town just as a county we decided not to do that because you could print out 38,000 or 40,000 parcels, you would need 40,000 letters to send out and you may get 500 people that it really apply to or a 1000 people it applied to it just seemed like an extra expense and I just had some concern your tax collectors might not be too happy about added that extra stuff into their envelopes so we didn't send it out.

WINEMILLER: I actually have a question on sales tax. So, when it's broken down and given, partial out to the counties is it based on just what was sold in that town?

SCOZZAFAVA: No, no, no.

DISKIN: When we distribute sales tax to the towns for your share it's done based on 50% on your assessment and that changes every year. We get that information from Real Property updated every year what your total assessment is and what your percentage of the total county is, let's say you have 5% of the total of the county, that's how we allocate it out. The rest of it is based on population and we just adjusted that this year based on the new census figures, we only change that obviously every ten years when we get a new census report but it's based, 50% of your money is based on your assessment, 50% on your population not based on where it is

generated from. If it was a lot of your towns would probably get a lot less than what they are getting.

WINEMILLER: Sure and what about the short term rentals, the tax on that? Is that broken out by how many units?

DISKIN: No the way the money comes from the occupancy we give 95% to ROOST, 5% is retained by the county. We don't break it down by towns of where it comes from so we don't allocate out based on how much we get from your town.

WINEMILLER: Okay

DISKIN: No ROOST would be the one that would say how much you allocate out to your towns.

WINEMILLER: Right, we have that agreement with them so, I guess I was just curious because of we have a Dollar General in St. Armand and part of St. Armand is also in the Village of Saranac Lake which is in Franklin County.

DISKIN: We don't allocate sales tax out based on what is generated by your town, no way really of finding that out for instance with Dollar General that's a good example and Stewarts is another one when you have multiple locations in the county, they only report their sales tax under one name and one place so we wouldn't know how much is generated from St. Armand vs. another Dollar General in another town and the Stewarts shops, sales tax all comes in from Stewarts out of Saratoga Springs and we don't know what shop it came from so we wouldn't have any way to figure out how to do that and Tops has multiple locations in the County.

WINEMILLER: Thank you.

SCOZZAFAVA: Okay anything else for Mike?

DISKIN: No but I do have a couple things on the sales tax and I don't know if you were considering this or talking about it but just with your motor fuel sales taxes, just so you're aware that if you opt to do something, if you are going to do something you are going to need to do it before the end of the quarter to get it in of the month of the quarter so it will be have to be done and brought in and put in place by June 1st if not, you are probably going to have to wait until August 1st, you just have to get it in on the quarter.

HOLZER: Mike, just to give you a heads up, I don't know if the majority of the board will support it or not but I definitely plan on introducing a 90-day moratorium consistent with the resolution we made last month urging the State of New York to do it. my logic is I was thinking more of an October, November, December type scenario so we could see what our actual sales tax collection is over the summer to make sure that we're either at or above our sales tax collections are before we commit but I'm definitely planning on this summer some time introducing it whether it gets passed or not.

DISKIN: You would probably have to get that done by August so it would hit the September quarter.

PALMER: Yeah, it's got to be done a month early.

DISKIN: It has to be done on a quarterly basis you can't and with your legislation there's a couple of things to do, once you pass the legislation it's either in place permanently until it's rescinded or you can put a sunset date in it, so you can put a sunset date in it as well saying this is only valid until this time which the State did I believe when they put theirs in that it sunset at the end of December. When you do it's based on a, you pick out a sales tax based on a \$2.00, \$3.00, \$4.00 charge you're either going to charge eight cents, twelve cents, sixteen cents based on our 4% sales tax it's a flat rate as you go per gallon for taxes, it's 4% on your entire amount. It's kind of hard to predict how much you are going to lose or gain by that because if you don't have the gallon age but now you do have charts showing how much we've gotten for sales tax over the last few years but prices are so inflated and go up and down so much it's really hard to predict what that loss would be for sales tax.

SCOZZAFAVA: Are retailers, is there a ceiling on what they can charge for a gallon of gas or is that pretty much?

DISKIN: It's pretty much market because obviously they have Federal, State and Local taxes to put on but other than that I think they can mark it up the way they want.

SCOZZAFAVA: One of the things that I see like if you drop the sales tax at the county level, you're still going to see, if you go to Ticonderoga it's usually anywhere from five to ten cents cheaper at Stewarts than it is in Moriah, in Port Henry and that fluctuates all over the county so that's what they are basing it on.

DISKIN: One of the things to think about is and there was a report that was done by the Comptroller in Albany County back in I think, 2006, he's no longer there but I remember seeing it. At the time there was talk about doing that and they looked at the Rensselaer County prices vs. the Albany County prices and his opinion at that time and I think rightfully so is that if you lower your sales tax, your retailer is probably going to up their price of the product.

SCOZZAFAVA: That's one of the concerns.

DISKIN: It's hard to say that because how do you prove that your retailers are just bumping up their profit margin because if you take out three cents a gallon or five cents a gallon whatever it says by going to that method the retailer has the option of bumping that up and getting a little bit higher return for their money and you don't really know that because it's hard to tell what their price is, they don't have a breakdown of what their retail is, there's no cap on what they can do with it. In a way, it's an opportunity for those retailers to make some extra money if they see this happen.

PALMER: I wouldn't recommend that you do that only because you know sales tax is what we kind of live off of what we survive around here on and honestly, our costs are just going up everywhere. You just saw it this morning a \$217,000 truck is now \$270,000, well I've got to pay for that, I've got to pay for it out of sales tax and it's everything. A case of paper is three times now, if we can get it and all of our expenses are that way electric, gas everything we're doing, diesel fuel everything is way up over what it was and to cover those costs I have to take that out of unreserved fund balance which is our sales tax is maintain that so again, whether it's the right thing to do or how it works out on a retail basis I just know that our expenses, the only way to preserve our fund balance and to maintain a stable tax rate is by making sure we take good care of that sales tax that is coming I guess.

DISKIN: I also think there is a number of programs that are coming down that we are going to have to pay for that we weren't aware of probably when we budgeted. When you write a budget back in September or October you think here's what the prices are and then all of a sudden when it comes to April now the prices are much more than what you thought they were going to be. We are fortunate that we are gaining almost a million and a half in sales tax over the course of three months.

HOLZER: Just one finally thought, I certainly think we need to take a look at the retailer's aspect of this but in the end, I think as proposed doing it at the end of the year is a very small amount that we could do for our work force in this county that's why I chose November/December. I think when you look at the numbers it's not going to affect any of the extra expense of the county we are looking at because costs of those going up so regardless, I can assure you from my standpoint we will be revisiting this.

DISKIN: If the retailers don't bump the price.

HOLZER: That's right. It is certainly a good point that needs to be discussed.

DISKIN: That's what they found in the past when they tried to do, some of these counties.

HOLZER: Well, I know in the Governor's proposals I believe she was trying to put an actual cap on the dollar amount that retailers, I'm not sure where it went but there was discussion of that.

GILLILLAND: Right now the petroleum market, the national petroleum market is so volatile you know and we don't know which way it's going to go. You know one the dangers from doing that, from an economic point of view is we officially lower the price then it's going to increase assumption so you know, right now the supply is not changing one little bit increase assumption is just going to exasperate the rise in prices because it is supply and demand. You know my recommendation is we wait a little bit and see how this looks you know, a lot of the consumers in the country right now are not changing their behavior with the prices right now. I mean they are, gas consumption, gas and motor fuels are still extremely high and I think we just need a little bit of time this summer to see where the market is going and how it's going to affect us.

SCOZZAFAVA: Okay. I have one – the tax sale foreclosures? Where are we on that?

DISKIN: Last I was aware of; I know Dan could probably bring you up to date a little bit more there was in fact there was a lot of restrictions put on what we could do once we came out of this thing in January one of them was to have these conferences. The County Attorney has been in touch with Judge Meyer or will be in touch with him to find out exactly how the Judge wants to handle those you know, what method because we want to make sure when we do it we do it the correct way, we don't want to go out and send information to somebody and it's wrong saying no, this isn't what you should be doing so we're waiting for a confirmation from him on how we want to handle these conferences, how long we are allowed to give them because there was no real direction on there if you give them five days, or you give them ten days, you give them a month to reply to this. What is the conference for? What reasons can they use and so on and so forth. I know that Mr. Manning has been in touch with Judge Meyer about that. We're just waiting on that and then we'll do the conferences, once they are done we're ready to go with it. We're ready to send out the 2019's. The question is sending out the 2019's are we required to send in a notice that they have a conference at that time or do we wait and do the conference at the end after the redemption period is over because if we do the conferences at the beginning you are probably

going to get a lot of people that are going to come in.

SCOZZAFAVA: So what is the point of the conference? Are we going to have to offer an option if you are behind four years?

DISKIN: I don't know yet.

PALMER: Well, again the purpose of the original language, the purpose of the conference was and honestly it was more related to at least my view, it was more related to individual mortgages so no bank or mortgage company could start a foreclosure proceeding without there being a pretrial conference with the Judge and the parties prior to the foreclosure proceedings starting. Somehow the language really didn't get clarified as it relates to tax sale properties so the language is still in there that says before you can start a foreclosure you have to have a pretrial conference with the Judge and the parties essentially just to figure out where you are I guess but by not clarifying that what they essentially did is put that language requirement on all of the foreclosure properties that municipalities do that counties do so Dan sent a letter directly to Judge Meyer asking him specifically how he wanted to address that conference requirement.

DISKIN: The other question is going to be and this is something I would probably ask the board; do we want to do a public auction in person or do we want to do it online because of Covid issues still continuing? Lot of counties have turned to online options and they were very successful with them. They are strictly all done online, they can be done live online or they can be done over a period of time like we do with our surplus where you put items out there and you give them a period of two weeks, three weeks to bid on it and it's continuous bidding, you put a bid in and then you go back and check on it later if somebody has increased it you can increase the bid, you can put in a max bid which means you say I'll go up as high as \$10,000 and if that price goes over it the company notifies you and asks if you want to up your max bid again so you don't have to keep going back in and checking on it, they automatically put your bid in up until your bid limit so there's a lot of different ways you can do this and you don't have to have a personal –

SCOZZAFAVA: Can we still ban people from bidding?

DISKIN: Yes, we could do that certainly with online options. The questions have been, some of the restrictions that were put in with this foreclosure stuff also included the fact that they had to follow the Covid requirements of people and the State has put on things like wearing masks, socially distancing and that makes it a little more difficult to have these public auctions.

SCOZZAFAVA: I have no objection to it being online.

DISKIN: Yeah, the counties that have run online auctions have been successful with those but people today are very in tuned to that. Some of the issues that happened in some of the rural counties and this may happen in Essex County so you may want to keep in this mind, not everybody has real good connections for Internet so if they live locally they may not be able to participate in an online auction if it's a live bid or even online for a period for time.

SCOZZAFAVA: Can you submit a reserve? Say, I don't have great Internet service or I'm not going to be able to get online during the day of the auction can I submit a sealed bid?

DISKIN: Yeah, you definitely could probably do that but once somebody goes over that it's no good.

SCOZZAFAVA: No, I understand that yes.

DISKIN: And like I said, some people, some options they do that with what they call a max bid where you say, I want to bid on this property in such and such a town, this location, I'm willing to go up to \$10,000, I'll start my bidding at \$1,000 but I'll go up to \$10,000 if someone goes in for a second offer for \$1500, they go back, put your bid back in for \$1600 until you get to that \$10,000 limit then they contact you and say you've reached your max bid, it's still higher do you want to increase your max bid so there are different ways of doing it online as well. Some are planning on going, the Treasurers I have talked to some are planning on going back to a live auction, the majority are doing them online.

SCOZZAFAVA: We are months away from it, it sounds like anyway.

DISKIN: Well, it depends on how many people want these conferences, how long we give them to do it and what reasons they've used. I think the reasons are going to be very limited they are not going to be able to say, sorry I just need more time to pay. I mean, how much more time do they need? I don't think they are going to hang onto that. I really think it is going to be you need the proper notification.

SCOZZAFAVA: I'm curious to what leeway does a Judge have if they have a conference and somebody is back four years and you have some people Mike, you know the one I am aware of that doesn't pay property taxes in ten years and repurchased the property at the last auction and that is just wrong.

DISKIN: I'm not sure how the Judges are going to look at these and what they will accept as reason to pull these people out and not give them more time or not I just don't have the criteria.

SCOZZAFAVA: And how many are out there that is not even Covid related as an excuse?

DISKIN: I'm hoping that the Office of Court Administration has maybe given them some guidelines, I don't know that or the reasons they can use. Maybe Mr. Manning has more information.

SCOZZAFAVA: It's just wrong when the people that are out there paying their taxes have to subsidize all these deadbeats but anyway. Alright, anything else for Mike? If not, Dan.

PALMER: I just had a couple resolutions. I got notified late on Friday that the Sheriff's bargaining unit ratified the contract that we had in, I had sent you the tentative agreement. I did put a resolution on your desks if you were willing to consider moving that resolution to ratify and approve that contract with the Sheriffs. It would be starting this year after ratification through December 31, 2025.

SCOZZAFAVA: Someone want to move that?

HOLZER: Well, I can't move it but I can tell you I do support the contract.

RESOLUTION APPROVING AND RATIFYING THE CONTRACT WITH THE ESSEX COUNTY SHERIFF'S UNIT 6800-01 CHAPTER OF THE CIVIL SERVICE EMPLOYEES' ASSOCIATION, INC. (CSEA) SUCH CONTRACT SHALL BE EFFECTIVE AS THE DATE OF THE SUCCESSFUL RATIFICATION OF THE PROPOSED TENTATIVE AGREEMENT BY BOTH

PARTIES. THE RATIFICATION OF THIS AGREEMENT SHALL SUPERSEDE THE PREVIOUSLY AGREED UPON SHERIFF'S UNIT CONTRACT LANGUAGE ADOPTED BY THE PARTIES IN DECEMBER OF CALENDAR YEAR 2021. IF EITHER PARTY FAILS TO ACHIEVE A SUCCESSFUL RATIFICATION, THE ALL TERMS AND CONDITIONS OF THE CONTRACT RATIFIED IN DECEMBER OF 2021 SHALL REMAIN IN FULL FORCE AND EFFECT UNTIL MIDNIGHT DECEMBER 31, 2022. Wilson, Barber

SCOZZAFAVA: Okay, discussion Roy?

HOLZER: Sorry, I'm not on your committee Tom but I do support the contract.

SCOZZAFAVA: Any further discussion? Dan, anything you want to add?

PALMER: Again, I think you know one of the big things was obviously that we did agree to the 20-year requirement for the Deputy portion of it which we will have to pay the back contribution amounts when you change from one Tier level 25-year to the 20 you have to make up the employees back numbers that was almost \$600,000 I think by the time we're done but you know my recommendation in that case and I will have a resolution ready for you is that we pay for that out of unreserved, unallocated fund balance again, those are one-time expenses that typically I would recommend you make those payments out of there. The Deputies took in recognition of that change to the 20-year retirement that the Deputies took 2%, 2%, 2% and then 1 ½ % in terms of raise. The Correction Unit which are not eligible for 20-year retirement were set at 4%, four increases again, part of the negotiating committee's thoughts are thinking on the retirement which was obviously the big issue during negotiations. We are essentially the only county around that does not have a 20-year, Clinton, Franklin, Warren and Washington I think were all 20-year plans so that's for recruitment and retention that was the logic behind moving to that 20-year plan. Other than that I think, we did raise the longevity payments on the consistently \$200 for each step there are some other items in there that were identified I think on that paperwork I gave you. One of the things is you know, is the premium enhancement for the health insurance, we increased from, we allow people to sell back five days of time at it was at \$900 we moved it to \$1000, I think that's the major items that we agreed to. I don't know if negotiating committee has any other comments or not?

SCOZZAFAVA: Okay there is a motion and a second any further discussion? If not, all in favor, opposed – so carried. Anything else Dan?

PALMER: Yeah, I have one other resolution. I just need to get a resolution to increase our petty cash fund in the mail room for postage, at the post office from \$50.00 to \$1,000.00. We get a lot of, it's really driven by Board of Elections we have to pay for a considerable amount of postage and we had that cash fund there but \$50.00 doesn't nearly cover it. They just had to transfer \$3,000 in a short time ago so we would like to increase that \$50.00 to \$1,000.00, the other postage area that we are going to run into in terms of Board of Elections is under the new State budget, when we send out absentee ballots now we are required to put in postage paid return envelopes so our postage is going up in the Board of Elections it's just the reality of what is being required.

RESOLUTION AUTHORIZING AN INCREASE OF THE MAIL ROOM PETTY CASH ACCOUNT FROM \$50.00 TO \$1,000.00, TO COVER THE EXPENSE OF POSTAGE FOR THE BOARD OF ELECTIONS. DeZalia, Merrihew

SCOZZAFAVA: Discussion?

HUGHES: The price of stamps are going up to 60 cents too but I don't know if you use stamps or not?

PALMER: Yeah, we have the stamping machine so we get a little better rate, not a whole lot.

SCOZZAFAVA: All in favor, opposed – carried. The only thing I want which is more informational is that the Town of Moriah, town board we declared May 2nd Raymond “Buzzy” Wright Day. Raymond Wright was the Congressional Medal of Honor recipient for his actions in Vietnam and May 2nd is the actual day that he was in combat where he received that medal for his service so anyway, just an informational item.

MERRIHEW: Yes, Tom and I have talked about this off and on for the last couple of months and as Supervisor of Veterans Office I would like the board to consider a countywide consideration of Raymond “Buzzy” Wright Day would be nice to coincide. As far as my research can show, he is the only true Medal of Honor winner that I've been able to find so I was just thinking it is such an outstanding consideration and I think it's a worthy acknowledgment of an individual and in trying to get young people motivated, I think that's a good motivator.

SCOZZAFAVA: Thank you and May 2nd is on a Monday.

PALMER: So, are you moving that?

MERRIHEW: I will offer that as a resolution, yes that we adopt May 2nd because we determined it would always be on a Monday, I believe.

RESOLUTION PROCLAIMING MAY 2, 2022, AS RAYMOND “BUZZY” WRIGHT DAY IN ESSEX COUNTY. Merrihew, Scozzafava

SCOZZAFAVA: Anything further?

BARBER: I would like to pass a resolution of condolences to Richard Garcia who passed away in Florida on April 6, unexpectedly as Richard was a retired State Trooper of 30 years upon retiring from the New York State Police he worked for the Essex County Court System for six years. Richard was a volunteer fireman in Keeseville in 1970. Richard was an active member of the Keeseville Youth Commission and served as Chairman for several decades as Richard served as Chairman of the Board of the BAR for the Town of Chesterfield from 1991 – 2021. Richard was a dear friend, an outstanding community member and he'll be deeply missed.

SCOZZAFAVA: Yeah, I saw that he had passed away and I know he was a good man. I took the State Police exam twice and he was always there and he kept telling me give it up but anyway, he was a great guy.

RESOLUTION OF CONDOLENCE TO THE FAMILY OF RICHARD GARCIA. Barber, unanimous

GILLILLAND: Yes, for the May 2nd Monday, Noel maybe the Veteran's office can come up with the actual Medal of Honor citation that is written up that we can read in public?

MERRIHEW: That's a great idea. I'll talk to Tim about it.

HUGHES: Mr. Chairman, I'd like to request a motion of support for a letter of interest to be submitted to the Northern Border Regional Commission for seeking funding for broadband expansion in Essex County.

RESOLUTION IN SUPPORT OF A LETTER OF INTEREST TO BE SUBMITTED TO THE NORTHERN BORDER REGIONAL COMMISSION SEEKING FUNDING FOR BROADBAND EXPANSION IN ESSEX COUNTY. Hughes, unanimous

SCOZZAFAVA: Anything further to come before Finance? Okay we stand adjourned.

As there was no further discussion to come before this Finance Committee it was adjourned at 11:23 a.m.

Respectfully submitted,

Judith Garrison, Clerk
Board of Supervisors