FINANCE AND RULES COMMITTEE MEETING  
September 17, 2019

Present: Legislators Bryan Moser, Ron Burns, John Lehman, Tom Osborne, Richard Chartrand and Chairman Larry Dolhof.

Others Present: Legislators Greg Kulzer, Randy LaChausse, Jerry King and Andrea Moroughan, County Manager Ryan Piche, County Attorney Joan McNichol, Human Resources Director Caitlyn Smith, IT Director Adam Zehr, Treasurer Patty O’Brien, Real Property Director Candy Akin, and reporter Nick Altmire.

Committee Chairman Bryan Moser called the meeting to order at 4:03 p.m.

Legislator Burns made a motion to accept the minutes of the August 20, 2019 meeting as recorded, seconded by Legislator Osborne. Motion carried.

**Bed Tax Local Law changes – Joan McNichol (attached)**
The Bed Tax Local Law was brought forward in August 2004 from State Legislation which stated “…The county of Lewis is hereby authorized and empowered to adopt and amend local laws imposing in such county a tax…upon persons occupying hotel or motel rooms in such county. For purposes of this section the term hotel or motel shall mean and include any facility providing lodging on an overnight basis…” This Local Law was adopted on November 3, 2004 and since that time it has become apparent that there are many homes/camps that are being rented out on a weekly basis across the county that are not currently encompassed by this law. Joan has worked with surrounding counties to create wording that will now include those markets.

There are many online companies that are used to market these “rental” properties such as Airbnb which offers a program to collect the bed tax and forward it on to the county. The process is that the owner of the property being rented out on a short term basis would need to register with the County Treasurer’s office, send in a quarterly report along with the 5% tax payment. The Treasurer has considerable powers to administer and enforce under the Local Law including power of subpoena, and issuance of warrants. Legislator Kulzer inquired about the current status of delinquent bed tax payers, Patty responded that there was only one. Legislator Dolhof stated that Brantingham has a huge market for camps rented out on a weekly basis which if included in the Law could have the potential of creating quite a bit of additional revenue.

Legislator Moser asked how you would be able to police the additional establishments being encompassed and Patty responded that it would be more or less word of mouth and the buy in from the residents. Joan suggested that a letter be sent out letting residents know that they need to register, which is how the process is currently handled. Legislator Lehman voiced his displeasure by asking “When does it end?” referring to people being taxed on everything. It was pointed out that some of the current owners of motels and hotels don’t think it is fair that they have to pay the bed tax when owners of camps/homes that are being rented out on a short term basis don’t. Legislator Dolhof expressed that this is just making it fair across the board for everyone. The owners will likely just pass the charge on to the people who are renting out the camp/property.
Capital Project Accounts – Patty O’Brien

There was $300,000 raised through taxes last year that was for capital projects but has not been allocated yet. If it isn’t allocated it will remain in the General Fund and could be used for things like the IGT payments. Ryan explained that there are several Capital Fund accounts for various County projects or future projects. The $300,000 can be allocated to an existing account or Legislators can create a new account for it. In response to Legislator Osborne it was clarified that the money can be split up into multiple accounts. If the money is put into a new account it would need to specify what it can be used for due to auditing regulations.

Legislator Kulzer stated the money was raised for county buildings. The current Building & Grounds Capital Fund can be used for projects like the re-pointed of the brick on the courthouse. Patty suggested the creation of an account called “Future Building Projects” which would be vague enough to be used on any building. Legislator Moser felt that something should be done so the money doesn’t stay in the General Fund. Ryan feels that there are too many Capital Accounts and would like to see maybe one General Capital Account and then as projects come up to reallocate the money into a separate project accounts. Legislator Kulzer disagreed and referred to the old school way of having everything in separate accounts to which Legislator Moser agreed. Having several accounts lets future board know what the vision of past boards were.

Legislator Osborne made a motion to allocate the $300,000 in the DSS Bldg. Account for any construction or repairs that need to be made in reference to DSS, seconded by Legislator Burns. Legislator Chartrand stated that if the 911 account was closing there would be a total of $410,027.94 to allocate. Further discussion on whether the Highway Garage Account should get the money to repair the windows and make the building more energy efficient would be a better fit. The estimate to repair/upgrade the exterior and roof of the Highway Garage came in at $360,000. It was then suggested to create a new account called “Capital Building Account” to hold the money.

Legislator Osborne made a motion to amend his previous motion to create a “Capital Building Account” to allocate the $410,027.94 in to, seconded by Legislator Burns. Motion carried.

In response to Legislator Chartrand, Patty stated that Legislator King had referred to Windmill money to fund the New County Building project and that the $800,000 had already been allocated in 2019 but there would be another $800,000 in 2020.

2020 Budget Personnel Requests – Ryan Piche

1. County Clerk requests – Replace FT Sr. Keyboard Specialist (due to expected promotion) with a PT Floater for Clerk and DMV. Ryan doesn’t recommend that, instead he recommends keeping the FT position and if possible (HR Director Caitlyn Smith will look into this) split the time ½ at DMV and ½ at Clerk’s Office. To justify this he would like to see the Clerk’s Office take over processing the Trail permits. The Chamber of Commerce doesn’t really want to do this anymore and therefore it would save the county $10,000 which could go to the Clerk’s Office to help offset this position. The Committee members agreed with Ryan’s idea and doesn’t recommend the Clerks’ request.

2. District Attorney requests – Create First Assistance District Attorney, upgrade Confidential Secretary to Paralegal, and Create Clerk position. Ryan only recommends creating a FT
Assistant District Attorney position which, down the road after both ADA’s have proved themselves, would turn into the First Assistant District Attorney. There was clarification for the Legislators that currently there is a District Attorney, a FT Assistant District Attorney (position is vacant), and a PT Assistant District Attorney (this position will be eliminated at the end of the year). Leanne has suggested to Ryan that she implement a VTL system online so there won’t be as many court appearance for traffic tickets. The Committee members agreed with Ryan’s recommendation to Create a FT ADA position but does not recommend any of the other requests from the District Attorney.

3. Emergency Management requests - upgrade Emergency Management Assistant to Deputy Director. Ryan doesn’t recommend this. Ryan understands that in the case of a true Catastrophic emergency there would need to be someone certified in charge for 36 hours straight, and Robert Mackenzie can really only be awake for so many hours. Ryan believes that in this type of a situation there would be assistance from State personnel. The Committee does not recommend the request of the Emergency Management Director.

4. Highway requests – upgrade two MEO positions to HEO positions. Ryan believes there could be some benefit to the Highway department however at this point it isn’t necessary. Ryan does not recommend this and the Committee does not recommend the request of the Highway Department.

5. Information Technology request – Create a FT Computer Assistant. Ryan strongly believes that IT is a department that will continue to expand over the years. In the last few years they have taken on more systems and upgrades without additional staff. This position would be crucial in keeping up with website changes and training on system upgrades. The Committee members agreed with Ryan’s recommendation to Create a FT Computer Assistant position.

6. Recreation/Trails/Forestry/Parks requests – upgrade Crew Leader from PT to FT. Ryan recommends this because the county has over 6,000 acres of Forest Land and feels that by having a FT Crew Leader more time could be used to increase that revenue line. Jackie spoke up and explained that there are many things this person could help with over the winter months like Grant programs, working on the app, filing, upgrading signage, etc. Legislator Kulzer feels that the person should have a background and experience in Forestry. Jackie feels it is more important for the person to have a CDL to be able to operate the equipment and if necessary help with some of her responsibilities so she can devote more of her time and Forestry knowledge where it is needed. The Committee agreed with Ryan’s recommendation to upgrade the PT crew Leader to FT.

7. Sheriff (Road Patrol) requests – Creating two FT Deputy Positions. The purpose of this is to train two new deputies before there are any retirements so they won’t be short staffed. Ryan does not recommend this and the Committee does not recommend the Sheriff’s request.

The following dockets were read and approved:

1. Resolution to adopt Local Law No. 5-2019 entitled, “A LOCAL LAW TO AUTHORIZE OVERRIDING THE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW § 3-C (A/K/A/ 2% TAX CAP) FOR THE LEWIS COUNTY 2020 BUDGET.”

2. Resolution to set public hearing on November 5, 2019, from 5:00 p.m. to 5:30 p.m., for LOCAL LAW Intro. No. 5-2019 IMPOSING A TAX ON OCCUPANTS OF HOTEL OR MOTEL ROOMS IN LEWIS COUNTY.” Discussion followed. Legislator Kulzer and
Lehman did not like the wording that would be in the public notice as it is not portraying the true amendment of the Local Law. Joan McNichol will adjust the wording on the notice so it is clear to the public.

3. Resolution to amend the Standing Rules of the Board of Legislators to Amend Rule VIII GENERAL PROVISIONS: Subsection “Committees” to amend Section 1. (d) to delete the word “Only” for the section to read “Those resolutions receiving a majority vote of the committee shall be forwarded for action by the full Board at the next scheduled Board meeting”; AND Subsection entitled “Committee Rules for Legislators”, Number 2. Shall be amended to read “Any Legislator may bring any jurisdictional issue directly to the Board of Legislators with either a positive or negative recommendation”. That the Standing Rules of the Board of Legislators so amended shall take effect October 2, 2019.

4. Resolution authorizing transfers from Special Legislative Contingency to Fire & Emergency Department Expense for allocations to the various Fire Departments in the County, and to the Lowville Food Pantry in the total amount of $28,000.

5. Resolution to approve and adopt the attached Lewis County Information Technology (“IT”) Breach and Incident Response Policy as presented to the Board of Legislators by the Director of Information Technology.

6. Resolution approving contract with Systems East, Inc. to provide software support, maintenance services, cloud hosting and web hosting services for the Treasurer’s tax collection system for the period of January 1, 2020 through December 31, 2020, at a cost not to exceed $8,064.

7. Resolution to transfer funds in the Sealer of Weights & Measures, Social Services, Office For Aging and Highway Department accounts for vehicles lease payments, utilizing Capital Equipment Funds in the total amount of $46,368.30.

8. Resolution amending Compensation Plan of the County of Lewis with reference to Public Health Department to ABOLISH an Account Clerk Typist, Permanent Full-Time, Grade 16 ($16.94-$18.30/hr.) and CREATE a Senior Account Clerk, Permanent Full-Time, Grade 19 ($18.15-$19.62/hr.).

9. Resolution to transfer Contingency funds into the Sheriff’s Department account to cover an emergency purchase of a new oven for cooking inmate meals. Sheriff Carpinelli recommends approving the lowest of three obtained vendor quotes at an amount of $10,000. Legislator Chartrand questioned the price as he feels it is really high and would like to see more information on the actual oven. Ryan stated that the price also included a new hood. In response to Legislator Moser, Ryan explained that the Sheriff met with Enterprise and for their allotted $90,000 a year they could lease 5 vehicles on a 2-3 year cycle creating a much newer fleet of vehicles.

The motion that was made regarding personnel at the Health & Human Services Committee was read as “Legislator Kulzer made a motion to authorize Commissioner Jennifer Jones to refill an Employment & Training Specialist due to retirement and the associated backfill position this creates, seconded by Legislator Lehman. Motion carried.”

Real Property Director Candy Akin spoke up asking the Committee if they had read her report and if they wanted to make any adjustments to the Exemption Chart. There were no adjustments at this time.
Legislator Osborne made a motion to adjourn the meeting at 5:32 p.m., seconded by Legislator Burns. Motion carried.

Respectfully submitted,
Cassandra Moser, Deputy Clerk to the Board of Legislators
Encl.