

**Finance Committee Meeting
September 11, 2024**

Attendees

Committee: Art Merrill, Wayne Marshfield, George Haynes, John Kosier, Joe Cetta,
Eric Wilson, Tina Molé
Absent: Wayland Gladstone
Staff: Beverly Shields, Penny Bishop, Schuyler Kinneman, Amy Merklen
Supervisor: Maya Boukai

Mr. Merrill called the meeting to order at 10:30 a.m.

On a motion by Mr. Marshfield, seconded by Mr. Wilson, the August 28 committee meeting minutes of the were unanimously approved.

Regarding the traffic diversion program, Mr. Cetta stated that the Public Safety Committee would have Finance determine how much the service fee would be to participate in the program, as well as determine the percentage amount to be distributed to municipalities having original jurisdiction of the traffic infraction(s) and what percentage, if any, would be retained by the County.

The September 9 Sales Tax report was reviewed. The report indicates a decrease of 3.4847% down nearly \$700,000 relative to last year. It's not a trend they like but knew it probably would go down because it had gone up dramatically over the past few years. The consensus is that the county is still okay relative to the budget.

Board of Elections had approached the security firm that provides building security and requested security coverage for early voting, which will be October 26 through November 3. Ms. Molé recalled a previous discussion whereby it was decided that law enforcement would patrol polling sites periodically. Mr. Merrill stated that if election law changes and requirements are mandated, the State should fund those changes. Mr. Cetta questioned if there would be an intimidation factor if law enforcement were stationed at polling sites. Mr. Marshfield asked what is the difference between county and town voting sites? The towns do not have security for elections. He questioned how many votes are cast during early voting? Ms. Molé said she believes there are approximately 300 ballots for early voting. Mr. Merrill stated the request for security should be presented to Finance as a recommendation from the Legislative Committee.

The Clerk distributed a number of budget worksheets for review and committee approval.

Treasurer's Office – Beverly Shields

Mrs. Shields said she received a request from someone who was interested in purchasing a property in Sidney that had been through a flood. She has been working with Lambrecht Auction to do an online auction of properties that did not receive any bid at the last foreclosure auction. She indicated the house on the property was very rough and required significant

structural repairs due to a severely compromised foundation. She stated that in order to sell a property outright, it must have gone through three auctions. Otherwise, there must be justification with an appraisal to indicate the sale price is at fair market value, and the sale must be approved by the judge. She has asked for a contract from the County Attorney's Office to work with Dale Lambrecht on conducting an online auction for eight properties.

Mr. Haynes made a motion to approve working with Lambrecht Auction, Inc. to conduct an online auction to sell properties that received no bids at the last foreclosure sale. The motion was seconded by Mr. Cetta and unanimously approved.

Assistant District Attorney Schuyler Kinneman provided a proposed resolution for the traffic diversion program for Finance Committee review and approval. He stated the District Attorney's Office would administer all non-financial aspects of the program. His office would monitor who applies and decide who is accepted into the program. The County Treasurer is included as part of the resolution for accepting all financial payments from individuals who are deemed eligible for the diversion program. The service charge being proposed is \$250. The resolution includes a clause that the DA shall have the authority to waive all or part of the service charge in the instance an individual's demonstrated financial hardship. Such requests will require proof of income and a signed affidavit. Up for discussion was the decision of what percentage of the fees would be kept by the County Treasurer in the General Fund and what percentage would be returned to the original jurisdiction. The final clause of the resolution states the County Treasurer shall periodically review the comprehensive costs of the program to ensure the service charge reasonably reflects the costs associated with conducting the program. He noted the DA's preference is that municipalities receive the majority or a larger portion of the fees. Their office will be replacing the write in/mail process slowly as the diversion pilot program comes out which would eventually take its place entirely. His office wants to be sure the towns get those revenues. ADA Kinneman reported that some town judges have expressed skepticism for the program. He stated the Delhi Town Board voted to join the pilot program and the program will be implemented at the Delhi Town Court. In reply to Mr. Marshfield, ADA Kinneman said this is a voluntary program and towns are not required to use it. He explained that individual judges would be able to ask that particular offenses not be eligible for traffic diversion in their town, and the program would not completely take away the work from the courts. He noted that some courts such as Bovina have very few traffic offenses and it may not make sense to join the program. He explained that people will always have the choice to come to court and speak with the judge face to face. He stated the program is very convenient and presents opportunities that the current program does not. In response to Mr. Merrill, ADA Kinneman agreed the program would lighten the case load at the DA's Office. He emphasized the benefit of the program being offered in 70 languages to accommodate the diverse population in the county. They anticipate that a lot of out-of-county offenders would use the program to avoid having to come back to the local court. In reply to Mr. Cetta stating that the county does not currently receive any revenue from municipal court proceedings, ADA Kinneman conveyed that the Public Safety Committee would like to see a portion of the diversion program remain with the county as a resource for public safety. Mr. Wilson noted the revenue to village municipalities may help alleviate some of their financial burden as presented

with their request to share sales tax revenue. Mr. Marshfield agreed the higher percentage going to the villages and towns would help. Mr. Merrill said he would not want to see his town court's revenue decrease under the program. ADA Kinneman explained that one of the benefits of the program is that offenders must pay fees up front to participate in the program. Under the current system, courts have many accounts but do not necessarily receive the cash.

In reply to Mr. Marshfield, County Attorney Merklen confirmed that the percentages of disbursements could be amended in the future by Board resolution. In response to Mr. Cetta, ADA Kinneman stated the lower percentage would not go to the DA's Office. They are hopeful that the portion kept by the county would be utilized across the agencies that are involved in public safety, such as the Sheriff's Office and that the local villages would also share the revenue with their local public safety agencies. He remarked that Tioga County was able to hire an attorney who was assigned strictly to vehicular crimes leaving other ADAs to concentrate on other caseloads. Mr. Cetta agreed that a percentage to the county would benefit the entire county.

Mr. Wilson made a motion that the percentage amount disbursed to municipalities of original jurisdiction be 80% with the percentage retained by the County to be 20%. The motion was seconded by Mr. Marshfield and approved by a vote of five ayes to one opposed (Haynes) with one absent (Gladstone).

County Attorney Amy Merklen presented the 2025 CA budget for Finance Committee review.

Upon a motion by Mr. Marshfield, seconded by Mr. Kosier and unanimously carried, the Committee entered executive session to discuss the salary of a particular employee.

Committee reconvened in regular session.

Mr. Merrill stated a draft budget would not be ready by September 19 and cancelled the budget oversight committee meeting scheduled for that day.

The Clerk conveyed a question that was brought to her by Board of Elections regarding the purchase of new voting machines. BOE plans to purchase 32 new voting machines right after the November election and asked if the cost of approximately \$688,000 needed to be put in the 2025 Budget? Mr. Merrill noted the purchase of the machines came up last year but was postponed to this year in anticipation that the Board of Elections would be requesting grant funds to help cover the cost. Unfortunately, the department only received one small grant.

Mr. Wilson made a motion to transfer funds from contingency to pay for new voting machines in 2024. The motion was seconded by Mr. Haynes and unanimously approved.

Travel, equipment, and fill vacancy requests were approved as presented.

Upon a motion the meeting adjourned at 12:40 p.m.