

**WAYS & MEANS COMMITTEE**  
**February 21, 2018**

ALLEGANY COUNTY  
BOARD OF LEGISLATORS

**Committee Members Present:** P. Stockin, P. Curran, D. Decker, S. Havey, D. Healy, J. Hopkins, D. Root, C. Crandall (Absent: D. Fanton)

**Others Present:** L. Ballengee, G. Barnes, H. Bedow, T. Boyde, B. Budinger, J. Budinger, J. Burdick, W. Dibble, B. Harris, K. Hollis, R. Hollis, J. Isaman, B. Kelley, J. Kelley, C. Knapp, B. Loucks, R. Lynch, J. Ricci, B. Riehle, T. Ross, J. Stager, M. Washer

**Media Present:** C. Potter – *Wellsville Daily Reporter*

**Call to Order:** The meeting was called to order at 3:13 p.m. by Ways & Means Committee Chairman Philip Stockin.

**Approval of Minutes**

The February 12, 2018, Ways & Means Committee minutes were approved on a motion made by Legislator Curran, seconded by Legislator Decker, and carried with the following amendment offered by Committee Chairman Stockin:

Add to the approval of Audit discussion: *“A decision was made to continue this discussion with the County Treasurer when the Legislators make their scheduled visit to her department in March.”*

**Allegany County Land Bank Proposal**

Committee Chairman Phil Stockin stated that historically all money received from the tax sale auction has gone to the Treasurer’s Office, and a certain amount of money is budgeted every year for it. Because the County is responsible for making the towns and villages whole when taxes aren’t paid, the County has to absorb that lost money. Therefore, the tax sale funds are used to get back some of the funds the County pays out. Committee Chairman Stockin continued that the Land Bank is a great entity, and they also have great goals, and once properties go on the tax sale, it’s harder for the Land Bank to acquire them because other individuals may bid on the more desirable properties. Committee Chairman Stockin emphasized to the committee that the following proposal received from the Land Bank Corporation has been agreed to by the County Administrator, Treasurer’s Office, and the Land Bank committee.

The Allegany County Land Bank Corporation (“Land Bank”) hereby proposes to establish an agreement between Allegany County and the Land Bank for the acquisition of properties prior to the annual public auction. The agreement is proposed under the following conditions:

- a. The Land Bank and Allegany County will, on an annual basis, mutually agree upon the number of parcels to be acquired by the Land Bank. Fifty percent of the properties will be acquired prior to the tax sale, with the remainder of the properties being available if the primary bidder defaults on their bid or there is no bid.
- b. The Land Bank will place a bid equal to the levied January tax bill for each parcel, rounded up to the nearest fifty dollars; but no less than \$150.
- c. The Land Bank will provide a list of desired properties 9 calendar days prior to date of tax sale to the Allegany County Treasurer’s Office.
- d. The agreement will be bound by a dually signed memorandum of understanding.

Legislator Hopkins questioned letter C of the proposal asking if it precludes a private person from bidding on the piece of property that the Land Bank wants. Land Bank secretary Brian Loucks stated they give a list of their desired properties to County Treasurer Terri Ross, and she can then make the decision if those properties should remain on the tax sale for the County. After the first round of bidding, the County Treasurer will then provide the Land Bank with a list of properties they may choose from before the second round of bidding occurs. This proposal was approved on a motion made by Legislator Root, seconded by Legislator Curran, and carried. **Prepare Resolution**

### **Attorney/Client Session**

A motion was made by Legislator Curran, seconded by Legislator Havey, and carried to enter into Attorney/Client session at 3:21 p.m. Immediately following discussion at 3:28 p.m., a motion was made by Legislator Root, seconded by Legislator Healy, and carried to end Attorney/Client session and return to the regular meeting.

### **Municipalities Bidding on Tax Sale**

Upon exiting the Attorney/Client session, Committee Chairman Stockin stated that the Ways & Means Committee made a decision to allow municipalities the same bidding options as outlined in letter B of the proposal submitted by the Land Bank stating the Land Bank and Municipalities will place a bid equal to the levied January tax bill for each parcel, rounded up to the nearest fifty dollars; but no less than \$150.

### **Section IV Salary Plan Amendment for District Attorney Salary**

County Treasurer Terri Ross requested an amendment to the Section IV Salary Plan to update the salary for the District Attorney as of April 1, 2018. The salary should be set at 95 percent of the Supreme Court/District Judge salary as set by New York State. The District Attorney salary for April 1, 2018, through March 31, 2019, should be set at \$197,600. No budget adjustment is needed, as this amount was already budgeted for in 2018. This request was approved on a motion made by Legislator Healy, seconded by Legislator Havey, and carried. **Prepare Resolution**

### **Section IV Salary Plan Amendment for Counsel at First Appearance Stipend**

Public Defender Barbara Kelley requested an amendment to the Section IV Salary Plan to include the title of Counsel at First Appearance Stipend. Five thousand dollars will be assigned to up to three attorneys, and the total salary is not to exceed \$15,000. These funds have been included in the Counsel at First Appearance three-year grant. Legislator Decker stated he remains in disagreement with this, as no one should start out making their top salary. This request was approved on a motion made by Legislator Hopkins, seconded by Legislator Root, and carried. (Opposed: D. Decker) **Prepare Resolution**

## REFERRALS FROM OTHER COMMITTEES

### **Public Safety Committee**

#### **Counsel at First Appearance Stipend**

Public Defender Barbara Kelley requested permission to fill the positions associated with the Counsel at First Appearance Stipend within the Section IV Salary Plan. This stipend will be in the amount of \$5,000 per attorney and assigned up to three attorneys per year. The total annual salary for all three attorneys stipend is \$15,000 and is funded 100 percent with State funds. These stipends are needed to provide 24/7 Counsel at First Appearance coverage when the primary Counsel at First Appearance attorney is unavailable. The filling of these positions is contingent on the passing of the Resolution to

amend the Section IV Salary Plan. Legislator Decker questioned if these attorneys are current employees. Clerk of the Board Brenda Rigby Riehle stated these are already employees of the County, this referral is just a formality to allow the Public Defender to assign the stipend. Committee Chairman Stockin asked Ms. Kelley to confirm that these attorneys are already employed, and Ms. Kelley stated, yes. Legislator Healy asked if the funding goes away, will the stipend be easy to get rid of. Treasurer Ross stated yes, it is not a part of their salary, it is in addition to. This request was approved on a motion made by Legislator Curran, seconded by Legislator Root, and carried. (Opposed: D. Decker) **Notify Human Resources (contingent on the passing of the Resolution to amend the Section IV Salary Plan to include the stipend)**

### **Approval of Legislative Expenses**

Committee members reviewed the Legislative expense vouchers for the month of January 2017. A motion was made by Legislator Root, seconded by Legislator Curran, and carried to approve the vouchers for payment.

### **Adjournment**

There being no further business to come before the Committee, the meeting was adjourned at 3:38 p.m. following a motion by Legislator Decker, seconded by Legislator Curran, and carried.

Respectfully submitted,

Meghan Washer, Confidential Secretary to Clerk of the Board  
Allegany County Board of Legislators