I. CALL TO ORDER

Ms. Lattimer called the meeting to order at 9:45 a.m. and asked Mr. Sousa to lead the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE OCTOBER 6, 2021, MEETING MADE BY MRS. LANDO. SECONDED BY MR. VAN CAESEELE. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. DEPARTMENTAL REQUESTS

A. County Manager

1. Steuben County Conference & Visitors’ Bureau ARPA Funding Request – Mr. Wheeler explained the SCCVB is requesting ARPA funds in the amount of $150,000 for 2021 and $200,000 for 2022. The breakdown for how funds will be spent in 2021 is $45,000 for advertising, $80,000 for public relations (12-month contract), $20,000 for photography and videography and $5,000 for research. The breakdown for 2022 is $75,000 for advertising, $80,000 for public relations, $20,000 for photography and videography, $10,000 for tradeshows, $10,000 for the website and $5,000 to host the 2022 International Food Wine Travel Writers Association Conference. This would all be direct spending. He stated that he needs to confirm with Mrs. Hurd-Harvey, but he believes that because tourism was negatively impacted by COVID, we could make a strong argument to use the restricted ARPA funds rather than unrestricted.

Mr. Potter asked how will the $150,000 be spent between now and the end of the year? Mr. Wheeler replied it would be a carryover for them to 2022. Mr. Costello explained two of the items we will do RFP’s and will have contracts for those. Ms. Fitzpatrick asked how are the tourism numbers? Mr. Costello replied we bounced back, but we are 20 percent short on occupancy. The room tax collections exceeded last year, but they are 20 percent off. We did see an influx of visitors from places that we ordinarily do not see, such as New York City and Albany. In the future there will be more opportunities to go after this new target audience. Next year we hope to be on pace to exceed our 2018/2019 numbers as we move forward. Ms. Fitzpatrick asked how have you used your funding to change or enhance your programs? Mr. Costello replied we have enhanced what we are constantly doing with digital advertising and we will expand that with these additional funds. With the public
relations campaign, that will be a first time thing for us and we will be contracting with a public relations firm. In the past we used our regional partnerships. One of our goals is we want Keuka Lake to be recognized as more of a wine destination and we have a number of other specific goals.

Mr. Swackhamer stated when we started this program many years ago we had said no taxpayer dollars would be used for this program except for in the beginning and room tax dollars would be reinvested and the program would work from your own budget. We are putting taxpayer dollars into this from our ARPA money. Mr. Wheeler stated ARPA funds are a one-time funding. All funds are taxpayer funds, so in essence yes. These are one-time funds for investment. Ms. Lattimer commented we have to recognize that we have been through an extraordinary period.

Mr. Malter asked where is the budget and the room tax projected for 2022? Mr. Wheeler replied room tax dollars are still down from 2020, but they are up from 2021. Mr. Costello explained in my budget request I proposed a 20 percent reduction compared to 2019. The reason for asking for ARPA funds is to balance the budget out without asking for room tax dollars. I want to put this funding back into our reserve fund. The goal of our organization is to bring more people to stay longer in our communities and to bring in money.

Ms. Fitzpatrick stated she would suggest consideration for one funding allocation since it is so close to the end of 2021 and see how the program works. We would still have time and still have funds because we haven’t used all of those restricted monies, rather than agree right now to both requests, we should just pick one of them.

Mrs. Ferratella commented Mr. Costello has been very judicious about how he has spent money and was willing to back off from his early budget request. I would endorse both requests. Mr. Hanna stated I agree.

MOTION: APPROVING A $150,000 ALLOCATION IN 2021 AND A $200,000 ALLOCATION IN 2022 IN RESTRICTED ARPA FUNDS TO THE STEUBEN COUNTY CONFERENCE & VISITORS’ BUREAU MADE BY MRS. FERRATELLA. SEADED BY MR. HANNA FOR DISCUSSION.

Mr. Van Etten stated following up on what Mrs. Ferratella said, Mr. Costello has been very judicious in presenting things, however, he also was very strategic in ponying up his budget reduction on his own versus us doing it for him.

VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

Mr. Wheeler commented in the 2022 Conference and Visitors’ Bureau budget that the Finance committee moved forward, the total budgeted for 2020 was $765,000, last year it was $412,000 and for 2022 it is $685,500. We are estimating about $900,000 in room tax which brings it up closer to normal years in 2019 and prior. Mr. Malter asked do you have a projection of what the room tax will be for the balance of 2021? Mr. Wheeler replied year-to-date we have collected $481,000. Mr. Malter commented we could make up the difference with additional room tax revenue rather than taking it from ARPA funds. Mrs. Lando asked why would you do that? Mr. Malter replied because it is there. They have over $800,000 and that would make up the difference in their budget. Mr. Wheeler commented my opinion is that you can use the ARPA funds for the additional allocation and use surplus collections for the reserve surplus. To replace the shortfall in the budget you could use the room tax funds instead of the ARPA funds. I personally don’t think it is a good idea to put the ARPA funds into the room tax reserve. It is more appropriate to make a direct allocation of the ARPA funds and use the surplus room tax to build the reserve fund.

Ms. Fitzpatrick commented we have $9 million in restricted and $9 million in unrestricted ARPA funds. Mrs. Ferratella asked do you have a list of what we have funded under both categories? Mr. Wheeler replied yes I am keeping a spreadsheet. We have three years to spend the funds.

2. Steuben County Agricultural Society ARPA Funding Request – Mr. Wheeler informed the committee they have received a request for ARPA funds from the Steuben County Agricultural Society (Fair).
This request would come out of the unrestricted funds. They are requesting $115,000 for electrical upgrades to the Fair House and sidewalk replacement, $85,000 for fencing, $300,000 for electrical infrastructure for the entire Fairgrounds, $250,000 for replacement of bleachers and walkways in the grandstand and $75,000 for water and sewer upgrades. The Agricultural Society has indicated that they have a fund balance of $143,000. Their total request is for $825,000 for these items that they have to get done.

Ms. Fitzpatrick commented the Fairgrounds are certainly very unique and a wonderful asset and I would like to see us agree to help. Do they have some sort of capital improvement project in place? Mr. Wheeler replied these are the plans and we have noted the listing around that. I have talked to Mr. Pelham and all of these are a priority. I am not sure in which order they would do them.

Mr. Maio asked what is the overall mission of the Agricultural Society? I understand it in general terms and know that they put on the Fair and that is what we see. Is it similar to the Conference and Visitor’s Bureau in that they promote agriculture in the county? Mr. Wheeler replied yes, agriculture is their main focus and they have expanded the use of the facility for times outside of the Fair. Ms. Lattimer stated you will see more of a year-round use. Mr. Maio commented on this list I see things that seem to be safety issues. Mr. Wheeler explained the Agricultural Society and the Fairgrounds are key partners for the county in a lot of ways. All of our drive-through clinics for Swine Flu vaccines were done in their Fair barn. During COVID we did do some testing there and the Food Bank did a distribution there. In times of challenge, we do lean on them. Ms. Lattimer stated additionally the Agricultural Society is a huge supporter of the 4-H Program and recreational programs for youth. Mr. Swackhamer stated I thought we were building a new highway shop for drive-through vaccinations? Mr. Wheeler replied we are. I was just using that as examples in the past and how they have helped us fill our needs. They have assisted us if we have needed any drive-through events and we did use them for the Strong Kids Safe Kids event.

Mr. Malter commented I have no problem helping, but not for $825,000. Mr. Wheeler stated I don’t believe they expected that. I just wanted to show you the projects. Ms. Lattimer stated my suggestion would be to set a dollar amount. Mr. Malter stated I would support the electrical upgrades as well as the water and sewer project. Mr. Wheeler commented my only suggestion would be to stipulate that the funding be used exclusively for capital projects.

Mr. Van Etten stated he would suggest allocating $200,000 for capital projects. Mr. Malter stated I would like to see it stipulated for electrical and water and sewer. Mr. Van Etten stated I think that is a fair amount and we would be paying half the cost for the electrical and water and sewer upgrades.

Mr. Maio asked do they have a plan for how to fund their other projects? Mr. Wheeler replied I would have to ask. They are always creative and get a lot done. I don’t know of any specific plan.

Mr. Van Caeseele asked can we put a restriction on what they spend the money on? Ms. Lattimer stated our motion should speak to these projects and require that they have to provide a breakdown of the work completed.

**MOTION:** ALLOCATING $200,000 IN UNRESTRICTED ARPA FUNDS TO THE STEUBEN COUNTY AGRICULTURAL SOCIETY TO BE USED SPECIFICALLY AS FOLLOWS: $75,000 FOR WATER AND SEWER UPGRADES AND $125,000 FOR ELECTRICAL UPGRADES WITH THE STIPULATION THAT THE STEUBEN COUNTY AGRICULTURAL SOCIETY WILL ONLY USE THE FUNDS FOR THE SPECIFIED CAPITAL PROJECTS AND PROVIDE THE LEGISLATURE WITH DETAILED REPORTS AS TO THE PROGRESS OF THOSE PROJECTS MADE BY MRS. LANDO. SECONDED BY MR. VAN CAESEELE. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

3. **SPCA Additional Payment** – Mr. Wheeler informed the committee that the SPCA has two ongoing cases of animal cruelty. We had previously put out an RFP for the housing of confiscated animals and only had one applicant, Wilkins, and only for the boarding of horses. He noted that Farm Sanctuary has been working with other agencies to house the animals. The Jones case was resolved at the end of August and there are
no ongoing charges for that case. The Burdick case is approaching the end, but there is no specific date. He requested authorization to appropriate $36,047 from the Contingent Fund to the SPCA to cover costs for the first and second quarter costs. He noted the charges for the third and fourth quarter will be significantly less. Additionally, in the proposed 2022 budget, another $10,000 will be allocated to them at the beginning of January which would credit against any other charges. You also have an extra $25,000 that was built into the 2022 budget.

MOTION: AUTHORIZING THE TRANSFER OF $36,047 FROM THE CONTINGENT FUND TO THE SPCA TO COVER FIRST AND SECOND QUARTER COSTS FOR ANIMAL CRUELTY CASES MADE BY MRS. FERRATELLA. SECONDED BY MRS. LANDO. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

IV. OUTSIDE AGENCY REQUESTS
A. Steuben County Conference & Visitors’ Bureau
   1. Tourism Promotion Agency Designation – Mr. Costello requested the county designate the Steuben County Conference & Visitors’ Bureau as the official tourism promotion agency of the county. This designation will allow us to apply for I Love New York matching grant funds.

MOTION: DESIGNATING THE STEUBEN COUNTY CONFERENCE AND VISITORS’ BUREAU AS THE OFFICIAL TOURISM PROMOTION AGENCY OF STEUBEN COUNTY MADE BY MRS. LANDO. SECONDED BY MR. HANNA. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

V. OTHER BUSINESS
A. Short-Term Rentals – Mr. Van Etten stated he received a letter from the Pulteney Town Supervisor regarding short-term rentals and he asked Mr. Wheeler to discuss that. Mr. Wheeler stated Mark Illig contacted the Chairman asking if there was something the County could do regarding regulations on short-term stays and occupancy. He expressed concerns about quality of life issues. Mr. Sousa and Mr. Costello provided a response to the letter and Mr. Sousa reached out to the Town Supervisor and it comes back to a local code and zoning issue.

Mr. Van Etten stated one of the questions I asked is could this be a countywide law? Ms. Lattimer stated we don’t do code enforcement. Mr. Sousa stated we could develop a model law and encourage the towns to adopt it. He stated he is the Planning Board Chair for his town and we have had success with a short-term rental permit. The owners apply for a permit and work with the code enforcement officer to address all issues. Code Enforcement does a site visit and designates a local point of contact. Any violation of the permit results in revocation of the permit. The owners pay a fee for the bi-annual permit and the permit is reissued without a code enforcement site visit unless changes have been made to the property. This gives more control to the town. Mr. Malter asked are you permitting every renewal property? Mr. Sousa replied yes, if they meet the definition of a short-term rental. We have had the process in place for a little less than two years and it has worked out well. If we do have issues, it gives us the ability to deal with it as the owners have attested they will abide by the requirements and it gives the town more teeth to enforce it. It is a heavy burden on code enforcement. This does not regulate the number of short-term rentals in the district. We are looking at capping the number of permits. Mr. Van Etten asked what happens if the owners do not apply for a permit? Mr. Sousa replied if we are notified of a property that does not have a permit, then the code enforcement officer will address it, however, they cannot check everyone. We had a great amount of volunteer response. Mrs. Ferratella asked what is the fee for the permit? Mr. Sousa replied the fee is $200 for a bi-annual permit.

Mr. Maio stated with the lake properties, they have been renting cottages forever. What is generating the concern? Mr. Sousa replied Mr. Illig is concerned about the town’s ability to deal with issues that arise. Septic systems are an issue. Mr. Wheeler explained with the advent of online platforms you can list and rent properties pretty easy. Mr. Sousa stated in his town there have not been a lot of issues where they have had to even question revoking a permit.

Ms. Lattimer stated the official county response to Mr. Illig will be to enact a local law. My only suggestion is to do outreach to every town around Keuka Lake and offering the same for other communities that are off the lake. Mr. Sousa stated my plan is to reach out to Mr. Illig. He stated he will share the permit application and the local law from his town.
and make it so it is more easily adaptable. I will also work with STC (Southern Tier Central) to get a more professional example. Ms. Lattimer asked any formal response will be endorsed by and reviewed by the County Attorney? Mr. Sousa replied yes, I will do that and will also post a sample permit and local law on the website.

Mr. Nichols asked will there be any mechanism to allow for room tax and sales tax collection? Mr. Wheeler replied no. That is a separate issue. Ms. Prossick stated it would be helpful if there was a permitting process as that will provide information.

MOTION: TO ADJOURN MADE BY MRS. LANDO. SECONDED BY MR. VAN CAESELE. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR**
Wednesday, December 1, 2021
9:30 a.m.

Please send agenda items to the Clerk of the Legislature’s Office
NO LATER THAN NOON
**PLEASE NOTE CHANGE** Tuesday, November 23, 2021 **PLEASE NOTE CHANGE**