

## **WARREN COUNTY BOARD OF SUPERVISORS**

COMMITTEE: **FINANCE**

DATE: **JUNE 11, 2008**

**Committee Members Present:**

Supervisors      Stec  
                         O'Connor  
                         Bentley  
                         Tessier  
                         Champagne  
                         VanNess  
                         Kenny  
                         Merlino

**Committee Member Absent:**

Supervisor      Belden

**Others Present:**

Frederick Monroe, Chairman  
Hal Payne, Commissioner of  
Administrative & Fiscal Services  
Joan Sady, Clerk of the Board  
Paul Dusek, County Attorney  
JoAnn McKinstry, Deputy Commissioner of  
Administrative & Fiscal Services  
Kevin Geraghty, Budget Officer  
Supervisor Sokol  
Supervisor Strainer  
Supervisor Taylor  
Supervisor Thomas  
Frank O'Keefe, County Treasurer  
Richard Murphy, Deputy Commissioner of  
Fiscal Services  
Paul Butler, Director, Parks, Recreation &  
Railroad  
Amy Clute, Administrator, Self-Insurance  
William Lamy, DPW Superintendent  
Patricia Tatich, Director, Planning &  
Community Development  
Bud York, Sheriff  
Dave Wick, Manager, Soil & Water  
Conservation District  
Sarah McLenithan, Legislative Office  
Specialist  
Nicole Livingston, Deputy Clerk

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Mr. Stec called the meeting to order at 10:00 a.m.

Motion was made by Mr. Tessier, seconded by Mr. Kenny and carried unanimously to approve the minutes of the May 7, 2008 Committee meeting, subject to correction by the Clerk of the Board.

Copies of the Finance Agenda were provided to the Committee members, and a copy of same is on file with the minutes.

Commencing the Agenda review, Mr. Stec apprised Item 1 were the Requests for Transfer of Funds which were attached for Committee approval. He noted that Supervisory Committee approval had been obtained as necessary.

Motion was made by Mr. Bentley, seconded by Mr. VanNess and carried unanimously to approve Item 1 as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Stec stated Item 2 was a referral from the Office of Administrative and Fiscal Services, requesting authorization for payment to Clark Patterson Lee in the amount of \$8,860 to identify hazardous material for the Westmount DSS demolition site, with the source of funding to be Capital Project No. H263.9550 280-Design & Construction Health & Human Services Building.

Hal Payne, Commissioner of Administrative and Fiscal Services, explained he had just been advised that the funds could not be taken from the aforementioned Capital Project because the costs for demolition of the existing Social Services building had been removed from that bond; therefore, he said, a new Capital Project must be established to do this work.

Motion was made by Mr. VanNess and seconded by Mr. Champagne to approve the request as presented.

Mr. VanNess commented that his understanding was that the demolition and associated work was completed for the time being and would resume in the future as needed. Mr. Payne replied this work had been requested prior to that determination being made. Mr. Stec said a source of funding for the Capital Project would need to be determined.

Following discussion, it was decided that a Capital Project shall not be established at this time. Mr. Stec suggested that the bill in the amount of \$8,860 be paid from the Contingent Fund.

Mr. VanNess amended his motion to authorize payment to Clark Patterson Lee in the amount of \$8,860 with the source of funding to be transferred from Contingent Fund to A.1010 470 (Legislative Board-Contract). Mr. Champagne seconded the amended motion.

Mr. Stec called the question and the motion was carried unanimously to authorize the request as outlined above and the necessary resolution was authorized for the next board meeting.

Continuing, Mr. Stec expounded Item 3 was a Referral from the County Facilities Committee, requesting to increase Capital Project No. H263.9550 280-Design & Construction Health & Human Services Building, in the amount of \$19.1 million, to proceed with the design and construction of the Human Services Building, with the

source of funding to be the sale of Serial Bonds as authorized by Resolution No. 358 of 2008.

Motion was made by Mr. VanNess, seconded by Mr. Bentley and carried unanimously to approve Item 3 as outlined above and the necessary resolution was authorized for the next board meeting.

Mr. Stec said Items 4A through C were referrals from the Human Services Committee. Item 4A, he noted, was a request from the Employment & Training Administration to amend the 2008 County budget to increase estimated revenues and appropriations in the amount of \$86,252 to reflect receipt of Summer TANF revenue.

Motion was made by Mr. Tessier, seconded by Mr. Bentley and carried unanimously to approve Item 4A as outlined above and the necessary resolution was authorized for the next board meeting.

Mr. Stec reported Item 4B was a request from the Office for the Aging to amend the 2008 County budget to increase estimated revenues and appropriations in the amount of \$24,584 to reflect receipt of additional HIICAP grant funds for the State Fiscal Year April 1, 2008 to March 31, 2009.

Motion was made by Mr. VanNess, seconded by Mr. Merlino and carried unanimously to approve Item 4B as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Stec added Item 4C was a request from Youth Programs, to amend the 2008 County budget to increase estimated revenues and appropriations in the amount of \$800 to reflect receipt of the Junior Tennis Foundation grant.

Motion was made by Mr. Merlino, seconded by Mr. Bentley and carried unanimously to approve Item 4C as outline above, and the necessary resolution was authorized for the next board meeting.

Mr. Stec advised Item 5 was a referral from the Planning & Community Development Committee, requesting a source of funding in the amount of \$30,000 for a countywide broadband study. He noted that a financial commitment in the amount of \$10,000 from the Economic Development Corporation and in the amount of \$4,000 from the Information Technology Department had been obtained. Mr. Stec stated a recommendation had been made from the Treasurer's Office that the requested \$30,000 be transferred from interfund transfers.

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Motion was made by Mr. VanNess, seconded by Mr. Merlino and carried unanimously to approve an interfund transfer in the amount of \$30,000 for a countywide broadband study. The necessary resolution was authorized for the next board meeting.

Mr. Stec reported Items 6A through G were referrals from the Public Works Committee. He said Items 6A through D were referred by the DPW, and Item 6A was a request to increase Capital Project No. H283.9550 280-Public Works Equipment, in the amount of \$195,000, to correct a math error from a previous resolution, with the source of funding to be DM 5130.5710 Road Machinery Serial Bonds.

Motion was made by Mr. Bentley and seconded by Mr. VanNess to approve the request as presented.

Mr. Kenny questioned what the error had been and Mr. Payne replied when the original bond had been authorized, a tandem truck had inadvertently been left off the equipment list, as well as a generator.

Mr. Stec called the question and the motion was carried unanimously to approve Item 6A as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Stec stated Item 6B was a request to increase County Road Project CR #29 Peaceful Valley Road (D5112-8094.2), in the amount of \$45,000, to construct a turning lane at the intersection of Peaceful Valley Road and State Route 28, with the source of funding to be CHIPS grant funds.

Motion was made by Mr. Bentley, seconded by Mr. Merlino and carried unanimously to approve Item 6B as outlined above, and the necessary resolution was authorized for the next board meeting.

Item 6C, Mr. Stec added, was a request to authorize the Supplemental Master Agreement #2 with the NYSDOT for the Beach Road Reconstruction Project, in the amount of \$364,600, with the source of funding to be Capital Project No. H277.9550 280- Beach Road Reconstruction.

Motion was made by Mr. Champagne, seconded by Mr. Kenny and carried unanimously to approve Item 6C as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Stec noted Item 6D was a request to authorize the NYSDOT Grant for the replacement of the Alder Brook Road Bridge, in the amount of \$278,500, with the source of funding to be Capital Project No. H260.9550 280-Alder Brook Bridge Over Trout Bridge.

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Motion was made by Mr. Bentley, seconded by Mr. Tessier and carried unanimously to approve Item 6D as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Stec apprised Items 6E and F were referred by the Parks, Recreation & Railroad. Item 6E, he said, was a request to amend the 2008 County budget to increase estimated revenues and appropriations in the amount of \$1,593 to reflect receipt of 70% of State Snowmobile grant funds for an additional seven miles of trail.

Motion was made by Mr. Merlino, seconded by Mr. Tessier and carried unanimously to approve Item 6E as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Stec stated Item 6F was a request to authorize the Supplemental Agreement with NYSDOT for the Rail Road Stations/Improvements Project (H220.9550 280).

Motion was made by Mr. Merlino, seconded by Mr. Tessier and carried by majority vote to approve Item 6F as outlined above, with Mr. Kenny voting in opposition. The necessary resolution was authorized for the next board meeting.

Mr. Stec advised Item 6G was referred by the Airport, requesting to establish Capital Project No. H287.9550 280 - T-Hangar Access Taxiway, in the amount of \$600,000, to design and construct a common use taxi-lane to serve future hangar development, with the source of funding to be 90% NYSDOT grant (\$540,000) and 10% local share (\$60,000) to be transferred from A9950.910-Transfers-Capital Projects.

Motion was made by Mr. Tessier, seconded by Mr. Merlino and carried unanimously to approve Item 6G as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Stec reported Item 7 was a referral from the Social Services Committee, requesting to amend the 2008 County budget to increase estimated revenues and appropriations in the amount of \$125,608 to cover the cost of rent at the Monument Center Building.

Motion was made by Mr. VanNess, seconded by Mr. Champagne and carried unanimously to approve Item 7 as outlined above, and the necessary resolution was authorized for the next board meeting.

Item 8, Mr. Stec expounded, was a referral from the Support Services Committee, Insurance, requesting to discuss the purchase of Employers Liability Coverage for the Self-Insurance Plan.

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Privilege of the floor was extended to Amy Clute, Administrator of Self-Insurance. Ms. Clute explained that for many years the Self-Insurance Plan purchased Employers Liability insurance for the Plan participants out of the Plans budget, not the County budget. She further stated that this insurance covered the Plan participants, the Towns, the City, Adirondack Community College and the County for third party lawsuits related to work place injuries. She noted that the separate policy that had been purchased for years had a \$50,000 self-insured retention. Ms. Clute added that the Insurance Committee had made some changes last year and the coverage was currently with the County's Excess Workers Compensation, which carried a \$1 million retention. She said she had recently received a Comptroller's opinion that the County's reserve could not fund the retention for an employers liability claim. She requested approval to purchase a separate employers liability policy, with a retention of \$50,000.

Motion was made by Mr. VanNess, seconded by Mr. Merlino and carried unanimously to authorize the purchase of Employers Liability Coverage for the Self-Insurance Plan with a retention of \$50,000. The necessary resolution was authorized for the next board meeting.

Mr. Stec said that Item 9 was a request from Supervisor Frank Thomas to address the Committee regarding the status of the new office for the Warren County Soil and Water Conservation District.

Mr. Thomas reported that the site for the new office had been decided and would be located near the Warren County Fairgrounds in the Town of Warrensburg. Dave Wick, District Manager of the Soil and Water Conservation District, distributed a handout to the Committee members, a copy of which is on file with the minutes. Mr. Thomas advised that the handout included draft design plans, as well as estimated costs for the project. Mr. Stec noted that the summary costs listed an estimated request for funding in the amount of \$451,815. He questioned what the source of funding would be and Joan Sady, Clerk of the Board, replied the source of funding would be the issuance of a serial bond.

Mr. Kenny questioned if a stick-built building was being considered pursuant to the relaxation of the Wick's Law and Mr. Wick responded affirmatively. He further stated plans and estimates were included for both stick-built and modular buildings. He reviewed the handout in detail with the Committee members, in which the square footage for stick-built buildings and modular buildings were included. Mr. Dusek interjected that if a bid were to go out for a stick-built building, an engineer would need to be retained in order to develop the specifications and the bid packages. Mr. Wick added a stick-built building would be much more expensive than a modular building.

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Mr. Stec clarified that the request before the Committee was to authorize a bond in the amount of \$451,815 for the construction of a new office building for the Soil and Water Conservation District.

Motion was made by Mr. Bentley, seconded by Mr. Kenny and carried unanimously to approve the request as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Stec directed the Committee members attention to the Addendum to the Finance Agenda. He noted Item 1 on the Addendum was a referral from the Office of Administrative and Fiscal Services, requesting authorization to submit payment to Paragon Civil Engineering, P.C. for site work for the proposed Soil and Water Conservation District Office building, in the amount of \$2,652.50.

Mr. Payne reported there was a legal issue involved, in which the payment should be made directly to the Soil and Water Conservation District and they would submit the payment to Paragon Civil Engineering, P.C.

Motion was made by Mr. VanNess, seconded by Mr. Champagne and carried unanimously to approve the request as outlined above, and the necessary resolution was authorized for the next board meeting.

Returning to the Agenda review, Mr. Stec stated Item 10 was a request from Paul Dusek, County Attorney, to address the Committee regarding the issuance of Serial Bonds in the amount of \$429,000, for the construction of two functionally complete train stations. He noted that a draft resolution was attached.

Mr. Dusek explained that a bond resolution needed to be adopted prior to bids being awarded in connection with the rail stations.

Motion was made by Mr. Champagne and seconded by Mr. Merlino to approve the request as presented.

Mr. Merlino advised he had received new information regarding the rail station in the Town of Hadley. He said that the Town of Johnsburg had applied for and had been awarded a \$500,000 grant for improvements to the rail station in Hadley; however, he said, he did not have enough information to fully inform the Committee. Mr. Geraghty interjected that Warren County was still responsible for the \$429,000 local share and Mr. Merlino agreed.

Mr. Payne exited the meeting to request Patricia Tatich, Director of Planning & Community Development, to come to the meeting to provide further information with regard to the aforementioned grant.

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Mr. Stec suggested the Committee pause on finalizing the vote until Ms. Tatich was present.

Mr. Dusek apprised he had another item for discussion. He expounded that Resolution No. 258 of 2008 authorized an agreement with the Village of Lake George for the construction of a new patrol dock and included the term that the Sheriff's Office would have use of the dock for the full life expectancy of the dock. Subsequent to the adoption of the Resolution, Mr. Dusek said, a five-year lease agreement with the Town of Lake George was received from the Village. He stated he was under the impression when he drafted the agreement, that the Village owned and controlled the land, thereby giving the County the life expectancy of the dock. Mr. Dusek reported that discussions were held with the Mayor of Lake George and it had been determined that the Village could not honor the agreement; therefore, it would be in the best interest of the County to back out of the arrangement. He recommended that a resolution be adopted terminating Resolution No. 258 of 2008.

Bud York, Sheriff, further explained that he was shocked when he received the original letter from the Mayor authorizing the County's use of a Village dock at a cost of \$13,000, when the County had previously used the dock space for free. He said when he received the lease agreement from the Town of Lake George because the Village did not have the authority to authorize such, he was very uncomfortable having any kind of agreement with the Village. Sheriff York advised he had researched other options for dock space that he could pursue.

Mr. Tessier said he was unaware of where the lease agreement originated from. He stated that if the County paid to construct a dock, it would be the County's dock on Town property. Discussion ensued. Mr. VanNess suggested that the issue be referred back to the Public Safety Committee for further discussion.

Following discussions, a motion was made by Mr. VanNess, seconded by Mr. Bentley and carried unanimously to terminate the agreement authorized by Resolution No. 258 of 2008, and the necessary resolution was authorized for the next board meeting.

Ms. Tatich entered the meeting at 10:45 a.m.

Mr. Stec referred to the previous motion on the floor regarding the issuance of Serial Bonds in the amount of \$429,000 for the construction of two functionally complete train stations.

Ms. Tatich reported that the Department of State had awarded \$500,000 to the First Wilderness Heritage Corridor Project, which included the properties at the train station in North Creek and other properties along the rail line. She said that previously counties were not eligible to apply for Local Waterfront Revitalization Program monies, which this grant was funded under. Therefore, she noted, the Town of Johnsbury

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submitted the application. Ms. Tatich apprised she was not sure how this grant specifically related to the projects at the train stations.

Mr. Stec called the question and the motion was carried by majority vote to authorize the issuance of Serial Bonds in the amount of \$429,000, for the construction of two functionally complete train stations, with Mr. Kenny voting in opposition. The necessary resolution was authorized for the next board meeting.

Prior to adjourning, Chairman Monroe announced there had been discussions concerning the closing of various Capital Projects in different departments throughout the County. Mr. Payne responded that further discussions were necessary with the specific Department Heads and their respective Committees before any recommendations could be made to the Finance Committee. Mr. Stec explained that the Treasurer's Office had provided a list of Capital Projects that could be closed in order to return remaining funds to the General Fund. Mr. Payne added that a determination of any outstanding bills needed to be made prior to the closing of any Capital Projects. He noted he anticipated that discussions regarding the closing of various Capital Projects would be presented to the Finance Committee at the July meeting after they had been reviewed by their respective Committees.

There being no further business to come before the Committee, on motion made by Mr. Champagne and seconded by Mr. VanNess, Mr. Stec adjourned the meeting at 10:54 a.m.

Respectfully submitted,

Nicole Livingston, Deputy Clerk