

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: **FINANCE**

DATE: **JULY 8, 2009**

Committee Members Present:

Supervisors Stec
 Belden
 O'Connor
 Bentley
 Tessier
 Taylor
 Kenny
 Merlino

Committee Member Absent:

Supervisor VanNess

Others Present:

Fred 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 Champagne
Supervisor Pitkin
Supervisor Sheehan
Supervisor Simmes
Supervisor Thomas
Richard Murphy, Deputy Commissioner of
Fiscal Services
Rob Lynch, Deputy Treasurer
Todd Lunt, Director, Human Resources
William Lamy, DPW Superintendent
Barbara Taggart, Administrator, Westmount
Health Facility
Bud York, Sheriff
Dr. Ronald Heacock, President, Adirondack
Community College (ACC)
William Long, Vice President of Administrative
Services for ACC
Nicole Livingston, Deputy Clerk

Mr. Stec called the meeting to order at 11:00 a.m.

Motion was made by Mr. Belden, seconded by Mr. Kenny and carried unanimously to approve the minutes of the June 10, 2009 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.

Mr. Stec announced that he would like to commence the Agenda review with Item 7, a referral from the Community College Committee, requesting approval of the tentative 2009-2010 Budget for Adirondack Community College and setting a Public Hearing for same, due to representatives from the College being present at the meeting. Mr. Stec noted that the Public Hearing would be set for August 21, 2009 at 10:00 a.m.

Mr. Stec reminded the Committee members that at the last Community College Committee meeting, it had been requested that Warren County entertain a 3% increase over last year; however, he stated, both Warren and Washington Counties had indicated only a zero percent increase would be approved. He further explained that ACC had revised their budget and requested a zero percent increase for the County's share of the budget, with the 3% increase to come from the Fund Balance. Mr. Stec asserted that although there was not a cumulative increase for Warren County, the ratio for Warren and Washington Counties contributions was based on enrollment numbers and Warren County's enrollment had significantly increased; thereby resulting in a net increase to Warren County of \$118,000.

Motion was made by Mr. Belden, seconded by Mr. Tessier and carried unanimously to approve the tentative 2009-2010 Budget for Adirondack Community College and setting a Public Hearing for August 21, 2009 at 10:00 a.m. The necessary resolution was authorized for the next board meeting.

Mr. Stec reported that the Treasurer's Office had requested to address the Committee regarding the cash flow and proposed bonding. Rob Lynch, Deputy Treasurer, distributed handouts to the Committee members, copies of which are on file with the minutes. Mr. Stec noted that he had been informed by Frank O'Keefe, Treasurer, that reimbursements, especially from the Department of Public Works (DPW) projects, were not being received in a timely manner which has raised a cash flow concern.

Mr. Lynch referred to the handout which outlined the cash flow status through June 30, 2009 and he stated that the projected cash flow balance for July was \$341,304 and a negative balance of \$1,078,952 was projected for August. He indicated that part of the problem was identified to be DPW State and Federal claims that had not been received. He added that there was a substantial amount of claims from 2008 that had not been submitted to cover 2008 expenses. Mr. Lynch noted that for the first quarter of 2009, approximately \$188,000 had not been submitted for reimbursement yet. He concluded that if the claims had been submitted on time, the cash flow situation would be improved at this time. He said that ideally, claims should be submitted on a monthly basis.

William Lamy, DPW Superintendent, apprised that he did not fully agree with the data presented by the Treasurer's Office; however, he stated, he was trying to work with the Treasurer's Office to resolve the matter. He remarked that a problem that came with the projects accepted by DPW, was the time and effort involved to seek reimbursement for such. Mr. Lamy said he was not prepared at this time to address individual claims as listed in the handout; however, he added, that he and Mr. Lynch could do that at another time.

Discussion ensued. Mr. Lamy expounded that he and his staff needed to meet with the members of the Treasurer's Office to review this information and resolve the matter. Mr. Stec agreed and recommended that the meeting take place as soon as possible and that an amended, corrected, or mutually agreed upon data sheet be presented to the Committee for review.

Chairman Monroe interjected that it should be a policy of the Board that all claims be submitted at the earliest possible time and he had discussed this at the recent Department Head meeting. Mr. Stec agreed and said claims should be submitted on a monthly basis.

Referring back to the projected \$1 million deficit in cash flow for August, Mr. Stec asked Mr. Lynch if he had a specific recommendation to be considered. Mr. Lynch advised that the Treasurer's Office would like to see how July goes and if need be, borrow from the Westmount Health Facility Fund Balance in order to avoid securing additional Revenue Anticipation Notes (RAN). Mr. Stec commented that the Committee appreciated the information provided on the cash flow situation.

Mr. Lynch announced that the bonding process would begin on July 17, 2009 and a detailed outline was included with the handouts. He stated that the total amount of the bond was \$23,169,015. He said that if the board members were interested in including the Kronos Timekeeping System in the bond, as was discussed in the previous Personnel Committee meeting and referred to the Finance Committee, the Treasurer's Office would need to be informed as soon as possible. Mr. Stec clarified that the estimated amount of \$60,000 for the new time system in the Human Services Building was included in the amount listed for the project in the bond information and Mr. Lynch concurred. Mr. Stec asked if the additional \$104,000 to standardize the County's time keeping systems could be included in the bond and Mr. Lynch replied that the Treasurer's Office would discourage bonding such a small amount. Mr. Lynch suggested that the Information Technology Capital Project (H108.9550 280-Computerization Effort) fund a portion of the \$104,000 to standardize the County.

Motion was made by Mr. Belden, seconded by Mr. Taylor and carried unanimously to approve the implementation of the standardization of the timekeeping system and to refer the matter to the Support Services Committee, Information Technology, to determine if the aforementioned Capital Project could cover the cost and any remaining balance to be referred back to the Finance Committee to determine a further source of funding. The necessary resolution was authorized for the next board meeting.

Resuming the Agenda review, Mr. Stec stated Item 1 were the requests for Transfers of Funds which were attached for Committee approval. He noted that Supervisory Committee approval had been obtained as necessary.

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

Mr. Stec apprised Item 2 was a referral from the County Facilities Committee, requesting to increase Capital Project No. H293.9550 280-County Center Electrical Panel Replacement, in the amount of \$20,000, due to the actual price being greater than the estimate and the construction inspection fees having been added to the project; and the source of funding shall be transferred from A9950.910-Transfers-Capital Projects.

Motion was made by Mr. Kenny, seconded by Mr. Tessier and carried unanimously to approve Item 2 as outlined above. The necessary resolution was authorized for the next board meeting.

Mr. Stec reported Items 3A through E were referrals from the Health Services Committee, Westmount Health Facility. He noted Items 3A through D were requests for amendments to the budget and he listed them as follows:

- A)Amending the 2009 County budget, Nursing Supervisors Appropriations, to increase estimated revenues and appropriations in the amount of \$64,558 to reflect amendments of the Unrestricted Fund Balance;
- B)Amending the 2009 County budget, Nursing Registered Nurses II Appropriations, to increase estimated revenues and appropriations in the amount of \$1,948 to reflect amendments of the Unrestricted Fund Balance;
- C)Amending the 2009 County budget, Nursing LPN Appropriations, to increase estimated revenues and appropriations in the amount of \$82,914 to reflect amendments of the Unrestricted Fund Balance; and
- D)Amending the 2009 County budget, Nursing CNA Appropriations, to increase estimated revenues and appropriations in the amount of \$103,132 to reflect amendments of the Unrestricted Fund Balance.

Motion was made by Mr. Belden, seconded by Mr. Tessier and carried unanimously to approve Items 3A through D as outlined above. The necessary resolution was authorized for the next board meeting.

Mr. Stec added Item 3E was a request to increase Capital Project No. H296.9550 280-Westmount Sprinkler System Project, in the amount of \$100,000, to cover the cost of determining total project cost for RFP and CON submission; and the source of funding shall be the Westmount Unrestricted Fund Balance EF.229000 909.00.

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

Mr. Stec apprised Items 4A through D were referrals from the Human Services Committee. He stated Item 4A was referred from the Employment & Training Administration, requesting to amend the 2009 County budget to increase estimated revenues and appropriations in the amount of \$440,498 to reflect receipt of Federal funds.

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

Mr. Stec asserted Items 4B and C were referred from the Office for the Aging. Item 4B, he said, was a request to amend the 2009 County budget to increase estimated revenues and appropriations in the amount of \$14,344 to utilize additional funds allocated by the NYSOFA for NSIP (Nutrition Services Incentive Program). He added that Item 4C was a request to amend the 2009 County budget to increase estimated revenues and appropriations in the amount of \$35,740 to utilize additional funds allocated by the NYSOFA for SNAP (Supplemental Nutrition Assistance Program).

Motion was made by Mr. Taylor, seconded by Mr. Tessier and carried unanimously to approve Items 4B and C as outlined above. The necessary resolution was authorized for the next board meeting.

Mr. Stec remarked that Item 4D was referred from the Youth Bureau, requesting to amend the 2009 County budget to increase estimated revenues and appropriations in the amount of \$1,000 to reflect receipt of the Junior Tennis Foundation Grant.

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

Mr. Stec advised Item 5 was a referral from the Public Safety Committee, Sheriff & Communications, requesting to amend the 2009 County budget to increase estimated revenues and appropriations in the amount of \$298 to appropriate funds received from the Hyper Reach Call Campaign.

Motion was made by Mr. Belden, seconded by Mr. Bentley and carried unanimously to approve Item 5 as outlined above. The necessary resolution was authorized for the next board meeting.

Mr. Stec stated Item 6 was a referral from the Public Works Committee, DPW, requesting a source of funding for the Town and Village of Lake George's portion (38%) of the Clark Patterson engineering study performed on the Gaslight Village

Property for an amount of \$5,700. He noted that the 62% County share (\$9,300) was authorized to be paid out of Occupancy Tax funds by Resolution No. 765 of 2008.

Motion was made by Mr. Kenny, seconded by Mr. Merlino and carried unanimously to table Item 6 and to request Clark Patterson Lee and the Mayor of the Village of Lake George to attend the next Finance Committee meeting for an explanation of the study.

Mr. Pitkin suggested that DPW staff review and measure the Gaslight Village property to develop information to compare to the Clark Patterson study.

Mr. Stec apprised Item 8 was a response from the Board of Elections (BOE) as requested by the Finance Committee concerning exemptions to the Travel Policy as discussed at the June 10, 2009 meeting.

The Committee reviewed the response. Mr. Kenny expressed his opinion that there should not be any blanket exceptions in the Travel Policy. He referenced the BOE response letter and noted that some of the items required more of an explanation. Paul Dusek, County Attorney, reviewed the Travel Policy with the Committee members in detail. Discussion ensued.

Motion was made by Mr. Belden, seconded by Mr. Kenny and carried unanimously to amend the Travel Policy, Section II, County Motor Vehicle Use Rules, subsection C, County vehicles shall be utilized for official purposes only, to include other governmental entities or subdivisions of Warren County. The necessary resolution was authorized for the next board meeting.

Mr. Stec directed the Committee members back to the BOE response letter. Joan Sady, Clerk of the Board, advised that currently, the BOE was exempt from the Travel Policy. Mr. Kenny said he felt that the BOE should be required to use County vehicles if available. Mr. Stec reminded the Committee members of how this issue originated, in that one of the BOE Commissioners had submitted for mileage reimbursement from their home to their destination, as opposed to from the County Center to the destination and the request for reimbursement was denied. Mr. Kenny recommended that the BOE be removed from the exemption list included in the Travel Policy.

Mr. Dusek clarified that the desire of the Committee was to modify the BOE's exemption in the Travel Policy to state that any exemptions for the BOE will require approval from the Commissioner of Administrative & Fiscal Services, such as traveling to a destination that is closer to their residence than the County Center may be exempt from having to use a County vehicle and may request mileage reimbursement.

Motion was made by Mr. Kenny, seconded by Mr. Belden and carried unanimously to amend the Travel Policy to include the modified exemptions for the BOE as outlined above, and the necessary resolution was authorized for the next board meeting.

Concluding the Agenda review, Mr. Stec stated that Items 9A and B were requests from Paul Dusek, County Attorney, to address the Committee. Item 9A, he said, concerned a request to amend the Travel Policy to authorize the Deputy Fire and EMS Coordinators to use their personal vehicles for County purposes contingent on approval from the Director and/or Deputy Director of the Office of Emergency Services, as was requested at the May 22, 2009 Public Safety Committee meeting.

Mr. Dusek explained the question was whether the Deputy Fire and EMS Coordinators could be exempted from the Travel Policy allowing for the use of personal vehicles for County purposes. Mr. Kenny asserted that the response should mirror what was discussed for the BOE. Mr. Geraghty countered that Fire Coordinators and EMS Coordinators reported to emergencies from their residence using their personal vehicles on a regular basis and it had always been that way. Mr. Kenny recommended that they be allowed to use personal vehicles when responding to an emergency situation and may seek mileage reimbursement for such and in all other circumstances, they be required to follow the Travel Policy.

Discussion ensued.

Motion was made by Mr. Bentley and seconded by Mr. Merlino to authorize the Fire Coordinator, Deputy Fire and EMS Coordinators to use their personal vehicles to respond to an emergency situation within Warren County and to seek mileage reimbursement for same.

Mr. Champagne expressed his concern that the Coordinators reported to emergencies in other counties as well and the motion limited the authorization to within only Warren County. Mr. Stec suggested broadening the exemption to include the use of personal vehicles to emergencies in bordering counties.

Hal Payne, Commissioner of Administrative & Fiscal Services, informed the Committee that the Fire Coordinator had recently submitted for mileage reimbursement totaling \$1,400 from September of 2008 through June of 2009.

Mr. Bentley amended his motion to amend the Travel Policy to authorize the Fire Coordinator, Deputy Fire and EMS Coordinators to use their personal vehicles to respond to all County business, emergency or otherwise, in Warren County or adjacent counties and receive mileage reimbursement. Mr. Merlino seconded the amended motion. Mr. Stec called the question and the motion was carried unanimously to amend

the Travel Policy as outlined above. The necessary resolution was authorized for the next board meeting.

Mr. Stec apprised Item 9B to be discussed by Mr. Dusek pertained to a referral from the June 30, 2009 Public Works Committee meeting relating to property taxes on the Gaslight Village property.

Mr. Dusek explained that Lake George had a Village tax bill for the Gaslight Village property and through the payment process it was referred to his Office because there had been a question as to why this money was owed, given the belief that the property was tax exempt. He confirmed that the property was exempt; however, he said, there was a lagging effect of tax bills owed and in this case the taxable status date was March 1, 2008. He stated that Warren County closed on the property on March 14, 2008, after the taxable status date. He apprised that the County became responsible for the school taxes for that fall, the County and Town taxes for January, and now the Village tax was due in June and the Village relied on the tax rolls that were in effect as of March 1, 2008. Following the payment of this bill, he added, the property would be totally exempt.

Mr. Belden questioned the amount of the bill and Mr. Dusek replied \$6,627, to be shared with the Village and the Town. Mr. Bentley asked when the bill was due and Mr. Dusek responded June 30, 2009 and added that he would request the Village to waive the penalties.

Motion was made by Mr. Bentley, seconded by Mr. Belden and carried unanimously to authorize the payment of the County's share of the tax bill for the Gaslight Village property to the Village of Lake George and to request that the penalties be waived. The necessary resolution was authorized for the next board meeting.

Mrs. Sady announced that the County/Town tax bill for the Gaslight Village property had not been paid in January as previously stated. Mr. Dusek advised an adjustment could be done in the Treasurer's Office and the County could bill out the Village and Town for their share. He noted he would resolve the matter.

There being no further business to come before the Committee, on motion made by Mr. Belden and seconded by Mr. Bentley, Mr. Stec adjourned the meeting at 12:20 p.m.

Respectfully submitted,

Nicole Livingston, Deputy Clerk