

# WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: **FINANCE**

DATE: **JUNE 9, 2010**

**Committee Members Present:**

Supervisors      Stec  
                         Bentley  
                         Taylor  
                         VanNess  
                         Kenny  
                         Conover

**Committee Members Absent:**

Supervisors      Goodspeed  
                         Belden  
                         Merlino

**Others Present:**

Fred Monroe, Chairman of the Board  
Paul Dusek, County Attorney/Commissioner of  
Administrative & Fiscal Services  
Joan Sady, Clerk of the Board  
Kevin Geraghty, Budget Officer  
Supervisor Champagne  
Supervisor Loeb  
Supervisor McCoy  
Supervisor Sokol  
Supervisor Strainer  
Supervisor Thomas  
Frank O'Keefe, Treasurer  
Richard Murphy, Deputy Commissioner of  
Fiscal Services  
Brian LaFlure, Fire Coordinator/Director, Office  
of Emergency Services  
William Lamy, DPW Superintendent  
Sheila Weaver, Commissioner, Department of  
Social Services  
Don Lehman, *The Post Star*  
Thom Randall, *Adirondack Journal*  
Nicole Livingston, Deputy Clerk

---

---

Mr. Stec called the meeting of the Finance Committee to order at 10:12 a.m.

Motion was made by Mr. Bentley, seconded by Mr. VanNess and carried unanimously to approve the minutes of the May 12, 2010 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 stated 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. Kenny and carried unanimously to approve Item 1 as outlined above. The necessary resolution was authorized for the next board meeting.

Mr. Stec advised Items 2A through D were referrals from Administrative & Fiscal Services. Item 2A, he said, was a request to ratify the actions of the Chairman of the Board and authorizing a contract with New York State Energy Research Development Authority (NYSERDA) to provide an energy analysis for the Human Services Building, for an amount not to exceed \$6,190, said funds to be expended from Capital Project No. H263.9550 280-Design and Construction Health & Human Services Building.

Paul Dusek, County Attorney/Commissioner of Administrative & Fiscal Services, explained that in 2008 the County undertook a technical assistance study for the Human Services Building to determine whether or not it would qualify for certain grants for up to \$137,000 from NYSERDA. He added the cost for Warren County's share for the study was \$6,190.

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

Mr. Stec asserted Item 2B was a request to authorize payment to Clark Patterson Lee for additional professional services incurred due to the Human Services Building move as a result of contractor error, in the amount of \$17,245, said funds to be expended from Capital Project No. H263.9550 280-Design and Construction Health & Human Services Building.

Mr. Dusek reminded the Committee that the Building was slightly off in location due to an error on the contractors end and the resulting cost was credited to the County from the contractor. In return, he continued, the County paid Clark Patterson Lee and this was the paperwork necessary to resolve the matter.

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

Mr. Stec added that Item 2C was a request to amend Resolution No. 245 of 2008 which authorized agreement with Clark Patterson Lee, to include that funds shall be expended from both Capital Project No. H263.9550 280-Design and Construction Health & Human Services Building and No. H315.9550 280-Abatement & Demolition Co. Annex and ratifying the actions relative to the payment of invoices for the demolition of the former Social Services Building.

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

Mr. Stec stated Item 2D was a request to amend Resolution No. 246 of 2008 which authorized agreement with Bovis Lend Lease, to include that funds shall be expended from both Capital Project No. H263.9550 280-Design and Construction Health & Human Services Building and No. H315.9550 280-Abatement & Demolition Co. Annex and ratifying the actions relative to the payment of invoices for the demolition of the former Social Services Building.

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

Mr. Stec apprised Item 3 was a referral from the County Facilities Committee, requesting a source of funding for the approved payment of electric and gas bills previously paid by the Department of Social Services, in an amount of \$27,187.29 for January through April 2010.

Mr. Dusek expounded that when the Department of Social Services (DSS) was in their former location, they made payments for the building uses to Westmount Health Facility for all of the electricity needs of that building. Following the relocation of the DSS to the Human Services Building, the electricity needed to remain on due to the moving of furniture and abatement studies. He stated that because Westmount Health Facility was a nursing home, it had a separate funding stream and accounting system. He summarized that the Westmount Health Facility books and the County's books needed to match up correctly. He noted the Facility should not be paying for County electrical needs in other buildings. Since there would be additional utility charges incurred until the building was demolished, Mr. Dusek recommended that this item be tabled so that one payment could be made.

Brief discussion ensued. In response to an inquiry from Mr. Loeb, Mr. Dusek explained that the co-gen ran on gas and a calculation was performed that included the amount of gas used.

Motion was made by Mr. VanNess, seconded by Mr. Conover and carried unanimously to table Item 3.

Mr. Stec reported that Item 4 was a referral from the Criminal Justice Committee, Probation, requesting to amend the 2010 County budget to increase estimated revenues and appropriations in the amount of \$5,000 to reflect receipt of unanticipated revenues for a legislative award from the NYS Division of Criminal Justice Services.

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

Mr. Stec advised Item 5 was a referral from the Human Services Committee, Employment & Training Administration, requesting to amend the 2010 County budget to increase estimated revenues and appropriations in the amount of \$7,500 to reflect receipt of Federal funds.

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

Mr. Stec asserted Item 6 was a referral from the Planning & Community Development Committee, requesting to increase Capital Project No. H295.9550 280-Countywide Broadband Study, in the amount of \$10,000 to reflect receipt of funds received from the Warren County LDC for the Broadband Needs Analysis and the Conceptual Design Study to be completed by CBN Connect.

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

Mr. Stec reported Item 7 was a referral from the Public Safety Committee, Office of Emergency Services, requesting a transfer of funds from Contingent Fund (A.1990 469) in the amount of \$8,215, to correct the 2010 budget and pay the salary of the new employee for the rest of 2010.

Mr. VanNess explained that this occurred due to an accounting error in the budget. Mr. Geraghty added that a glitch in the New World Accounting System caused this error and it had happened in other departments, as well; he concluded the problem had been rectified.

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

Mr. Stec apprised Items 8A and B were referrals from the Public Works Committee. Item 8A, he said, was referred from DPW, requesting to increase Capital Project No. H272.9550 280-Harrington Road Bridge, in the amount of \$16,300 for the Extra Work Agreement #1 (as authorized by Resolution No. 885 of 2009), with the source of funding to be \$16,000 Federal Share and \$300 State Marchiselli Share. He noted that no additional local match was needed.

Motion was made by Mr. Bentley, seconded by Mr. Conover and carried unanimously to approve Item 8A as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Stec added Item 8B was referred from Airport, requesting to establish Capital Project No. H316.9550 280-ARFF Building Expansion Design, in the amount of \$20,000 to provide design for a vehicle bay extension to the ARFF Building to accommodate the new ARFF truck, with the source of funding to be 95% FAA Federal grant in the amount of \$19,000; 2.5% NYS DOT grant in the amount of \$500; and 2.5% County funding in the amount of \$500 which was included in the Airport budget.

Motion was made by Mr. Bentley, seconded by Mr. VanNess and carried unanimously to approve Item 8B as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Stec referred to Item 9, a request from the Saratoga County Board of Supervisors to support the "Schoolbooks for Haiti" Project.

Motion was made by Mr. VanNess, seconded by Mr. Conover and carried unanimously to approve Item 9 as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Stec commented Item 10 was discussion relating to the possible creation of a Comptroller position. He recalled Supervisor Taylor had requested that this be included on the Agenda.

Mr. Taylor read a prepared letter that he had written to the editor of *The Post Star*, a copy of which is on file with the minutes. In the letter, Mr. Taylor expressed that he was a proponent of replacing the elected Warren County Treasurer position with an appointed Comptroller. He recognized Frank O'Keefe, Treasurer, for having always been a good and loyal public servant and congratulated him for all that he had done for the County.

Mr. Dusek asserted if the County was desirous of implementing a Comptroller-type position, there were a number of different ways in which it could be addressed. He noted a mandatory referendum by the voters of Warren County would be needed at an election to implement these changes. He outlined a time schedule which included the creation of a local law which needed to be fully enacted and adopted prior to September 1<sup>st</sup> in order for it to be included on the ballot in the fall election; thereby allowing for implementation one year from January 2011, which would coincide with the term of the current Treasurer. He affirmed the process of a local law, first step being the introduction followed by a public hearing and vote on the local law. Mr. Dusek apprised that the latest that this process could commence would be July in order for it to be concluded by August.

Mr. Dusek distributed handouts entitled "Budget and Finance Officials" and "County Comptroller/Director of Finance/Treasurer Positions-Possible Options" to the Committee

members, copies of which are on file with the minutes, which would assist with the decision making process.

Referring to the handout entitled "Budget and Finance Officials", Mr. Dusek explained this was for informational purposes and outlined financial positions of all the counties throughout New York State. He noted the handout entitled "County Comptroller/Director of Finance/Treasurer Positions-Possible Options" did not include a recommendation; it provided all the possible options available to the County. He listed the options as follows:

- Establish appointed position of Comptroller/Director of Finance and keep Treasurer position (mandatory referendum)
- Establish appointed position of Comptroller/Director of Finance and abolish Treasurer position (mandatory referendum)
- Establish limited Department of Finance with Director (some accounting functions) and keep Treasurer position without any transfer of functions (no referendum)
- Add elected Comptroller and keep Treasurer position (mandatory referendum)
- Change Treasurer position from elected to appointed (mandatory referendum)

Mr. Dusek opined that from discussions held to date, he believed the first two options listed were the ones that should be considered. Under State law, he continued, there was a provision for an elected Comptroller position, as outlined in the fourth option. He noted the fifth option listed was constitutionally available and would provide more control over the individual that held the position. He referred to the second page which outlined the powers and duties of a County Comptroller and reviewed them in detail; as well as a review of the last page which listed the powers and duties of the Treasurer.

Discussion ensued. Mr. Loeb apprised if the Treasurer's position was abolished, there would only be one government body watching over the County's finances, which he felt was a tremendous consolidation of power. He expressed his concern with the Board of Supervisors appointing a Comptroller that would serve at their will; ultimately allowing the Supervisors all of the authority for handling its' finances. Mr. Champagne agreed with Mr. Loeb; however, he added, anyone that was interested in the position of Treasurer was able to seek that Office, as there were no required qualifications for the position. Mr. Champagne concluded he was in favor of an appointed Comptroller.

Following discussions, Mr. O'Keefe confirmed that he planned to retire when he completed his term. He asserted that the Treasurer's Office was a very complicated Office and the key to maintaining efficiency was experience. He expressed his opinion that the Treasurer's Office should remain intact with its assigned powers and duties and the position of Treasurer should remain an elected position, including the caveat that the Deputy Treasurer remain a permanent position filled by a CPA.

Mr. Stec suggested the Committee members review the materials provided and be prepared to make a recommendation at the next Finance Committee meeting. Mr. Dusek cautioned this was a time sensitive matter if the plan was to proceed with implementing a Comptroller.

Returning to the Agenda review, Mr. Stec noted Item 11 was the Response to the Budget Analysis Report from the County Treasurer as prepared by JoAnn McKinstry, Deputy Commissioner of Administrative & Fiscal Services, which was attached for review.

Referring to the attached Report, Mr. Kenny noticed that the overtime budget for the year was down 27.5%; however, he added, every division in Westmount Health Facility reflected they were over budget in overtime. Mr. Geraghty interjected that it was an accounting error resultant of issues with the New World Accounting System which had been addressed.

Mr. Taylor asked that the Committee provide Mr. Dusek with a clear direction as to how to proceed with the issue of a Comptroller position. Mr. Kenny requested Mr. Dusek to research the possibility of an elected County Treasurer being required to possess certain qualifications. Mr. Stec added that research should include what kind of flexibility the Board of Supervisors could have in controlling the Deputy Treasurer position, as well; currently, he said, it was an appointed position, said appointment made by the Treasurer. Mr. Dusek acknowledged the requests.

There being no further business to come before the Committee, on motion made by Mr. VanNess and seconded by Mr. Bentley, Mr. Stec adjourned the meeting at 11:25 a.m.

Respectfully submitted,

Nicole Livingston, Deputy Clerk