

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: **FINANCE**

DATE: **OCTOBER 12, 2011**

Committee Members Present:

Supervisors Thomas
Taylor
Goodspeed
Belden
Monroe
VanNess
Kenny
Merlino
Conover

Others Present:

Daniel G. Stec, Chairman of the Board
Paul Dusek, County Administrator
Martin Auffredou, County Attorney
Joan Sady, Clerk of the Board
JoAnn McKinstry, Assistant to the County
Administrator
Kevin Geraghty, Budget Officer
Supervisor Bentley
Supervisor Champagne
Supervisor Strainer
Supervisor Wood
Frank O'Keefe, Treasurer
Deanna Park, Director, Countryside Adult Home
Jeff Tennyson, Superintendent of Public Works
Bud York, Sheriff
Michael Gates, Captain
Bob Olson, Town of Horicon
Don Lehman, *The Post Star*
Thom Randall, *Adirondack Journal*
Nicole Livingston, Deputy Clerk

Mr. Thomas called the meeting of the Finance Committee to order at 10:00 a.m.

Motion was made by Mr. Belden, seconded by Mr. Conover and carried unanimously to approve the minutes of the September 7, 2011 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 Action Agenda review, Mr. Thomas 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. Taylor, seconded by Mr. VanNess and carried unanimously to approve Item 1 as outlined above. The necessary resolution was authorized for the next board meeting.

Mr. Thomas advised Item 2 was a referral from the Human Services Committee, Veterans' Services, requesting a source of funding to cover three Van Drivers part-time

salaries plus fringe benefits and gas usage for Veterans' transportation from August 1, 2011 through December 31, 2011 in the amount of \$16,000.

Paul Dusek, County Administrator, apprised there had been a long standing arrangement between the Veterans' Services and the Department of Social Services (DSS) whereby the DSS Drivers and vans that were utilized to transport Social Services recipients would bring along Veterans for their appointments, and the associated costs for such were appropriated from the DSS budget. Effective August 1, 2011, he continued, the State took over the transportation aspect as part of the Medicaid takeover and therefore, the DSS no longer had the need for the Drivers and the van. Mr. Dusek stated that due to these circumstances, the Veterans' Services now had no way to transport Veterans to Albany for appointments. He recommended that for the short-term, Veterans' Services assume the cost of the Drivers and the gas usage for the van for the remainder of the year in order to continue the transportation services provided for Veterans. He noted that other options were being researched, such as developing a volunteer driver situation, which the County's insurance carrier had confirmed would be allowable. Mr. Dusek explained that the DSS had purchased the van using Medicaid funding which had complicated the issue further; however, he said, he had just received notification that because of the age of the van, the State would be in favor of turning the vehicle over to the County. He concluded that if the Committee was desirous of continuing the transportation service for Veterans, a source of funding for the \$16,000 would need to be determined and he recommended it be funded through a Contingent Fund transfer.

Mr. Taylor questioned if Washington County provided a similar service for their Veterans and if there was any opportunity for a shared service and Mr. Dusek responded affirmatively, noting Washington County transported Veterans only three times a week, whereas Warren County provided transportation five days a week. Mr. Dusek added he was reviewing the possibility of a shared service with Washington County.

Mr. Strainer informed that approximately twelve to sixteen Veterans were transported each day and he stressed the importance of the service. Mr. Bentley agreed and added that this was a service that the County needed to continue to support for the Veterans in the area.

Motion was made by Mr. VanNess, seconded by Mr. Goodspeed and carried unanimously to approve Item 2 as outlined above, with the source of funding to be a Contingent Fund Transfer. The necessary resolution was authorized for the next board meeting.

Mr. Thomas asserted Items 3A and B were referrals from the Public Safety Committee, Sheriff & Communications. Item 3A, he said, was a request to amend the 2011 County budget to increase estimated revenues and appropriations in the amount of \$5,566 to

reflect receipt of insurance payment for damages to patrol vehicles. He added Item 3B was a request to amend the 2011 County budget to increase estimated revenues and appropriations in the amount of \$4,500 to reflect receipt of monies received from Americade to cover the cost of police over-time coverage in Lake George.

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

Mr. Thomas stated Items 4A and B were referrals from the Public Works Committee, DPW. Item 4A, he continued, was a request to establish Capital Project No. H328.9550 280 West Mountain Road (CR 58) Bicycling Improvements, in the amount of \$85,000 for the construction of the project; with the source of funding to be 80% Federal Share (\$68,000) and 20% Local Share (\$17,000) to be accomplished with in-kind services and therefore no funds were needed at this time. Mr. Thomas noted Item 4B was a request to establish Capital Project No. H329.9550 280 Warren County Bikeway Improvements, in the amount of \$26,000 for the construction of the project; with the source of funding to be 80% Federal Share (\$20,800) and 20% Local Share (\$5,200) to be accomplished with in-kind services and therefore no funds were needed at this time.

Motion was made by Mr. Belden, seconded by Mr. Conover and carried unanimously to approve Items 4A and B as outlined above, and the necessary resolutions were authorized for the next board meeting.

Mr. Thomas apprised Item 5 was a referral from the Real Property Tax Services Committee, requesting a Contingent Fund Transfer in the amount of \$1,000 to Code A.1355 410 Real Property Tax Service Agency-Supplies to cover the cost of printing the 'Truth in Taxation' flyers.

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

Mr. Thomas remarked that Item 6 was a request to amend Resolution No. 522 of 2011 to state "by the transfer of funds from the General Fund" as opposed to Code A.9950 910 Transfers-Capital Projects-Interfund Transfers.

Joan Sady, Clerk of the Board, explained that there was no funding available in the Transfers-Capital Projects-Interfund Transfers Code and therefore the funds needed to be advanced from the General Fund.

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

Mr. Thomas advised Item 7 was a request from NYSAC seeking a resolution and letter of support for Senate Bill S.5889-B. He noted that a draft resolution and letter of support were attached for review.

Motion was made by Mr. Monroe and seconded by Mr. Goodspeed to approve the request as presented.

Mr. Monroe pointed out that the Governor had announced last week that this Bill would not proceed and if that was the case, he would recommend that the request be amended asking the Governor to reconsider and to express the County's disappointment in this Bill not being passed. He noted that the amendment should also include that Warren County was aware that New York State was only one of two or three States that had imposed the Medicaid cost on the local property tax. Mr. Bentley added that the State should also reduce the eligibility for Medicaid recipients from 400% of the poverty level to 200%, as forty-six other States had done.

Mr. Thomas called the question and the motion was carried unanimously to approve Item 7 as outlined above, with the inclusion requesting the Governor to reconsider this Bill and to express the County's disappointment in this Bill not being passed; as well as including that Warren County was aware that New York State was only one of two or three States that had imposed the Medicaid cost on the local property tax; and that the State should also reduce the eligibility for Medicaid recipients from 400% of the poverty level to 200%, as forty-six other States had done. The necessary resolution was authorized for the next board meeting.

Concluding the Action Agenda review, Mr. Thomas informed Item 8 was a request for Finance Committee action which was required on the following items that were approved by the Personnel Committee: Item Nos. 4B and 4C.

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

Mr. Thomas referred to Item IV. Topics to be reported on/discussions/updates and noted Item 1, was the response to the Budget Analysis Report from the County Treasurer as prepared by JoAnn McKinstry, Assistant to the County Administrator, which was attached for review.

Mr. Dusek advised he had additional items to discuss with the Committee. The first, he said, pertained to the abstracting that was necessary for the tax foreclosures every year as prepared by the County Attorney's Office. He informed that due to the number of abstracts and the cost of the abstracts this year, the amount budgeted had been exceeded. Mr. Dusek requested an increase in appropriations by \$22,000 and an increase in revenues by \$14,000 with the gap in funding to be a Contingent Fund transfer in the amount of \$8,000.

Discussion ensued relative to the foreclosure process and the County land auction and the possibility of Realtors marketing the properties for sale, as opposed to an auctioneer. Martin Auffredou, County Attorney, remarked that he would research the law and report back at a later date.

Motion was made by Mr. Belden, seconded by Mr. Monroe and carried unanimously authorizing a Contingent Fund transfer in the amount of \$8,000 to Code A.1420 437 Law (County Attorney) Consulting Fees; and to amend the 2011 County budget to increase estimated revenues and appropriations in the amount of \$22,000. The necessary resolutions were authorized for the next board meeting.

Mr. Dusek asserted the next item for discussion pertained to Countryside Adult Home. He reminded the Committee members that he had presented a study on Countryside Adult Home, as well as a financial analysis of the facility that showed what they thought would be a \$300,000 loss this year; however, he said, the actual loss for this year would be \$500,000. He informed that he had been contacted by John Edwards from Fawn Ridge Assisted Living, who was interested in looking at the facility and reviewing the finances. As a result, he continued, Mr. Edwards determined that the current occupancy level was low at forty-two beds, and at the minimum, he felt it would need to be an eighty bed facility in order to generate revenue, which Mr. Dusek noted was not feasible. Mr. Dusek added that another observation that Mr. Edwards made was that he thought the costs for running the facility were very high compared to the private sector, specifically employee costs, although he felt it was appropriately staffed. He summarized that Countryside Adult Home would continue to cost the County money and decisions would need to be made whether this was an acceptable cost or not. He recommended that the matter be addressed as part of the budget process.

Mr. Monroe expressed his support of continuing to fund the Countryside Adult Home and noted it was an important service provided to the residents of the County. In response to an inquiry, Mr. Dusek apprised that by law, the County would be required to find appropriate placement for the residents of the facility prior to its' closure. Chairman Stec highlighted the fact that the \$500,000 loss was on an \$1.8 million operation, or 1/3 of the operating budget, and the model was not sustainable. He

further stated that this was a service that fifty-five out of sixty-two counties in New York State did not provide. Discussion ensued.

Mr. Thomas directed the Committee members to the Addendum to the Agenda, which was a referral from the Gaslight Village Ad Hoc Committee, requesting authorization of payment for surveying fees to be paid from Gaslight parking revenues.

Mr. Monroe commented that the Committee had also authorized for the Elan Planning Group to be paid for the submission of the grant applications out of parking revenues, as well, and that could be included in the resolution.

Motion was made by Mr. Kenny, seconded by Mr. Monroe and carried unanimously to authorize payment for surveying fees, as well as payment to the Elan Planning Group for the submission of the grant application, said payments to be made from parking revenues. The necessary resolution was authorized for the next board meeting.

Mr. Thomas announced an executive session was needed to discuss Collective Bargaining negotiations, and litigation matters pertaining to Dumas and Laroe.

Prior to the executive session, Sheriff York requested permission to address the Committee regarding the 911 lawsuit. Sheriff York informed that he received notification that a county in the western part of the State was preparing to sue New York State over the 911 monies and was requesting other counties to join in the lawsuit. He opined that Warren County should join in the lawsuit to at least attempt to recoup the payments owed to the County in the amount of \$1.7 million, which would fund the entire 911 Communications Center. Mr. Auffredou advised he would like to contact the Erie County Attorney's Office to discuss the legal theory of the case and on what basis they were proceeding prior to making a determination and he would report back to the Committee with his findings. Mr. Auffredou referenced a request from the New York State Association of Counties (NYSAC) for a resolution of support asking the State Legislature and the Governor to reallocate the 911 monies as they should be. Mr. Dusek recommended adopting such resolution at this time.

Motion was made by Mr. VanNess, seconded by Mr. Belden and carried unanimously to request the State Legislature and the Governor reallocate the 911 monies to the counties as it was originally intended. The necessary resolution was authorized for the next board meeting.

Motion was made by Mr. Goodpseed, seconded by Mr. VanNess and carried unanimously that executive session be declared pursuant to Sections 105 (d) and (e) of the Public Officers Law.

Executive session was declared from 11:10 a.m. to 12:01 p.m.

The Committee reconvened and Mr. Thomas announced that no action was necessary pursuant to the executive session.

There being no further business to come before the Committee, on motion made by Mr. Conover and seconded by Mr. VanNess, Mr. Thomas adjourned the meeting at 12:02 p.m.

Respectfully submitted,

Nicole Livingston, Deputy Clerk