

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: **FINANCE**

DATE: **NOVEMBER 7, 2012**

Committee Members Present:

Supervisors Thomas
Taylor
Sokol
Monroe
Bentley
Wood
Kenny
Merlino
Conover

Others Present:

Daniel G. Stec, Chairman of the Board
Paul Dusek, County Administrator
Martin Auffredou, County Attorney
Amanda Allen, Deputy Clerk
Kevin Geraghty, Budget Officer
Supervisor Frasier
Supervisor Loeb
Supervisor Mason
Supervisor Strainer
Mike Swan, County Treasurer
Bud York, Sheriff
Rob Metthe, Director, Information Technology
William Long, SUNY Adirondack Vice President
of Administrative Services
John Strough, Town of Queensbury Councilman
Nicole Livingston, Second Deputy Clerk

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

Motion was made by Mr. Kenny, seconded by Mr. Sokol and carried unanimously to approve the minutes of the October 10, 2012 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 Mrs. Wood, 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. Thomas advised Item 2 was a referral from the Board of Supervisors, requesting to establish the Invasive Species Sub-Committee and naming the following members: Dennis Dickinson, Town of Lake George; Ron Conover, Town of Bolton; Fred Monroe, Town of Chester; Ralph Bentley, Town of Horicon; William Mason, Queensbury-At-Large; and Edna Frasier, Town of Hague.

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

Mr. Thomas stated Item 3 was a referral from the Budget Committee, requesting to establish a Capital Reserve Fund in accordance with General Municipal Law Section 6-C for the purchase of vehicles and computers for an amount not to exceed \$408,000 as follows: A.895.00 Reserve, Computers and A.896.00 Reserve, Vehicles; with the source of funding to be General Fund Unappropriated Surplus.

Motion was made by Mr. Kenny and seconded by Mrs. Wood to approve the request as presented.

Paul Dusek, County Administrator, reminded the Committee members that this was part of the multi-year financial plan that was developed and also to recognize the issues the County was facing with older vehicles and computers. He asserted that Windows XP and the Office Series would be expiring in 2014 and no longer serviced by Microsoft, resulting in no updates and increased security problems. As part of the plan, he continued, the newer, usable machines would continue to be utilized, high power users would receive new machines and other computers would be shifted around. He added this would also assist in standardizing the County and using the latest purchasing techniques. Mr. Dusek said the same was true with the vehicles, in terms of standardizing and to have flexibility to move vehicles amongst departments. He noted that they had identified every vehicle in every department, with the exception of the Department of Public Works, due to the uniqueness of their fleet, which was funded under the Road Machinery Fund and Westmount Health Facility because those vehicles were funded through the Westmount Reserve Fund. He advised they had averaged a ten year life expectancy for the vehicles and as part of the multi-year plan, they had scheduled in a regular amount each and every year hereafter. He pointed out that approximately \$72,000 of the \$408,000 would be used to purchase an extra vehicle for the nurses, a vehicle for Building Codes and the balance would be used to begin a plan for replacing DPW vehicles.

Following discussion, Mr. Thomas called the question and the motion was carried unanimously to approve Item 3 as outlined above. The necessary resolution was authorized for the next Board meeting.

Mr. Thomas expounded Items 4A through G were referrals from the County Treasurer. Item 4A, he said, was a request for a new contract with New World Systems for the Software Maintenance Agreement for Financial and Human Resources computer system, commencing December 1, 2012 and terminating November 30, 2017 for the amounts as listed: 2012-2013 \$36,200; 2013-2014 \$37,650; 2014-2015 \$39,533; 2015-2016 \$41,510; and 2016-2017 \$43,586.

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

Mike Swan, County Treasurer, explained this was the financial software package that drove the entire County. He stated after a thorough review, this was the best system and the most cost effective way to continue with the current system in place. In

response to an inquiry as to what services would be provided through this contract, Mr. Swan advised this would provide technical support, on-site if needed, annual updates for the software and re-programming. He reiterated that following an extensive analysis, he recommended this contract.

Mr. Thomas called the question and the motion was carried unanimously to approve Item 4A as outlined above. The necessary resolution was authorized for the next Board meeting.

Mr. Thomas noted Item 4B was a request to decrease Capital Project No. H263.9550 280 Design and Construction Health & Human Services Building, in the amount of \$120,000, to transfer excess bond funds to the Debt Service Fund.

Motion was made by Mr. Kenny, seconded by Mr. Taylor and carried unanimously to approve Item 4B as outlined above. The necessary resolution was authorized for the next Board meeting.

Mr. Thomas remarked Item 4C was a request to close CL-Waste Management Fund because it was no longer needed after the sale of the trash plant and to transfer the excess funds in the amount of \$1,333,592.61 to the General Fund. He added Item 4D was a request to amend the 2012 County budget to increase estimated revenues and appropriations in the amount of \$1,333,592.61 to reflect the transfer of 2012 operating surplus to the General Fund.

Motion was made by Mr. Sokol, seconded by Mr. Kenny and carried unanimously to approve Items 4C and D as outlined above. The necessary resolutions were authorized for the next Board meeting.

Mr. Thomas stated Item 4E was a request to change the hours the Treasurer's Office was open to the public to 8:30 a.m. to 4:30 p.m. to allow staff to have the proper amount of time to cash out and investigate any differences at the end of the day.

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

Mr. Conover requested a more detailed explanation. Mr. Swan advised this would not change the hours of the staff and would alleviate the need for overtime within his Office.

Martin Auffredou, County Attorney, informed that County Law provided that the Board of Supervisors may fix the hours that the Offices' of the County Clerk, County Treasurer, Clerk of the Board or the Civil Office of the Sheriff shall be kept open for transactions. In reading the Law, he said, it did allow for the Board to determine what the hours shall be and if not specified the hours would default to 9:00 a.m. to 5:00

p.m., with the exception of summer hours which allowed for a minimum of 9:00 a.m. to 4:00 p.m. Mr. Auffredou questioned if there was uniformity at the County and if these hours would mirror those of the County Clerk or the Real Property Tax Services Department. Mr. Swan replied that the DMV and the County Clerk stopped accepting business at 4:15 p.m. or 4:30 p.m. and the Real Property Tax Services Department operated from 9:00 a.m. to 5:00 p.m. He reiterated that he was attempting to avoid the use of any overtime.

A brief discussion ensued and Mr. Conover suggested that the Committee table action on this item at this time.

Motion was made by Mr. Conover, seconded by Mr. Kenny and carried unanimously to table action on Item 4E until a later date.

Mr. Thomas advised Item 4F was a request to amend Resolution No. 506 of 2012 to reduce the amount of revenue in excess of \$100,000 to not to exceed \$75,000 rather than 50% of the proceeds.

Mr. Swan informed this was the Fund that was established for environmental testing of contaminated properties and recently a grant opportunity had arisen which could offset a substantial amount of the costs to the County. He added that 50% of the proceeds from this years' auction would be approximately \$190,000 which was more money than was necessary for that Fund.

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

Mr. Swan mentioned that in speaking with the County Attorney, it had been determined that the County Attorney's Office also had associated expenses with taking temporary title of these types of properties. Mr. Auffredou noted his Office had to follow certain requirements under the Environmental Conservation Law which created an expenditure for his Office, as well as additional publication fees, for an average expense of nearly \$625. He requested that the amendment include language that expenses would include the County Attorney's administrative expenses, including but not limited to title fees and publication fees.

Mr. Monroe amended his motion to include language that expenses would include the County Attorney's administrative expenses, including but not limited to title fees and publication fees and Mrs. Wood amended her second to the motion.

Chairman Stec entered the meeting at 10:31 a.m.

Brief discussion ensued on the current contaminated properties that the County was in the process of taking Temporary Incidents of Ownership.

Following discussions, Mr. Thomas called the question and the motion was carried unanimously to approve Item 4F including the aforementioned additional language as outlined above, and the necessary resolution was authorized for the next Board meeting.

Mr. Thomas noted Item 4G was a request for a Contingent Fund transfer in the amount of \$32,000 to Code A.2490 439 Community College-Tuition-Misc Fees & Expenses, to cover larger than expected Community College tuition costs for Warren County students attending Community College outside the County.

Motion was made by Mr. Taylor, seconded by Mrs. Wood and carried unanimously to approve Item 4G as outlined above, and the necessary resolution was authorized for the next Board meeting.

Mr. Thomas expounded Item 5A and B were referrals from the Community College Committee. Item 5A, he said, was a request to support the request to New York State from the Adirondack Community College Board of Trustees to approve Emergency Funds in the amount of \$140,000 with the understanding that 50% would be provided through existing Capital Chargeback funds and 50% through New York State match.

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

Privilege of the floor was extended to William Long, SUNY Adirondack Vice President of Administrative Services. Mr. Long explained that while an approved Capital Project was being completed on a roof, asbestos and other problems were discovered that were not part of the original bid. In addition, he said, the columns that supported the roof were also deteriorating and required repair.

Following discussions, Mr. Thomas called the question and the motion was carried unanimously to approve Item 5A as outlined above. The necessary resolution was authorized for the next Board meeting.

Mr. Thomas added Item 5B was a request to approve the request from SUNY Adirondack to increase the Capital Project for Renovations to the Student Center (CO1092) in the amount of \$425,000 for a total project cost of \$2,306,338 with the understanding that the source of funding for the increase would be a donation earmarked for this Project, as well as a match in the same amount from the State of New York.

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

Mr. Long added this was a way to increase their capital dollars and the donation would be matched by the State of New York; therefore there would be no impact on the Counties. He pointed out that the Student Center, which was the area to be worked on, was key to the housing plan.

Mr. Thomas called the question and the motion was carried unanimously to approve Item 5B as outlined above. The necessary resolution was authorized for the next Board meeting.

Mr. Thomas apprised Items 6A through D were referrals from the Health Services Committee. Item 6A, he said, was referred from Health Services, requesting to amend the 2012 County budget to increase estimated revenues and appropriations in the amount of \$175 to reflect the addition of revenues/costs related to CPR course training to be done at the end of November 2012 for Westmount Health Facility.

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

Mr. Thomas noted Items 6B through D were referred from Westmount Health Facility, and Item 6B, he stated, was a request to close Capital Project No. H296.9550 280 Sprinkler System Project and to return the remaining amount of approximately \$100,200 to Westmount Interfund Transfers EF.503100 5031.

Motion was made by Mr. Kenny, seconded by Mrs. Wood and carried unanimously to approve Item 6B as outlined above, and the necessary resolution was authorized for the next Board meeting.

Mr. Thomas remarked Item 6C was a request to appropriate Fund Balance in the amount of \$170,000 to cover Contracted Agency Fees for Staffing.

Motion was made by Mr. Conover and seconded by Mr. Sokol to approve the request as presented.

Mrs. Wood asked how this would affect the current Fund Balance, as well as the 2013 Fund Balance and if that had been factored into the budget. Mr. Dusek responded it had been factored in; however, he continued, based on the Fund Balance, the aforementioned could be covered right now although it may not be enough for cash flow purposes. He remarked that it could be worse if the facility continued to contract out for nursing services.

Mr. Thomas called the question and the motion was carried unanimously to approve Item 6C as outlined above. The necessary resolution was authorized for the next Board meeting.

Mr. Thomas added Item 6D was a request to appropriate Fund Balance in the amount of \$75,000 to cover Interim DON (Director of Nursing) fees.

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

Mr. Kenny questioned if other agencies had been researched and considered to contract with for a DON and Mr. Dusek replied affirmatively; however, he said, the chosen individual was the most qualified in terms of experience with the issues that the Facility was confronted with, specifically, the New York State Department of Health surveys.

Mr. Thomas called the question and the motion was carried unanimously to approve Item 6D as outlined above. The necessary resolution was authorized for the next Board meeting.

Mr. Thomas apprised Item 7 was a referral from the Human Services Committee, Employment & Training Administration, requesting to amend the 2012 County budget to increase estimated revenues and appropriations in the amount of \$255,000 to reflect receipt of Federal funds for the WIA (Workforce Investment Act).

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

Mr. Thomas stated Item 8 was a referral from the Occupancy Tax Coordination Committee, requesting to authorize the County Treasurer to appropriate \$10,000 from the Reserve for Occupancy Tax (A.881.00) to Code A.6417 470 Tourism Occupancy-Contract, for a new satellite Tourism Office in the Adirondack Outlet Mall.

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

Mr. Merlino questioned the amount, noting the request had been for \$50,000 and Amanda Allen, Deputy Clerk, advised the \$10,000 was for the rest of 2012 and the remaining \$40,000 would be appropriated in 2013.

Mr. Thomas called the question and the motion was carried unanimously to approve Item 8 as outlined above. The necessary resolution was authorized for the next Board meeting.

Mr. Thomas expounded Items 9A and B were referrals from the Public Safety Committee, Sheriff & Communications. Item 9A, he said, was a request to amend the

2012 County budget to increase estimated revenues and appropriations in the amount \$26,247 to reflect receipt of insurance recoveries.

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

Mr. Thomas added Item 9B was a request for a new contract with New World Systems for the implementation and maintenance for Dispatch and record keeping software, commencing January 1, 2013 and terminating December 31, 2017 for the amounts as listed: 2013-\$59,211; 2014-\$49,047; 2015-\$51,499; 2016-\$54,074; and 2017-\$56,778.

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

Mr. Kenny asked for an explanation as to what the difference was between the Sheriff's contract and the contract that was approved earlier for the Treasurer's Office. Bud York, Sheriff, provided a brief history on the system in the Sheriff's Office. He reminded the Committee members that originally his Office had experienced a problem with the New World Systems software and therefore had contracted with a different company. He asserted that the software through the new company did not work well for the 911 Communication Center. Sheriff York acknowledged that he was not aware of the Treasurer's contract and suggested that attempts be made to negotiate a better price for both contracts.

Discussion ensued regarding the two contracts with New World Systems, following which, motion was made by Mr. Bentley, seconded by Mr. Taylor and carried unanimously to table action on the request pending additional information from the County Attorney that would be provided at the November 16, 2012 Board meeting.

Mr. Thomas informed Item 10 was a referral from the Public Works Committee, Parks, Recreation & Railroad, requesting a Contingent Fund transfer in the amount of \$3,018.92 to Code A.7113 439 Railroad, Misc Fees & Expenses for the repayment of an Insurance Claim paid in error in 2011 on fire damage at Railroad Place.

Motion was made by Mr. Conover, seconded by Mr. Bentley and carried unanimously to approve Item 10 as outlined above, and the necessary resolution was authorized for the next Board meeting.

Mr. Thomas stated Items 11A and B were referrals from the Support Services Committee. Item 11A, he noted, was referred from the County Attorney, requesting a Contingent Fund transfer in the amount of \$1,000 to Code A.1420 440 Law (County Attorney)-Legal/Transcript Fees, for contractual litigation expenses.

Motion was made by Mr. Sokol, seconded by Mrs. Wood and carried unanimously to approve Item 11A as outlined above, and the necessary resolution was authorized for the next Board meeting.

Mr. Thomas added Item 11B was referred from the Clerk of the Board, requesting a Contingent Fund transfer in the amount of \$4,200 to Code A.1040 110 Clerk-Legislative Board-Salaries-Regular, to cover salaries through the end of 2012 as a result of a miscalculation of sick leave payout for a retiring employee.

Motion was made by Mr. Taylor, seconded by Mr. Bentley and carried unanimously to approve Item 11B as outlined above, and the necessary resolution was authorized for the next Board meeting.

Mr. Thomas directed the Committee members to IV.Topics to be reported on/discussions/updates and he noted Item 1 was the response to the Budget Analysis Report from the County Treasurer as prepared by the County Administrator, which would be emailed when completed.

Referencing the Pending Items, Mr. Thomas stated Item 1 was for the County Attorney to contact Erie County Attorney's Office to discuss the legal theory of the 911 lawsuit and on what basis they were proceeding, and report back to the Committee with his findings. Mr. Auffredou reported that he could not find any evidence that this lawsuit had supporting interest to move forward; however, he said, he would make one more attempt to obtain some answers and would report back to the Committee next month.

Mr. Thomas pointed out there was an addendum the Agenda which was a referral from the Gaslight Village Ad Committee, requesting to transfer funds in the amount of \$1,861.50 to appropriate the funds for reimbursement to the Village of Lake George for legal fees incurred in connection with the second SEQRA (State Environmental Quality Review Act) review of the former Gaslight Village property to the appropriate budget codes.

Mr. Monroe informed that a \$500,000 grant had been received for the children's playground aspect of this project and also the project was one of four that had been chosen to be highlighted in a presentation to the Governor and Lieutenant Governor. He added that the project was still very high on the State's radar.

Motion was made by Mr. Monroe, seconded by Mr. Merlino and carried unanimously to approve Addendum Item 1 as outlined above, and the necessary resolution was authorized for the next Board meeting.

Mr. Thomas announced that after the requests approved today, the Contingent Fund balance would be \$36,625.92.

Prior to adjourning, Mr. Loeb wished to recognize Chairman Stec, Assemblyman-elect, and offered him great congratulations. Chairman Stec thanked Mr. Loeb for the

recognition. He also thanked the entire Board of Supervisors for their support over the past few months and added he looked forward to working in a new capacity for the County and District at the State level.

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

Respectfully submitted,

Nicole Livingston, Second Deputy Clerk