

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: FINANCE

DATE: OCTOBER 31, 2019

COMMITTEE MEMBERS PRESENT:

SUPERVISORS SOKOL
SIMPSON
MERLINO
DICKINSON
STROUGH
BEATY
FRASIER
MCDEVITT
GERAGHTY
BRAYMER
HYDE

OTHERS PRESENT:

MIKE SWAN, COUNTY TREASURER
RONALD CONOVER, CHAIRMAN OF THE BOARD
RYAN MOORE, COUNTY ADMINISTRATOR
MARY ELIZABETH KISSANE, COUNTY ATTORNEY
AMANDA ALLEN, CLERK OF THE BOARD
FRANK THOMAS, BUDGET OFFICER
SUPERVISORS DRISCOLL
HOGAN
LEGGETT
LOEB
MAGOWAN
TAMMIE DELORENZO, ASSISTANT TO THE COUNTY ADMINISTRATOR
KEVIN HAJOS, SUPERINTENDENT OF PUBLIC WORKS
GREG JOHNSON, JOHNSON AND LAWS, LEGAL COUNSEL TO THE COUNTY
RACHEL SEEBER, TOWN OF QUEENSBURY RESIDENT
DON LEHMAN, *THE POST STAR*
SARAH MCLENITHAN, DEPUTY CLERK OF THE BOARD

Please note, the following contains a summarization of the October 31, 2019 meeting of the Finance Committee; the meeting in its entirety can be viewed on the Warren County website using the following link: <http://www.warrencountyny.gov/gov/comm/Archive/2019/finance/>

Mr. Sokol called the meeting of the Finance Committee to order at 10:28 a.m.

Motion was made by Mr. Strough, seconded by Mr. McDevitt and carried unanimously to approve the minutes of the previous Committee meeting, subject to correction by the Clerk of the Board.

Copies of the meeting Agenda were distributed to the Committee members and a copy of same is on file with the meeting minutes

Commencing with the Action Agenda, Mr. Sokol requested approval of Item 1 which consisted of a request for transfers of funds as attached for Committee approval.

Motion was made by Mr. Simpson, seconded by Mr. Merlino and carried unanimously to approve the request and the necessary resolution was authorized for the November 15th Board Meeting.

Mr. Beaty entered the meeting at 10:29 a.m.

Mr. Sokol advised Agenda Items 2A-B concerned the following requests from the County Treasurer:
2A) Request for a transfer of funds in the amount of \$60,000 from the Contingent Account to cover the cost of College chargebacks which have increased more than anticipated.

Mike Swan, *County Treasurer*, apprised when someone who had a certificate of residency attended a

college in another county, such as Montgomery Community College, that student was billed for half of the tuition and the remainder was paid by Warren County, but if a resident of Fulton County attended SUNY Adirondack, the student was responsible for half of the tuition and Fulton County paid the other half. He explained the amount they had estimated for this expense in the 2019 County Budget was insufficient causing a shortfall which they needed funds to cover.

Mr. Sokol announced the current balance of the Contingent Account was \$105,000.

Motion was made by Mr. Simpson, seconded by Ms. Braymer and carried unanimously to approve the request and the necessary resolution was authorized for the November 15th Board Meeting.

- 2B) Request for a new contract with Capital Markets Advisor, LLC to provide advisory services for bond sales.

Mr. Swan informed last month they had approved extending the current contact with Capital Markets Advisors, LLC. to allow his Office to work on re-financing the bonds for the HSB (*Human Services Building*). He stated an RFP (*Request for Proposal*) was released for these services from 2020 until 2022 and a copy of the bid tabulation sheet was included in the Agenda. He advised he would like to continue working with Capital Markets Advisors, LLC. as he had been working with them since he started his tenure as County Treasurer and he felt they were the most responsible bidder.

A discussion ensued following which a motion was made by Mr. Strough, seconded by Ms. Braymer and carried unanimously to approve the request and the necessary resolution was authorized for the November 15th Board Meeting.

Mr. Sokol stated Agenda Items 3A-C pertained to the following referrals from the Budget Committee:

- 3A) Request to authorize an appropriation of funds in the amount of \$650,000 from the General Fund Unappropriated Surplus to provide funding for the list of reserves suggested by the Budget Officer.
- 3B) Request to create reserves suggested by the Budget Officer: A.860.00, *SUNY Adirondack Capital Improvements (\$100,000)*; A.861.00, *Countryside Rehabilitation (\$200,000)*; A.863.00, *Insurance (\$50,000)*; A.867.00, *Employee Benefit Accrued Liability (50,000)*; and A.916.00, *Assigned Fund Balance, Project Assessments (\$50,000)*.
- 3C) Request to increase reserves as suggested by the Budget Officer: A.871.00, *Rehab County Buildings (\$100,000)*; and A.898.00, *Election Equipment (\$100,000)*.

Mr. Thomas advised these requests pertained to establishing reserves; he then reviewed the listing of reserves he recommended creating, as outlined in the agenda packet. He noted that the suggested reserves, which totaled \$980,000, would be funded through a combination of \$330,000 to be supplied in the 2020 Budget and an appropriation of \$650,000 from the current General Fund balance.

Ms. Braymer noted the appropriations from the General Fund did not add up to \$650,000 and Mr. Sokol replied there was an error on the agenda where \$50,000 for A.867.00, *Employee Benefit Accrued Liability*, was not listed.

Ryan Moore, *County Administrator*, apprised he would like to state for the record an academic point on the accounting where some of these would be fund balance restrictions which was how the County typically funded reserves, while others would be fund balance assignments where they would determine what was appropriate with the assistance of the Deputy Treasurer, but it would have the same effect, as they were setting aside money for these purposes. Mr. Thomas added that most of these accounts would be liquid meaning if the County had fiscal issues then the accounts could be liquidated.

A discussion ensued during which Mr. Dickinson entered at 10:33 a.m.

Motion was made by Mr. Geraghty, seconded by Mr. Dickinson and carried unanimously to approve the requests as outlined above and the necessary resolutions were authorized for the November 15th Board Meeting.

Proceeding with the Agenda review, Mr. Sokol advised Agenda Items 4A-C involved the following referrals from the County Facilities Committee, *Airport*:

4A) Request to establish Capital Project H391, *Airport Two Snow Plows*, in the amount of \$415,000.

Mr. Dickinson questioned whether these were live edge plows and Kevin Hajos, *Superintendent of Public Works*, replied in the negative. Mr. Hajos stated these plows would only be used on the Airport runways. Mr. Dickinson asked whether salt was used on the Airport runways and Mr. Hajos replied in the negative, explaining they typically a special kind of sand was used for the runways.

4B) Request to appropriate funds in the amount of \$20,750 from Budget Code A.892.00, *Reserve, Airport, Repair & Projects*, to Budget Code A.9950 910, *Transfers - Capital Project*, to provide funding for the purchase of two new snow plows.

Motion was made by Mr. Geraghty, seconded by Mr. McDevitt and carried unanimously to approve the request and the necessary resolution was authorized for the November 15th Board Meeting.

4C) Request to amend Resolution No. 739 of 2011 to change the description of A.892.00, *Reserve, Airport, Repair & Projects*, to include Airport Equipment purchases.

Motion was made by Mr. Dickinson, seconded by Mr. Geraghty and carried unanimously to approve the request and the necessary resolution was authorized for the November 15th Board Meeting.

Continuing with the Agenda review, Mr. Sokol apprised Agenda Items 5A-B concerned the following referrals from the Criminal Justice & Public Safety Committee:

5A) *Office of Emergency Services* - Request to increase Capital Project H358, *Hazard Mitigation Grant Program - Projects*, in the amount of \$150,000.

Mr. Dickinson inquired where the \$150,000 would be allocated from and Mr. Moore replied the funds were from a grant that required a 33% match which would be accounted for through staff time.

Motion was made by Mr. Simpson, seconded by Mr. McDevitt and carried unanimously to approve the request and the necessary resolution was authorized for the November 15th Board Meeting.

5B) *Sheriff* - Request to authorize an appropriation of funds in the amount of \$62,330.50

from the General Fund Unappropriated Surplus to Budget Code A.3110 455, *Law Enforcement, Safety Equipment*, to return funds from 2018 purchase orders which were not carried over to the 2019 Budget.

Motion was made by Mr. Simpson, seconded by Ms. Braymer and carried unanimously to approve the request and the necessary resolution was authorized for the November 15th Board Meeting.

Mr. Sokol advised Agenda Items 6A-B pertained to the following referrals from the Occupancy Tax Coordination Committee:

- 6A) Request to appropriate \$15,000 from Budget Code A.881, *Reserve-Occupancy Tax*, to Budget Code A.6417.0002 469, *Other Payments/Contributions* to cover the additional funding owed in accordance with the local law which requires 25% of the occupancy tax revenues collected to be distributed to the towns of Warren County.

Motion was made by Mr. Dickinson, seconded by Mr. Strough and carried unanimously to approve the request and the necessary resolution was authorized for the November 15th Board Meeting.

- 6B) Request to appropriate \$10,000 from Budget Code A.881, *Reserve-Occupancy Tax*, to Budget Code A.6417.0002 480, *Tourism/Occupancy, Tourism-Special Events*, to award funding for the 2019 Adirondack Christkindlmarkt event.

Ms. Braymer asked what the balance of the Occupancy Tax Reserve was and Mr. Swan replied the balance was slightly more than \$1.5 million. Mr. Sokol pointed out this was a growing event that was a complete success last year and Ms. Braymer concurred. Ms. Braymer encouraged anyone interested in volunteering for the event to contact the Volunteer Coordinator.

A discussion ensued.

Motion was made by Mr. Dickinson, seconded by Mr. Merlino and carried unanimously to approve the request and the necessary resolution was authorized for the November 15th Board Meeting.

Mr. Sokol apprised Agenda Items 7A-F pertained to the following referrals from the Public Works Committee, *DPW*:

- 7A) Request to amend the County Budget to increase Budget Code D.9950 910, *Transfers-Capital Projects*, in the amount of \$20,272.76 in accordance with transfers of surplus local match funds from various capital projects back to funding source.
- 7B) Request to establish Capital Project H392, *Sunnyside Road (CR 54) Pavement Rehabilitation*, in the amount of \$41,653.22.
- 7C) Request to establish Capital Project No. H393, *Johnsburg Bridges (Glen Creek Road & Dippikill Road over Glen Creek)*, in the amount of \$21,250.
- 7D) Request to establish Capital Project No. H394, *Olmstedville Road (CR 19) Reconstruction*, in the amount of \$16,000.
- 7E) Request to establish Capital Project No. H395, *Oxbow Hill & Moon Hill Road (CR 63)*

Reconstruction, in the amount of \$6,650.

- 7F) Request to establish Capital Project No. H396, *East River Drive (CR16) & Call Street (CR32) Rehabilitation*, in the amount of \$8,150.

Mr. Sokol noted the amount listed in 7A had increased to \$20,272.76, as well as the amount in Item 7B which was increased to \$41,653.22.

Mr. Geraghty stated once he would like the municipalities listed where the road or bridge project were taking place; he mentioned he had requested this in the past, but the notation was not being included. Mr. Hajos responded he would ensure this information was provided going forward.

Motion was made by Mr. Geraghty, seconded by Mr. Simpson and carried unanimously to approve the requests as outlined above and the necessary resolutions were authorized for the November 15th Board Meeting.

Mr. Sokol advised Agenda Items 8A-B pertained to the following referrals from the Support Services Committee:

County Auditor -

- 8A) Request for a transfer of funds in the amount of \$500 from the Contingent Account to pay for increased telephone bill that was not budgeted for and the purchase study materials for Part II of the Internal Auditor Certification.

Motion was made by Ms. Braymer, seconded by Mr. Geraghty and carried unanimously to approve the request and the necessary resolution was authorized for the November 15th Board Meeting.

Clerk of the Board-

- 8B) Request for a transfer of funds in the amount of \$3,000 from the Contingent Account to cover the estimated cost of Supervisor mileage reimbursements through the end of 2019.

Mr. Beaty questioned why the mileage had not been budgeted for and Amanda Allen, *Clerk of the Board*, replied this account also covered travel and education. She said she had not budgeted for any additional attendance at the NYSAC (*New York State Association Counties*) conference nor had she budgeted for the trip to Washington D.C. which some of the Supervisors had taken. She informed they were requesting additional funds because the travel she had not budgeted for was causing a shortfall in the account.

Motion was made by Mr. Dickinson, seconded by Mr. Simpson and carried unanimously to approve the request and the necessary resolution was authorized for the November 15th Board Meeting.

Mr. Sokol advised Agenda Items 9A-D involved the following Requests/Items to be discussed by the County Administrator:

- 9A) Journal Reports of transfers approved by the County Administrator staff during September of 2019.

Mr. Moore stated a Journal Report of transfers that had been made was included within the Agenda.

- 9B) Request to amend the County Budget in the amount of \$50,000 to reflect receipt of grant

funding through Assemblyman Stec's office to provide funding to purchase a camera switch in the jail.

- 9C) Request for a transfer of funds in the amount of \$92,5000 from the Contingent Account to pay for the purchase of the live scan software in Chester and the remaining balance due for the camera switch in the jail.

Mr. Moore apprised Major LaFarr had initially included funding to purchase live scam software for the Chester Station which would run fingerprints to locate criminal records, etc. in the Sheriff's Office 2020 Budget Request, as well as \$120,000 to purchase a camera switch in the Jail. He explained the Jail had cameras in all of its pods and the Corrections Officers carried with them something similar to a panic button that would alert the Central Control Office if they pushed it and the camera switch controlled displaying where the issues was on all of the screens in the Central Control Office to allow them to deploy staff to handle the issues as quickly as possible. He mentioned it was a critical piece of equipment that the County had since the Jail was first built and they wanted to replace it before it failed. He advised the Budget Team had removed both of these items from the 2020 County Budget because there were funds remaining in the account set aside to cover the cost of the PSBA (*Police Supervisors Benevolent Association*) agreement. In addition, he stated Assemblyman Stec was able to secure grant funding in the amount of \$50,000 from the State which the County had applied to have the camera switch partially paid for under with every indication that it would be approved. He said installation would not begin until 2020, but the purchase orders would be prepared for this year.

Mr. Moore informed the funding to pay for the remaining balance due for the camera switch and the live scan software would be transferred from the Labor Contingency Account which had sufficient funds remaining following the payment that had been made for the retroactive payments included in the PSBA agreement, as well as the salary increases for 2019. He added following this transfer, the balance in the Labor Contingent account would be approximately \$10,000.

Ms. Braymer asked whether the funds would be transferred from the Contingent Account and Mr. Moore replied these funds were set aside in a separate Contingent Account specifically for the Sheriff's Office.

Motion was made by Mr. Simpson, seconded by Ms. Braymer and carried unanimously to approve the request and the necessary resolution was authorized for the November 15th Board Meeting.

- 9D) Request to amend Resolution No. 419 of 2019 to remove language listing a specific individual to provide supervising attorney services.

Mr. Moore apprised as part of the mandated improvements the County was required to make in indigent representation, an attorney supervisor was required for the Assigned Counsel Office which they elected to do on a contractual basis for a minimal expense. He said the Assigned Counsel Administrator had identified John Goodman as an attorney who was interested in doing that work and so his name was included in Resolution No. 419 of 2019. He mentioned subsequently Mr. Goodman decided he was no longer interested in taking on the duties required meaning the resolution needed to be amended to remove his name and state more generically "an attorney" would be handling this responsibility. He informed the attorney who had agreed to take over this responsibility was Rob Gregor, who formerly worked in the Public Defenders Office and did an excellent job.

Ms. Braymer questioned whether they should include Mr. Gregor's name in the resolution or make no

reference to a specific person and Mr. Moore responded the concept was to use general language in case this were to occur again; however, he noted, the name could be included if that was how the Committee would like to proceed. Ms. Braymer stated she felt leaving the name off would provide the Assigned Counsel Administrator with the flexibility to make changes if needed.

Motion was made by Mr. Simpson, seconded by Mr. Dickinson and carried unanimously to approve the request and the necessary resolution was authorized for the November 15th Board Meeting.

Mr. Sokol advised he would like to skip to Agenda Item 11 which pertained to Finance Committee action which was required on the following items as approved by the Personnel & Higher Education Committee: Personnel & Higher Education Committee Agenda Items 3A, 4, and 5 and 6B. Mrs. Allen interjected that Personnel & Higher Education Committee Agenda Item 6B did not require approval, as the Committee had decided to hold off on approving the Non-Union Salary Grid.

Motion was made by Mrs. Frasier, seconded by Mr. Dickinson and carried unanimously to approve the request and the necessary resolution was authorized for the November 15th Board Meeting.

With regard to Pending Items, Mr. Sokol stated Item 1 could be removed because Mr. Geraghty had addressed the matter with the property owner from the Town of Warrensburg who was requesting to be refunded in the amount of \$561.05 for penalties and interest on 2016 taxes the owner was not aware were due because the bill went to the previous owner. He advised there were no updates on Pending Item 2, as Mr. Swan require more time to address the matter.

Returning to Agenda Item 10, Mr. Sokol advised this pertained to Requests/Items to be Discussed by the County Attorney regarding a request for an executive session to discuss a potential settlement in the matter of Jehm v. Warren County.

Mary Kissane, *County Attorney*, requested an executive session to discuss a settlement and current litigation.

A motion was made by Mr. Simpson, seconded by Mr. Dickinson and carried unanimously to enter into an executive session pursuant to Section 105(d) of the Public Officer's Law.

Executive session was held from 10:59 a.m. until 11:15 a.m.

Upon reconvening, Mr. Sokol advised that no action was taken during the executive session.

Mr. Sokol called for a motion to authorize an appropriation of funds in the amount of \$57,508.70 from the General Fund Unappropriated Surplus and authorizing a settlement agreement for same in the matter of Jehm v. Warren County.

The necessary motion was made by was made by Mr. Strough, seconded by Mr. McDevitt and carried unanimously to approve the request and the necessary resolution was authorized for the November 15th Board Meeting.

Mr. Sokol offered privilege of the floor to anyone present wishing to address the Committee on any matter, but there was no one wishing to speak.

There being no further business to come before the Finance Committee, on motion made by Mr. Beaty and seconded by Mr. Geraghty, Mr. Sokol adjourned the meeting at 11:16 a.m.

Respectfully submitted,
Sarah McLenithan, Deputy Clerk of the Board