

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: **FINANCE**

DATE: **MAY 7, 2008**

Committee Members Present:

Supervisors Stec
 Belden
 O'Connor
 Bentley
 Tessier
 Champagne
 VanNess
 Kenny
 Merlino

Others Present:

Frederick Monroe, Chairman
Hal Payne, Commissioner of Administrative
& Fiscal Services
Joan Sady, Clerk of the Board
JoAnn McKinstry, Deputy Commissioner of
Administrative & Fiscal Services
Trish Nenninger, Second Assistant County
Attorney
Kevin Geraghty, Budget Officer
Supervisor Sokol
Supervisor Strainer
Supervisor Thomas
Francis O'Keefe, County Treasurer
Richard Murphy, Deputy Commissioner of
Fiscal Services
Bud York Sheriff
Shane Ross, Chief Deputy
Robert Blais, Mayor, Village of Lake George
Jon Norris, Clark Patterson Lee Design
Nicole Livingston, Deputy Clerk

Mr. Stec called the meeting to order at 10:08 a.m.

Motion was made by Mr. Belden, seconded by Mr. Champagne and carried unanimously to approve the minutes of the April 9, 2008 Committee meeting, subject to correction by the Clerk.

Copies of the Finance Agenda were provided to the Committee members, and a copy of same is on file with the minutes.

Mr. Stec advised Item 1 was a request to have Mayor Robert Blais, Village of Lake George, present to answer any questions regarding occupancy tax funding for the Lake George Visitor Center. He noted that a request was presented at the March 12, 2008 Finance Committee meeting to extend the intermunicipal agreement between the Village and Warren County for promotional funding of the Lake George Visitor Center; however, the request was tabled pending receipt of additional information.

Privilege of the floor was extended to Mayor Blais, who distributed a handout to the Committee members which outlined statistical information regarding the Visitor Center including the number of visitors per day, as well as staffing hours and associated costs,

a copy of which is on file with the minutes. Mayor Blais reviewed the handout in detail with the Committee.

Mayor Blais noted that the Chamber of Commerce provided the staffing and also sold the brochure slots to businesses in Warren County which generated additional revenue. He added that the Visitor Center was a good use of occupancy tax funds. He requested the Committee to consider continuing to provide financial support for an additional two years to assist the Village in defraying expenses.

Mr. Kenny commented that the Committee was under the impression that the County's contribution was a one time cost. Mayor Blais replied the original contract was for two years. He clarified that the Village was requesting the County to contribute \$25,000 per year from occupancy tax funds for the years 2009 and 2010.

Following discussions, motion was made by Mr. Kenny, seconded by Mr. VanNess and carried unanimously to extend the existing agreement with the Village of Lake George to provide funding with regard to the Lake George Visitor Center for an additional two years, for an amount not to exceed \$25,000 per year, and the funds to be paid from occupancy tax revenues. The necessary resolution was authorized for the next board meeting.

Chairman Monroe entered the meeting at 10:17 a.m.

Mr. Stec stated Item 2 were requests for Transfer of Funds attached for Committee approval and he added that Supervisory Committee approval had been obtained as necessary.

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

Mr. Stec expounded Items 3A through C were referrals from the County Facilities Committee. He said Item 3A was a request to amend the 2008 County budget to increase estimated revenues and appropriations in the amount of \$10,000 to transfer funds for removal of razor wire around the former jail.

Hal Payne, Commissioner of Administrative & Fiscal Services, explained a Capital Project was being established and the actual total for the removal of the razor wire was \$2,780. The remaining funds, he noted, would be utilized to renovate the former jail.

Mr. Stec added Item 3B was a request to establish Capital Project No. H289.9550 280 Old Jail Renovations, in the amount of \$10,000 to renovate the old jail and remove razor wire, with the source of funding to be transferred from A.9950 910-Transfers-Capital Projects.

Motion was made by Mr. Kenny, seconded by Mr. VanNess and carried unanimously to approve Items 3A and B as outlined above, and the necessary resolutions were authorized for the next board meeting.

Mr. Stec apprised Item 3C was a request to authorize a Serial Bond in the amount of \$19.1 million to cover the costs of the construction of the Health and Human Services Building. He noted that the attached Bond Resolution was a draft and was subject to change by Bond Counsel and/or the County Attorney.

The Committee questioned how the cost had increased to \$19.1 million from the former cost estimate of \$16.9 million. Mr. Payne distributed a handout which outlined the cost estimates from Bovis Lend Lease, a copy of which is on file with the minutes. He further explained that the increase in cost was attributed to the addition of the basement in the new building; the \$600,000 for the furniture, fixtures and equipment; \$295,000 for the Information Technology (IT) equipment; and most recently added \$600,000 for the geothermal system. He noted that the geothermal system would be bid separately from the rest of the project. Mr. Payne stated that Paul Dusek, County Attorney, had advised that the County could not under bond the project; therefore, he said, the total listed on the handout of \$19,033,682 was rounded up to \$19.1 million to ensure that enough was bonded to cover the entire project.

Mr. VanNess questioned who would be monitoring the entire project on behalf of the County, including approval of the funds that were expended throughout the project. Mr. Payne responded Fred Austin, Building Projects Coordinator, was responsible for overseeing all aspects of this project. Mr. Payne noted that any remaining funds from the \$19.1 million bond would be used to pay off the debt or principle on the debt.

Chairman Monroe suggested that the County retain a financial advisor to instruct the County through the process of bonding. Mr. Payne replied that Jeanine Caruso, Financial Advisor, had been contracted with the County in the past and he recommended retaining her services again. Frank O'Keefe, County Treasurer, advised that he had spoken with Ms. Caruso yesterday and she was interested in continuing to assist the County with their financial decisions, by extending the original contract.

Jon Norris, Clark Patterson Lee Design, explained the geothermal would contain NYSERDA (New York State Energy Research and Development Authority) investigations; however, he said, the County would be able to utilize rebates following the implementation of the system.

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

Discussion ensued regarding the geothermal system and the alternate option of a boiler and cooling tower, the conventional system. Mr. Payne noted the County could

receive an estimated \$200,000 to \$300,000 return from NYSERDA upon completion of the geothermal system project.

Trish Nenninger, Second Assistant County Attorney, noted she would need to review the original contract authorized for Fiscal Advisors to determine if the preambles of the contract would cover the new bonds being issued in 2008 in order to decide if a new contract would be needed.

Following discussions, Mr. Stec called the question and the motion was carried to approve Item 3C as outlined above by majority vote, with Messrs. Belden and Merlino voting in opposition. The necessary resolution was authorized for the next board meeting.

Continuing the Agenda review, Mr. Stec apprised Items 4A through E were referrals from the Health Services Committee. Items 4A and B, he said, were referred by Health Services and he listed the requests as follows:

- A) Amending the 2008 County budget to increase estimated revenues and appropriations in the amount of \$1,500 to reflect revenue and expenditures associated with the grant/gift from Sanofi Pasteur Inc.; and
- B) Amending the 2008 County budget to increase estimated revenues and appropriations in the amount of \$1,000 to reflect receipt of grant funds and to increase the 2008 budget for the WIC Program accordingly.

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

Mr. Stec reported Items 4C through E were referred by the Westmount Health Facility, and he listed the requests as follows:

- C) Amending the 2008 County budget, Administration Supplies, to increase estimated revenues and appropriations in the amount of \$600 to reflect receipt of HCRA Recruitment and Retention grant funds;
- D) Amending the 2008 County budget, Nursing Advertising, to increase estimated revenues and appropriations in the amount of \$324 to reflect receipt of HCRA Recruitment and Retention grant funds; and
- E) Amending the 2008 County budget, Nursing Conferences, to increase estimated revenues and appropriations in the amount of \$200 to reflect receipt of HCRA Recruitment and Retention grant funds.

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

Mr. Stec said Item 5 was a referral from the Occupancy Tax Coordination Committee, requesting to authorize the County Treasurer to transfer \$250,000 from the Occupancy Tax Reserve to the General Fund Unappropriated Surplus.

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

Mr. Kenny reminded the Committee that these funds had been overspent by the Tourism Department last year and that the money would come from 2007 collections of the occupancy tax.

Following discussion, Mr. Stec called the question and the motion was carried unanimously to approve Item 5 as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Stec advised Items 6A through D were referrals from the Public Safety Committee. Items 6A and B, he said, were referred by the Office of Emergency Services and he listed them as follows:

- A) Amending the 2008 County budget to increase estimated revenues and appropriations in the amount of \$885 to reflect receipt of deferred revenues from excess 2007 grant funds; and
- B) Amending the 2008 County budget to increase estimated revenues and appropriations in the amount of \$50,000 to reflect receipt of the Senate Initiative grant.

Mr. VanNess pointed out that the \$50,000 initiative grant would be utilized to purchase a tow vehicle, and possibly an enclosed trailer for the generators if there were enough funds remaining after the tow vehicle was purchased.

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

Mr. Stec added Items 6C and D were referred by the Sheriff & Communications and he listed the requests as follows:

- C) Amending the 2008 County budget to increase estimated revenues and appropriations in the amount of \$12,000 to reflect receipt of revenues obtained from the Wireless 911 Reimbursement Program; and
- D) Amending the 2008 County budget to increase estimated revenues and appropriations in the amount of \$50,302 to correct the amended budget amount authorized by previous resolutions due to changes in the amount awarded by the Governor's Traffic Safety Committee's (GTSC) grant for motorcycle safety.

Motion was made by Mr. Belden and seconded by Mr. VanNess to approve the requests as presented.

Privilege of the floor was extended to Shane Ross, Chief Deputy, who explained that the Governor's Traffic Safety Committee had agreed to fully fund the original grant request. He reminded the Committee that last month, the grant amount had been reduced; however, he noted, after discussions with the State, the full amount had been granted.

Following discussion, Mr. Stec called the question and the motion was carried unanimously to approve Items 6C and D as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Stec stated Items 7A through H were referrals from the Public Works Committee, DPW. Item 7A, he said, was a request to amend the 2008 County budget to increase estimated revenues and appropriations in the amount of \$12,894 to reflect receipt of an insurance settlement for a 2008 Ford F350 truck and to allow for purchase of a replacement.

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

Item 7B, Mr. Stec advised, was a request to amend the existing grant with the New York State Department of Transportation (NYSDOT) to authorize Supplemental Agreement #1 for the Beach Road Project and to increase the total dollar amount involved to add \$19,050. He added that Item 7C was a request to increase Capital Project No. H277.9550 280- CR51-Beach Road Reconstruction, in the amount of \$19,050, with the source of funding to be transferred from A.9950 910-Transfers-Capital Projects or State Grant.

William Lamy, DPW Superintendent, reported that the source of funding for Item 7C would be State Marchiselli funds, as opposed to transferring funds from Transfers-Capital Projects.

Motion was made by Mr. Belden, seconded by Mr. Bentley and carried unanimously to approve Items 7B and C as outlined above, and the necessary resolutions were authorized for the next board meeting.

Mr. Stec expounded Item 7D was a request to increase Capital Project No. H257.9550 280- Padanarum Road Bridge/ NW Bay Brook, in the amount of \$14,100 to cover the payment to the contractor while waiting for an increase in the grant agreement, with the source of funding to be D.5110 470-County Road-Maintenance of Roads-Contract. He noted Item 7E was a request to amend the existing grant with the NYSDOT to

authorize Supplemental Agreement #3 for the Padanarum Road Bridge over NW Bay Brook and to increase the total dollar amount involved to add \$27,262 with the source of funding to be Capital Project No. H257.9550 280-Padanarum Road Bridge/NW Bay Brook.

Motion was made by Mr. Bentley, seconded by Mr. VanNess and carried unanimously to approve Items 7D and E as outlined above, and the necessary resolutions were authorized for the next board meeting.

Item 7F, Mr. Stec stated, was a request to authorize the conveyance of County real property, Tax Map #53.-3-1, to Angela R. Van De Mark in agreement with EZ Marine and Storage for the amount of \$22,000 for excess County Right of Way (ROW).

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

Mr. Stec reported Item 7G was a request to close Capital Project No. H233.9550 280-Cooling Tower Replacement and return the remaining funds to the General Fund.

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

Item 7H, Mr. Stec said, was a request to authorize a Bond Anticipation Note (BAN) in the amount of \$429,000 to restate the source of funding for the local share of the Rail Station Project.

Motion was made by Mr. Tessier, seconded by Mr. Belden and carried by majority vote to approve Item 7H as outlined above, with Mr. Kenny voting in opposition. The necessary resolution was authorized for the next board meeting.

Mr. Stec apprised Item 8 was a referral from the Tourism Committee, requesting to amend the 2008 County budget to increase estimated revenues and appropriations in the amount of \$5,850 to reflect receipt of coupon sales.

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

Mr. Stec expounded Item 9 was a request to authorize support of Home Rule Request for the enactment of Senate Bill No. 7657 and Assembly Bill No. 10696 entitled "An Act to Amend the Tax Law, in Relation to Authorizing the County of Warren to Impose an

Additional Mortgage Recording Tax; and Providing for the Repeal of Such Provisions Upon the Expiration Thereof”.

Motion was made by Mr. Bentley, seconded by Mr. Tessier and carried by majority vote to approve Item 9 as outlined above, with Messrs. Merlino and Kenny voting in opposition. The necessary resolution was authorized for the next board meeting.

Mr. Stec advised Item 10 was a request for Finance Committee action which was required on the following items which were approved by the Personnel Committee: Item Nos. 4A, 7B and Addendum Item 1A.

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

Prior to adjournment, Mr. Stec announced there was an Addendum to the Agenda and noted Item 1 on the Addendum was a referral from the Public Works Committee, Airport, requesting to establish Capital Project No. H288.9550 280-Airport Obstruction Study Update, in the amount of \$100,000 to perform an updated obstruction study and associated EA, for on and off airport penetrations to protected airspace for runway ends, including all administrative fees. He added that the source of funding was 95% FAA Federal Grant, \$95,000; 2.5% NYSDOT Grant, \$2,500; and 2.5% County funding in the amount of \$2,500 to be transferred from A.9950 910-Transfers-Capital Projects.

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

Chairman Monroe referred to the discussion held earlier regarding the County retaining a financial advisor, and he said, if the original contract with Ms. Caruso did not authorize additional services for the 2008 bonds, he suggested that a RFP (Request for Proposal) be prepared. Mr. Payne reiterated that Mr. Dusek had implied that a financial advisor should be obtained, and if the original contract was not extendable a motion authorizing such should be approved.

Mr. O'Connor questioned how much a financial advisor would be paid by the County and added he felt that needed to be determined prior to authorizing a RFP. He added that if a financial advisor were retained, it should be for all of the bonding projects in 2008, not just the Health and Human Services Project.

Discussion ensued.

Motion was made by Mr. VanNess, seconded by Mr. Belden and carried unanimously authorizing that a RFP be prepared for a financial consultant for the 2008 bonds, if the services were not covered under the previous contract.

Chairman Monroe informed the Committee he had received a memo from the Treasurer's Office advising there was \$60,000 that could be transferred from the Tobacco Fund. Mr. O'Keefe interjected that the transfer had already been completed.

Chairman Monroe also recommended that the County's position on circuit breaker tags be referred to the Legislative Committee for further discussion and the Committee agreed.

Chief Deputy Ross noted he had another issue to present to the Committee. He explained that in 2004, the Sheriff's Office had applied for a \$1.4 million grant to construct the Communications Center. He added he had recently been contacted by the State with an offer to extend that grant; however, he said, the Sheriff's Office was not interested in extending the grant due to the 10% local match.

Motion was made by Mr. Belden, seconded by Mr. VanNess and carried unanimously to reject the offer by the State to extend an existing grant.

Mr. Champagne announced that a meeting regarding a Water Authority would be held tonight at 7:00 p.m. at the BOCES campus and invited all Supervisors to attend.

There being no further business to come before the Committee, on motion made by Mr. VanNess and seconded by Mr. Belden, Mr. Stec adjourned the meeting at 11:02 a.m.

Respectfully submitted,

Nicole Livingston, Deputy Clerk