

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: **FINANCE**

DATE: **JULY 6, 2011**

Committee Members Present:

Supervisors Thomas
Taylor
Goodspeed
Belden
Monroe
VanNess
Kenny
Conover

Others Present:

Daniel G. Stec, Chairman of the Board
Paul Dusek, County Attorney/Administrator
Joan Sady, Clerk of the Board
Kevin Geraghty, Budget Officer
Supervisor Bentley
Supervisor Loeb
Supervisor McCoy
Supervisor Strainer
Frank O'Keefe, Treasurer
Jeff Tennyson, DPW Superintendent
Sheila Weaver, Commissioner, Department of
Social Services
Bill Montfort, Commissioner, Board of Elections
Dr. Ron Heacock, President, Adirondack
Community College
Jon Alexander, *The Post Star*
Nicole Livingston, Deputy Clerk

Committee Member Absent:

Supervisor Merlino

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. Monroe and carried unanimously to approve the minutes of the June 8, 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.

Mr. Monroe questioned the transfer for Countryside Adult Home in the amount of \$64,000 from regular salaries to part-time salaries. Sheila Weaver, Commissioner of the Department of Social Services, explained that approximately 75% of the amount budgeted for part-time salaries had been expended due to the use of per diems, which was more cost effective. She further stated that there was extra money in the regular salaries code; thereby allowing for this transfer to cover the part-time salaries.

Motion was made by Mr. Belden, 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 Criminal Justice Committee, Public Defender, requesting a Contingent Fund transfer in the amount of \$9,000 to Code A.1171 439 Public Defender-Miscellaneous Fees & Expenses for the purchase and installation of NYS Defender's Association PD Case Tracking Program.

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

Paul Dusek, County Attorney/Administrator, expounded that the purchase was authorized last year; however, he said, due to an error, the program was not purchased in 2010 and funding was not carried over into the 2011 budget. He added that it had been determined last year that this would be a cost effective software program for the Public Defender's Office. In response to an inquiry, Mr. Dusek advised that this program was not mandated, but would improve the efficiency of the Department. Mr. Goodspeed commented that the District Attorney's Office has had a similar case tracking program for the past fifteen years.

Mr. Thomas called the question and the motion was carried unanimously to approve Item 2 as outlined above. The necessary resolution was authorized for the next board meeting.

Mr. Thomas asserted Items 3A through D were referrals from the Health Services Committee, Health Services. Item 3A, he said, was a request to amend the 2011 County budget to increase estimated revenues and appropriations in the amount of \$38,932 to adjust the WIC Program to reflect receipt of COLA (Cost of Living Adjustment) funds.

Mr. Thomas stated Item 3B was a request to amend the 2011 County budget to increase estimated revenues and appropriations in the amount of \$1,484 to adjust the Family Health Program to reflect receipt of COLA funds.

Mr. Thomas noted Item 3C was a request to amend the 2011 County budget to increase estimated revenues and appropriations in the amount of \$2,656 to adjust the Disease Program for the IAP Grant to reflect receipt of COLA funds.

Mr. Thomas added Item 3D was a request to Amending the 2011 County budget to increase estimated revenues and appropriations in the amount of \$1,126 to adjust the Disease Program for the Rabies Grant to reflect receipt of COLA funds.

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

Mr. Thomas apprised Item 4 was a referral from the Human Services Committee, Employment & Training Administration, requesting to amend the 2011 County budget to increase estimated revenues and appropriations in the amount of \$579,767 to reflect receipt of Federal funds.

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

Mr. Thomas apprised Items 5A through E were referrals from the Public Works Committee. He noted Items 5A through D were referred from the Airport. Item 5A, he said, was a request to establish Capital Project No. H325.9550 280 Avigation Easement/Land Acquisition for Five Parcels in the Runway 30 Approach, in the amount of \$50,000, with the source of funding to be 95% FAA (\$47,500); 2.5% State (\$1,250); and 2.5% Local Share (\$1,250) to be transferred from A.9950 910 Transfers-Capital Projects Interfund Transfers.

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

Mr. Belden advised that the funds were available by closing another Capital Project; thereby allowing the necessary funding to cover the local share. Mr. Monroe questioned if contracts were in place to purchase the aforementioned five parcels. Jeff Tennyson, DPW Superintendent, responded in the negative, noting that this was in anticipation of receiving an FAA grant.

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

Mr. Thomas added Item 5B was a request to establish Capital Project No. H326.9550 280 Aircraft Rescue and Firefighting Facility Expansion, in the amount of \$190,000, to expand the existing ARFF Building to a size sufficient to accommodate a new Index B Airport Fire Truck, with the source of funding to be 95% FAA (\$180,500); 2.5% State (\$4,750); and 2.5% Local Share (\$4,750) to be transferred from A.9950 910 Transfers-Capital Projects Interfund Transfers.

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

Mr. Kenny referred to a recent incident at the Airport in which local Fire Companies had responded and he questioned why the Fire & Rescue at the Airport was only available

from 8:00 a.m. to 5:00 p.m. during the week when the Airport operated during additional hours.

Mr. Tennyson explained his understanding of the FAA requirements was that there had to be a certain status at the Airport and they needed to have that internal capability; however, he added, it did not have to be twenty four hours a day, seven days a week. He confirmed that it was an FAA requirement to have the Fire & Rescue equipment at the Airport. Mr. Tennyson announced that the new fire truck that was purchased using grant money for the Airport was coming into the Albany area this week and following a second review of it, he anticipated the fire truck at the Airport by the end of the month.

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

Mr. Thomas apprised Item 5C was a request to close Capital Reserve Project No. H264.9550 280 Construction of Runway 1 Safety Area and returning unused funds as follows: \$254,500 to Code A877.00 Capital Reserve Fund - Airport Planning/Improvement and \$48,185 to the General Fund Unappropriated Surplus. He stated Item 5D was a request to amend the 2011 County budget to increase estimated revenues and appropriations in the amount of \$48,185 to appropriate Local Share funding for several Airport Capital Projects.

Motion was made by Mr. VanNess and seconded by Mr. Belden to approve Items 5C and D as presented.

Mr. Conover recalled that during the Public Works Committee meeting, he had questioned what type of Capital Reserve Fund this would be and he asked Mr. Dusek if he had made that determination; Mr. Dusek replied he would check on that and resolve the matter prior to the Board Meeting.

Mr. Tennyson expressed confusion with regard to Item 5C and the funds being returned to the General Fund. Joan Sady, Clerk of the Board, advised that she had met with Rob Lynch, Deputy Treasurer, to discuss this issue. She explained that the money that was initially appropriated for this Capital Reserve Project was approximately \$245,000, leaving a balance of approximately \$9,500 in the Reserve that could be used for the Local Share of future projects. She further stated that the \$48,185, which would be appropriated from the General Fund, would be the Local Share for the current Airport projects.

Mr. Thomas called the question and the motion was carried unanimously to approve Items 5C and D as outlined above, and the necessary resolutions were authorized for the next board meeting.

Mr. Thomas advised Item 5E was referred from the Parks, Recreation & Railroad, and was a report from Mr. Tennyson and Mr. Butler regarding the possibility of introducing temporary positions to complete construction of the Stony Creek Platform with costs to be charged against grant funding.

Mr. Tennyson informed he had not received a final answer; however, he said, it did not seem feasible because of the way that the grant was structured.

Mr. Thomas informed Items 6A and B were referrals from the Social Services Committee. He stated Item 6A was referred from Social Services, requesting to amend the 2011 County budget to increase estimated revenues and appropriations in the amount of \$151,075 to reflect receipt of grant funding from the NYS Office of Children & Family Services for the Supervision and Treatment Services for Juveniles Program.

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

Mr. Thomas remarked Item 6B was referred from the Youth Bureau and was a request to amend the 2011 County budget to increase estimated revenues and appropriations in the amount of \$500 to reflect receipt of the Junior Tennis Foundation grant.

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

Mr. Thomas said Item 7 was a referral from the Support Services Committee, Board of Elections, requesting a new contract with Mullen Brothers Inc. to deliver Voting Systems and Voting Booths, for a total amount not to exceed \$14,175 for three elections.

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

Mr. Kenny wondered if Mullen Brothers Inc. delivered the machines to every town and he further questioned why the towns were not capable of picking up their own machines. Mr. VanNess added that this contract was introduced last year because the machines required special care in transporting; however, he said, he had been advised that the machines did not receive special care last year. Mr. Belden agreed with Mr. VanNess and noted he had witnessed the machines being transported last year and they were not handled with special care. Mrs. Sady informed she would contact a representative from the Board of Elections to attend the meeting to answer questions regarding this request.

Mr. Thomas remarked that the Action Agenda review would continue while awaiting a representative from the Board of Elections.

Mr. Thomas apprised Item 8 was a request from Supervisor Monroe for a resolution opposing New York State Department of Environmental Conservation's (NYS DEC) proposal to prohibit operation of vessels with outboard motors, other than electric, on Thirteenth Lake in Warren County. He noted that a sample resolution from the Adirondack Park Local Government Review Board was attached for review.

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

Mr. Monroe explained that the issue was that Thirteenth Lake adjoined the Siamese Pond Wilderness area, although it was not part of said area and the NYS DEC was attempting to manage water bodies as wilderness without classifying them as such. He affirmed that only the Adirondack Park Agency (APA) had the authority to classify it as wilderness. He opined that the NYS DEC was progressing without authority to mandate restrictions on outboards. Mr. Monroe added that there was private land along the shoreline, and the APA had never classified a water body as wilderness when it had private shoreline.

Mr. Goodspeed expanded that while one side of the Lake was State-owned, there was a substantial residential community that was an award winning subdivision. He stated that this was not strictly a wilderness scenario, it was very populated and had people recreating on the Lake.

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

Concluding the Action Agenda review, Mr. Thomas informed Item 9 was a request for Finance Committee action which was required on the following items that were approved by the Personnel Committee: Item Nos. 4D and 5A.

Motion was made by Mr. Conover, seconded by Mr. Kenny and carried unanimously to approve Item 9 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 Pending Items which he listed as follows:

- 1) Committee tabled discussion regarding payment of an invoice received from Siemens Building Technologies, Inc. in the amount of \$9,350 for a comprehensive energy audit, project design and contract preparation for the DPW Shop located in the Town of Warrensburg pending a determination by Mr.

Dusek as to whether or not the terms of the letter of credit were followed by Siemens. (03.10.10)

Mr. Dusek informed that he had forwarded a letter to Siemens some time ago outlining his position as to why he felt that Siemens had not satisfied the terms of the contract and he never received a response from them. He recommended that the invoice not be paid and to delete the matter from the Pending Items list.

Motion was made by Mr. Belden, seconded by Mr. VanNess and carried unanimously that the invoice received from Siemens Building Technologies, Inc. in the amount of \$9,350 for a comprehensive energy audit, project design and contract preparation for the DPW Shop located in the Town of Warrensburg not be paid due to the terms of the contract not being satisfied. The necessary resolution was authorized for the next board meeting.

- 2) Committee to determine responsible entity for 2011 Co-Gen power reimbursements in December 2011. (04.06.11)

Mr. Dusek recommended that this issue be incorporated as part of the budget process and the budget team would recommend a solution to present to the Committee following their upcoming budget meetings.

Mr. Thomas commented Item 2 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.

Prior to adjourning, Mr. Thomas apprised that the representatives from Adirondack Community College (ACC) were at the meeting to present their proposed 2011-2012 Operating Budget. He extended privilege of the floor to Dr. Ron Heacock, President of ACC. Dr. Heacock distributed the ACC Board of Trustees Approved 2011-2012 Operating Budget to the Committee members, a copy of which is on file with the minutes.

Dr. Heacock reviewed the proposed budget in detail for the benefit of the Committee. He highlighted the following pertinent information:

- 2010-2011 approved Operating Budget of \$24,155,092;
- 2010-2011 estimated actual Budget of \$23,863,132;
- 2011-2012 proposed Operating Budget (net of grants) of \$24,698,580;
- 2011-2012 proposed Operating Budget plus grant expenses of \$25,385,217;
- proposed increase over the 2010-2011 Budget of 2.25% (\$543,488);
- proposed increase over the 2010-2011 estimated actual Budget of 3.50% (\$835,448);

Dr. Heacock apprised that a zero based budgeting system was utilized this year rather than an incremental system. He noted that tuition increased by 5%, which was the maximum allowable increase by SUNY (State University of New York). He advised that they were requesting a 3% increase this year in the sponsors' contribution, Warren and

Washington Counties; thereby requesting an increase of \$9,165 (\$1,781,326) from Warren County. He added that they were requesting an increase of \$79,969 (\$1,278,928) from Washington County. He informed that the College anticipated drawing \$355,039 from the Applied Fund Balance, an increase of \$102,332 from last year. Dr. Heacock reported that the College had suffered a 20% decrease in State Aid over the last two years.

In response to an inquiry regarding the Fund Balance, Dr. Heacock explained that if there were any remaining funds in their budget at the end of the year, the money went into the Fund Balance which belonged to the sponsors, Warren and Washington Counties. He added that Warren County's share of the Fund Balance was greater than Washington County's share, based on enrollment and contributions. He noted that the Fund Balance was also utilized to true-up the actual budget if the proportions of student enrollment changed. Discussion ensued.

Following the detailed review of the proposed 2011-2012 Operating Budget, Mr. Kenny complimented ACC on this Budget; however, he said, he would feel more comfortable if the increase to Warren County was capped at 2%. Mr. VanNess agreed with Mr. Kenny's statements.

Motion was made by Mr. Belden and seconded by Mr. Kenny to approve the proposed 2011-2012 Operating Budget for ACC with a 2% capped increase to Warren County. The motion failed due to the lack of a majority vote.

Motion was made by Mr. Monroe, seconded by Mr. Goodspeed and carried by majority vote, with Messrs. Kenny, Belden and VanNess voting in opposition, to accept the proposed 2011-2012 Operating Budget for ACC as presented, and to authorize a public hearing thereon. The necessary resolution was authorized for the next board meeting.

Mr. Thomas acknowledged that Bill Montfort, Commissioner of Board of Elections, had entered the meeting and he directed the Committee members back to Item 7, a request for a new contract with Mullen Brothers Inc. to deliver Voting Systems and Voting Booths, for a total amount not to exceed \$14,175 for three elections. Mr. Thomas explained that the Committee felt that the individual towns could perform these services, thereby eliminating the need for this contract and he requested Mr. Montfort to expound on the matter.

Mr. Montfort asserted that the individual towns would need to rent a closed-panel truck with a lift gate and be able to deliver the equipment the day before an election and pick-up the equipment the day after the election, which would be costly to the towns. He provided a breakdown of the number of voting districts, locations, booths and machines in the County. He further stated that an RFP (Request for Proposal) was released and they had received four responses, with Mullen Brothers Inc. being the lowest responsible bidder. In response to an inquiry, Mr. Montfort advised that ninety

two voting machines and one hundred ninety six voting booths were delivered for each election.

Following discussion, motion was made by Mr. Belden and seconded by Mr. VanNess that each individual town be responsible for pick up and delivery of their voting machines and booths. The motion failed due to the lack of a majority vote.

Motion was made by Mr. Monroe, seconded by Mr. Conover and carried by majority vote, with Messrs. Kenny, Belden and VanNess voting in opposition, to authorize a new contract with Mullen Brothers Inc. to deliver Voting Systems and Voting Booths, for a total amount not to exceed \$14,175 for three elections. The necessary resolution was authorized for the next board meeting.

There being no further business to come before the Committee, on motion made by Mr. Belden and seconded by Mr. VanNess, Mr. Thomas adjourned the meeting at 11:59 a.m.

Respectfully submitted,

Nicole Livingston, Deputy Clerk