

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: FINANCE

DATE: AUGUST 2, 2018

COMMITTEE MEMBERS PRESENT:	OTHERS PRESENT:
SUPERVISORS SOKOL	MIKE SWAN, COUNTY TREASURER
SIMPSON	RONALD CONOVER, CHAIRMAN OF THE BOARD
MERLINO	RYAN MOORE, COUNTY ADMINISTRATOR
DICKINSON	MARY ELIZABETH KISSANE, COUNTY ATTORNEY
STROUGH	AMANDA ALLEN, CLERK OF THE BOARD
BEATY	FRANK THOMAS, BUDGET OFFICER
FRASIER	SUPERVISORS HOGAN
MCDEVITT	LEGETT
GERAGHTY	MAGOWAN
BRAYMER	KEVIN HAJOS, SUPERINTENDENT, DEPARTMENT OF PUBLIC WORKS
	DON LEHMAN, <i>THE POST STAR</i>
COMMITTEE MEMBER ABSENT:	SARAH MCLENITHAN, DEPUTY CLERK OF THE BOARD
SUPERVISOR HYDE	

Please note, the following contains a summarization of the August 2, 2018 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/2018/finance/>

Mr. Sokol called the meeting of the Finance Committee to order at 11:29 a.m.

Motion was made by Mr. Simpson, seconded by Mr. Merlino 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 transfer of funds as attached for Committee approval.

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 August 17th Board Meeting.

Mr. Sokol moved along to Agenda Items 2A-C which pertained to the following Items/Requests to be Discussed by the County Treasurer:

- 2A) County Treasurer to discuss an amendment to Occupancy Tax Law.

Mike Swan, *County Treasurer*, apprised Air B&B notified him that they had collected \$2.2 million from July 2016 to July 2017 for home rentals in Warren County, which equated to \$88,000 in occupancy tax. He apprised that Air B&B had indicated their desire for the Local Law pertaining to occupancy tax to be amended to reduce the number of units from four or more to one, as they interpreted the Law in its current form to mean they would only be permitted to collect occupancy tax from houses that had four

or more bedrooms.

Mr. Strough entered the meeting at 11:32 a.m.

Mr. Dickinson opined that the requirement for housekeeping cottages should remain at four or more units, but the Local Law should be updated to indicate rental homes only required one or more bedrooms. Mary Elizabeth Kissane, *County Attorney*, advised upon her review of the law she had determined the definition of hotel or motel included in the Law was supposed to be inclusive of any facility providing lodging on an overnight basis. She opined that this covered homes rented through Air B&B, noting the reference made to housekeeping cottages with four or more units was meant to be an example. She informed since the entire definition was general it was specific to cottages with four or more units; however, she noted, this should have no bearing on collecting occupancy tax from Air B&B because they met the definition of providing lodging on an overnight basis.

Mr. Dickinson asked whether Ms. Kissane was implying that the current Occupancy Tax Law covered individual homes and Ms. Kissane replied in the affirmative. She stated the Law was only applicable to homes that were rented out on an overnight basis. Mr. Swan interjected if this was the case Ms. Kissane would need to notify the legal counsel for Air B&B to ensure everyone was on the same page.

Mr. Geraghty asked whether this was only applicable to individuals who used the services of Air B&B to rent out their homes and Mr. Swan replied in the negative. Mr. Swan stated he was discussing coming to an agreement with Air B&B to authorize them to collect occupancy tax on the homes they rented in Warren County; however, he noted, he planned on attempting to get the other companies who rented out homes in Warren County such as hometogo.com, to collect occupancy tax, as well.

A discussion ensued.

A motion was made by Mr. Dickinson to authorize an amendment to the Occupancy Tax Law to include home rentals and to refer same to the Legislative & Rules Committee for further discussion.

Further discussion ensued following which Mr. Dickinson withdrew his motion and suggested that they refer the matter to the Legislative & Rules Committee for discussion, as well as to have Ms. Kissane contact Air B&B for their feedback.

Ryan Moore, *County Administrator*, inquired whether the Committee would like a Legislative & Rules Committee meeting to be scheduled prior to the August 17th Board meeting and the Committee responded unanimously in the affirmative.

- 2B) Request for a transfer of funds in the amount of \$1,200 from the Contingent Account to cover the cost of the contract with Tyler Technologies to provide the Information Technology Department with upgrade assistance for the latest version of New World ERP.
- 2C) Request for a new contract with Tyler Technologies to provide the Information Technology Department with upgrade assistance for the latest version of New World ERP in an amount not to exceed \$1,200 commencing upon execution of both parties and terminating upon completion of the work.

Motion was made by Mr. Simpson, seconded by Mr. Dickinson and carried unanimously to approve the

requests as outlined above and the necessary resolutions were authorized for the August 17th Board Meeting.

Mr. Sokol noted the current balance of the Contingent Account was slightly less than \$212,000.

Prior to addressing Agenda Item 3, Mr. Swan apprised he was unsure whether it was necessary for the Finance Committee to address the request approved by the Personnel & Higher Education Committee to authorize the Glens Falls National Bank to issue a letter of credit in the amount of \$221,500 to Blue Cross Blue Shield of Northeastern New York. Mr. Moore informed Finance Committee approval was required for this to move forward.

Motion was made by Mr. Geraghty, seconded by Ms. Braymer and carried unanimously to authorize the Glens Falls National Bank to issue a letter of credit as outlined above and the necessary resolution was authorized for the August 17th Board Meeting.

Mr. Sokol advised Agenda Item 3 concerned a referral from Criminal Justice & Public Safety Committee, *Sheriff*, regarding a request to amend the 2018 County Budget in the amount of \$839.90 to reflect the receipt of insurance recovery funds.

Motion was made by Mr. Geraghty, seconded by Mr. Beaty and carried unanimously to approve the request as outlined above and the necessary resolution was authorized for the August 17th Board Meeting.

Chairman Conover entered the meeting at 11:49 a.m.

Mr. Sokol informed Agenda Items 4A-D pertained to the following referrals from the Health, Human & Social Services Committee:

- 4A) *Employment & Training*- Request to amend the 2018 County Budget in the amount of \$587,767 to reflect receipt of annual allocation of Federal Workforce Investment Opportunity Act (*WIOA*) funds for the program year 2018

Motion was made by Mr. Geraghty, seconded by Mrs. Frasier and carried unanimously to approve the request as outlined above and the necessary resolution was authorized for the August 17th Board Meeting.

- 4B) *Public Health*- Request to amend the 2018 County Budget in the amount of \$10,349.51 to reflect the receipt of funding from the Adirondack Health Institute to support the NYS Delivery Systems Reform Incentive Payment (*DSRIP*) Program.

Mr. Beaty inquired whether this was the same training the Board had completed last year following the and Mr. Moore replied in the negative, explaining there was general and compliance training.

Motion was made by Ms. Braymer, seconded by Mr. Strough and carried unanimously to approve the request as outlined above and the necessary resolution was authorized for the August 17th Board Meeting.

- 4C) *Social Services*- Request to amend the County Budget in the amount of \$50,000 to reflect receipt

of funding from the New York state Office of Temporary Disability Services with the provision that the funds be used to enhance Supplemental Nutrition Assistance Program (SNAP) Unit efficiencies.

Motion was made by Mr. Simpson, seconded by Mrs. Frasier and carried unanimously to approve the request as outlined above and the necessary resolution was authorized for the August 17th Board Meeting.

- 4D) *Social Services*- Request to appropriate funding in the amount of \$16,341 from the Vehicle Reserve Fund to the Social Services Budget to purchase a vehicle to replace DSS Fleet Vehicle #11-70 (2011 Ford Focus) which is no longer in use due to age and damage.

Motion was made by Mr. Geraghty, seconded by Mr. McDevitt and carried unanimously to approve the request as outlined above and the necessary resolution was authorized for the August 17th Board Meeting.

Proceeding with the Agenda review, Mr. Sokol apprised Agenda Item 5A-C pertained to the following referrals from the Park Operations & Management Committee:

- 5A) Request to appropriate funds in the amount of \$4,064.68 from Budget Code A.691.07, *Deferred Revenue-Gaslight Village Parking Fees*, to Budget Codes A.1625 413, *Charles R. Wood Park, Repair & Maint.-Bldg./Property* - \$3,126.50, and A.1625 410, *Charles R. Wood Park, Supplies* - \$938.18, and authorize reimbursement to the Village of Lake George for expenses incurred in relation to maintenance of the Charles R. Wood Park.
- 5B) Request to appropriate funds in the amount of \$2,696.25 from Budget Code A.691.07, *Deferred Revenue-Gaslight Village Parking Fees*, to Budget Code A.1625 413, *Charles R. Wood Park, Repair & Maint.-Bldg./Property*, and authorize reimbursement to the Village of Lake George for expenses incurred in relation to maintenance of the Charles R. Wood Park.
- 5C) Request to authorize reimbursement in the amount of \$65.84 to the Village of Lake George for sprinkler repairs at the Charles R. Wood Park following damage incurred during the Americade event. Reimbursement is to be provided from the deposit submitted by Americade event organizers through a transfer from Budget Code T030.00, *Trust & Agency, Guaranty & Deposits*, to Budget Codes A.1625 413, *Charles R. Wood Park, Repair & Maint.-Bldg./Property* - \$45, and A.1625 410, *Charles R. Wood Park, Supplies* - \$20.84.

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 August 17th Board Meeting.

Moving along, Mr. Sokol stated Agenda Items 6A-B concerned the following referrals from the Public Works Committee, *Parks, Recreation & Railroad*:

- 6A) Request to amend the County Budget in the amount of \$5,000 to reflect the receipt of funds donated by the Lewis Trust.

Motion was made by Mr. Strough, seconded by Mr. Dickinson and carried unanimously to approve the request as outlined above and the necessary resolution was authorized for the August 17th Board Meeting.

- 6B) Request to appropriate funding in the amount of approximately \$70,000 for maintenance of the railroad for the remainder of 2018. ***(Please note a source of funding will need to be determined, as there are no funds available within the Parks, Recreation & Railroad Budget).***

Mr. Sokol stated that there was a sufficient amount of funding available within the Contingent Account to cover this expense. Chairman Conover asked what the balance of the Contingent Account was and Mr. Sokol responded if this request was approved there would be around \$140,000 remaining in the account.

Motion was made by Mr. Simpson, seconded by Mr. Beaty and carried unanimously to authorize a transfer of funds in the amount of \$70,000 from the Contingent Account to various Budget Codes in the Parks, Recreation & Railroad Budget to cover the cost of maintenance of the railroad for the remainder of 2018 and the necessary resolution was authorized for the August 17th Board Meeting.

Mr. Sokol advised that Agenda Item 7 pertained to a Request/Item to be Discussed by the County Administrator regarding the Journal Reports of transfers approved by the County Administrator staff during April of 2018.

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

Concluding the Agenda review, Mr. Sokol advised Item 8 pertained to Finance Committee action which was required on the following items as approved by the Personnel & Higher Education Committee: Personnel & Higher Education Agenda Items 3A and B.

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 August 17th Board Meeting.

Mr. Geraghty apprised prior to adjourning he would like to discuss his concerns pertaining to individuals who trespassed on the County railroad tracks, which, he noted, was illegal. He said individuals who observed others on the tracks should notify law enforcement not only because it was illegal, but also for safety reasons. He referred to how he was aware that people were on the trestle in the Town of Hadley which he believed was careless on their part due the associated dangers and that it was considered to be a federal offense. He suggested they consider contacting the Saratoga County Sheriff's Department and request that they patrol this area more frequently. Mr. Simpson pointed out it would be difficult to notify law enforcement in some areas where the railroad was located due to a lack of cell phone service. Mr. Moore stated he had discussed the concerns with Shawn Lamouree, *Warren County Undersheriff*, however, he noted, he had not discussed the matter with anyone from the Saratoga County Sheriff's Department, but could do so if that was the pleasure of the Committee.

Mr. Magowan brought forward his concern regarding individuals climbing on top of the rail cars that remained in North Creek. Mr. Dickinson asked whether the remaining equipment had been removed and Mr. Simpson replied in the negative. Kevin Hajos, *Superintendent of Public Works*, informed only eighteen of the thirty-two cars had been removed.

A discussion ensued.

There being no further business to come before the Finance Committee, on motion made by Mr.

Simpson and seconded by Mr. Geraghty, Mr. Sokol adjourned the meeting a 11:59 a.m.

Respectfully submitted,
Sarah McLenithan, Deputy Clerk of the Board