

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: FINANCE

DATE: JANUARY 29, 2021

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COMMITTEE MEMBERS PRESENT:

SUPERVISORS BEATY  
THOMAS  
MCDEVITT  
BRAYMER  
BRUNO

OTHERS PRESENT:

MIKE SWAN, WARREN COUNTY TREASURER  
RACHEL E. SEEBER, CHAIRWOMAN OF THE BOARD  
RYAN MOORE, COUNTY ADMINISTRATOR  
AMANDA ALLEN, CLERK OF THE BOARD  
RYAN DICKEY, SECOND ASSISTANT COUNTY ATTORNEY

COMMITTEE MEMBERS ABSENT:

SUPERVISORS MERLINO  
DIAMOND

GERAGHTY  
HOGAN  
LEGGETT  
MAGOWAN

TOSHA BROWNELL, COMPUTER HELP DESK TECHNICIAN  
TAMMIE DELORENZO, ASSISTANT TO THE COUNTY ADMINISTRATOR  
LEXIE DELUREY, DIRECTOR, REAL PROPERTY TAX SERVICES  
KEVIN HAJOS, SUPERINTENDENT OF PUBLIC WORKS  
CHRISTIAN HANCHETT, COMMISSIONER, DEPARTMENT OF SOCIAL SERVICES  
GINELLE JONES, DIRECTOR OF PUBLIC HEALTH/PATIENT SERVICES  
WAYNE LAMOTHE, DIRECTOR, PLANNING & COMMUNITY DEVELOPMENT  
DON LEHMAN, DIRECTOR OF PUBLIC AFFAIRS  
ANN MARIE MASON, DIRECTOR, OFFICE OF EMERGENCY SERVICES  
AMY MCBYRNE, DIRECTOR, COUNTRYSIDE ADULT HOME  
PATRICIA NENNINGER, PERSONNEL OFFICER  
ROB YORK, DIRECTOR, OFFICE OF COMMUNITY SERVICES  
SARAH MCLENITHAN, DEPUTY CLERK OF THE BOARD

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*Please note, the following contains a summarization of the January 29, 2021 meeting of the Finance Committee; the meeting in its entirety can be viewed on the Warren County website using the following link:*  
<https://warrencountyny.gov/gov/comm/Archive/2021/finance>

*Note: As per Governor Cuomo's Executive Order 202.1: "Article 7 of the Public Officers Law, to the extent necessary to permit any public body to meet and take such actions authorized by the law without permitting in public in-person access to meetings and authorizing such meetings to be held remotely by conference call or similar service, provided that the public has the ability to view or listen to such proceeding and that such meetings are recorded and later transcribed". All committee members were physically present, aside from Supervisors Beaty and Bruno who participated via videoconference.*

Mr. Beaty called the meeting of the Finance Committee to order at 11:49 a.m.

Copies of the agenda were distributed to those present, those attending remotely accessed the agenda via the Warren County website; a copy of the agenda is on file with the meeting minutes.

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

Prior to commencing the Agenda review Mr. Beaty stated he would like to notify the Committee members that the balance of the Contingent Account as of this morning was \$275,000. He apprised he would also like to thank Don DeGraw, *Airport Manger*, for his efforts during his tenure at the County and he wished him well in his new position. He said he had worked closely with Mr. DeGraw over the last few years during which Mr. DeGraw had done an outstanding job ensuring the County was adhering to all of the FAA (*Federal Aviation Administration*) regulations which he was grateful for.

- 1) Request for transfer of funds as attached for Committee approval. *Note: The Committee inadvertently skipped over this request.*

Mr. Beaty advised Agenda Items 2A-B consisted of the following Requests/Items to be discussed by the County Administrator:

- 2A) Ryan Moore, *County Administrator*, advised the Journal Report of transfers approved by the County Administrator staff for November and December of 2020 was included in the agenda packet. He indicated these were included for informational purposes and he encouraged anyone with questions to contact him.
- 2B) Request for a transfer of funds between various codes to cover insurance costs for 2021. Mr. Moore stated this was in reference to the County's bill for its property and casualty insurance which they budgeted for with an estimated cost. He said the actual cost had come in slightly lower than the budgeted amount and these costs were parceled out to the various departments based upon their share of the exposure. He informed the request for transfer of funds included in the Agenda packet displayed where these funds would be transferred around and the savings realized would be captured in the unallocated insurance accounts. He stated if additional funding for insurance purposes was required at any time this year the funds could be allocated from that account, but if not the funds would remain there for sake keeping until the end of the year when they would be allocated to the General Fund Unappropriated Surplus account.

Motion was made by Mr. McDevitt, seconded by Mr. Bruno and carried unanimously to approve the request and the necessary resolution was authorized for the February 19<sup>th</sup> Board Meeting.

Proceeding to Agenda Items 3A-B, Mr. Beaty advised these concerned the following Requests/Items to be addressed by the County Treasurer:

- 3A) Request to authorize chargeback payments of taxes for PILOT payments in 2020.

Mike Swan, *County Treasurer*, apprised PILOT referred to Payment in Lieu of Taxes and the City of Glens Falls collected the money and returned the County's portion of it to the County. He stated a resolution was required to accept these payments which equated to \$61,393.93.

Motion was made by Mr. Thomas, seconded by Ms. Braymer and carried unanimously to approve the request and the necessary resolution was authorized for the February 19<sup>th</sup> Board Meeting.

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3B) Request to fill vacant position of Account Clerk (part-time) #1, *Grade 4, Base Annual Salary \$13,933*, due to promotion.

Mr. Swan indicated this position worked 19/hrs per week, apprising the individual who had previously been in the position was promoted to a full-time position last summer and he had left it vacant to determine whether it was really needed. He said he originally thought they could get by without the position; however, he noted due to the fact that they were behind on registering properties for occupancy tax collections he would like to fill this position and assign them to assist with the workload associated with occupancy tax collections in an attempt to get caught up on the registrations, as well as to work continually through. He noted there were 250 registrations waiting to be entered into the system, each of which took about an hour to enter.

Mr. Beaty asked for clarification that this did not pertain to a new position and related to filling an existing position that Mr. Swan had been fiscally responsible enough not to fill, but it had since been determined it was needed as a result of what Mr. Swan had just stated and Mr. Swan replied affirmatively.

Motion was made by Mr. Bruno, seconded by Mr. McDevitt and carried unanimously to approve the request and refer same to the Personnel, Administration & Higher Education Committee for reporting purposes.

In regard to borrowing funds to cover the cost of road projects and the cost of the repair to the retaining wall in the Town of Bolton, Mr. Swan advised next month he would be presenting a request to the Committee to authorize him to borrow the money to cover these expenses which totaled around \$7 million and included a five year pay back period through a BAN (*Bond Anticipation Note*). He stated he felt this was the most appropriate way to proceed to cover these costs, as he was nervous about the financial future of the County and wanted to avoid allocating the funds from the General Fund Unappropriated Surplus account. He stated the cost to repair the retaining wall which needed to be done was estimated to be around \$700,000 and then around \$6 million was desired to pay for completing all of the work required to catch up with the County Road Projects and get the paving back on track to prevent them from falling behind like they did in 2008-09 as a result of the recession. He informed this was for informational purposes and he would be returning next month with more concrete figures and an amortization table to provide them with an idea about what the payments would be. He stated the only issue he may have was the banks he had contacted regarding this had indicated to him they did not want to finance the full amount which meant he would either have to finance this through two separate banks or locate a bank that was willing to finance the full amount.

Mr. Beaty questioned whether there was a reason one bank would not want to finance the full amount, as the County had an excellent credit rating as a result of the work done by Mr. Swan and the Board of Supervisors; Mr. Swan replied he was unsure why they had indicated they could not cover the entire amount. Mr. Swan advised the banks had limitations on how much they could loan; however, he noted, he had not finished discussing this with them. He said he was confident he would be able to obtain financing for the full amount, adding the interest rates remained low and would continue to be low for the next few months. He remarked while he hated borrowing money, this work needed to be done and more specifically the repairs to the retaining wall in the Town of Bolton which was associated with the Sagamore Resort because if it were to collapse raw sewage would leak into Lake George and would also cause the County to lose occupancy tax, as well as sales tax from that establishment which was a substantial amount of money.

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Mr. Thomas asked whether a BAN was the best method to use to pay for these projects due to the fact that there was a possibility the interest rates could increase before the BAN was paid off. Mr. Swan stated it was true that the interest rates could surge, but if that occurred the County had the option to pay the BAN off early with no penalties. He apprised if they were to do a BAN this year the first payment would not be due until around May of 2022, adding at this point if the County was in good financial standing they had the option to pay it off or the terms could be changed from a five year note to three years. He indicated each year when the BAN renewed the County could choose to exercise any one of the different choices available, but they would originally be beginning with a five year note.

Mr. Beaty stated Agenda Item 4 pertained to a referral from the Economic Growth & Development Committee, *Planning & Community Development*, regarding a request to close CD74 (*Countryside Adult Home Sewer*) as the project was completed and ready to be closed.

Wayne LaMothe, *Director, Planning & Community Development*, advised the grant had been closed out at the State level and the County needed to close out the fund on this end and remove it from the County Treasurer's report, adding because the fund was established by resolution a resolution was required to close it out.

Motion was made by Mr. Bruno, seconded by Ms. Braymer and carried unanimously to approve the request and the necessary resolution was authorized for the February 19<sup>th</sup> Board Meeting.

Mr. Beaty announced Agenda Item 5 included a referral from the Environmental Concerns & Real Property Tax Services Committee on behalf of Real Property Tax Services requesting to appropriate funds in the amount of \$6,522 from Budget Code A.893.00, *Reserve, Environmental Testing Fund*, to Budget Code A.1355 470, *Real Property Tax Services, Contract*, to pay for additional asbestos project monitoring fees for the demolition of a building on Town of Queensbury Tax Map Parcel No. 302.8-1-2 (*275 Bay Road, Town of Queensbury*).

Lexie Delurey, *Director, Real Property Tax Services*, advised a resolution was required in order to appropriate funds from the Environmental Testing Fund Reserve into the Real Property Tax Services Budget to cover additional costs for the asbestos project monitoring for the demolition of a building on 275 Bay Road, Town of Queensbury.

Ms. Braymer stated she would like the Committee to consider increasing the amount of funding they appropriated from the Environmental Testing Fund Reserve as long as Ms. Delurey was agreeable to this and could provide an estimate about how much more funding may be required. Mr. Geraghty asked whether this was an open ended contract where the County estimated the cost and the contractor continued to increase that amount rather than having a set amount for this work included in the contract, as he was concerned that this cost was continuously increasing as the process moved along. Ms. Delurey responded the contract had been written with a specific amount to pay the contractor to handle the demolition work which the contractor indicated could be completed within a ten day period; however, she noted, when the contractor submitted their bid in February of 2020 their intention was to complete the work during the summer when the weather conditions were more favorable for them to get things accomplished. She said the County had requested that the contractor hold their bid price because the County did not take title to this property until the Fall of 2020 which resulted in a change in the way the project would be handled and was why a portion of the blame was not on the contractor, as they had no control over this aspect. She noted the contractor had been provided with the Notice to Proceed starting November 25<sup>th</sup> through December 25<sup>th</sup>, but they did not start

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the project until the beginning of January 2021. She advised because the contractor had indicated they could complete the project in ten days she had only budgeted for nine days of project monitoring services and as of today they were on day eighteen of monitoring services and the contractor had indicated an additional three days would be required. She apprised she was hoping they would be able to finish the project by the end of the day today, but when she visited the site this morning they still had to remove the steel that remained on the site, as well as the metal and the company handling the project monitoring for the County was being strict about how the materials were handled and were taking their time inspecting each piece which resulted in the project taking more time to be completed.

Ms. Braymer mentioned for clarification purposes that the County had two contracts in place, one of which was with Bronze Contracting, LLC for the demolition work and the other was a standing contract through the Department of Public Works with ATL (*Atlantic Testing Laboratories*) to monitor the asbestos at the site. She stated nine days had been budgeted for the monitoring services which the County was responsible for paying and each additional day it took Bronze Contracting, LLC to finish the project required the County to pay ATL for those additional days. She apprised they were working on trying to get this cost reduced from the amount they paid Bronze Contracting, LLC; however, she noted, Mr. Delurey would need to pay ATL when they submitted their bill.

A discussion ensued during which Kevin Hajos, *Superintendent of Public Works*, indicated due to the type of permit issued to Bronze Contracting, LLC his department had to review the maintenance of traffic because the trucks used to haul the material were entering and exiting the site on Bay Road which was a County Road. He stated as a result of this his department required Bronze Contracting, LLC to have a certain kind plan package in place which was submitted and approved by his department. He indicated he had been notified that the contractor did not have the proper package in place for the amount of trucks that were entering and exiting the site resulting in his department visiting the site to do a review at which time the issue was rectified. He advised his staff did not have any say regarding the work Bronze Contracting, LLC was undertaking; however, he noted, if his department had been in charge of managing the contract they would have had a say regarding what the contractor could carry out and how they did that. He mentioned because he was not familiar with the contract he was unsure whether the County could hold Bronze Contracting, LLC to the ten day limit and then seek reimbursement from them which typically occurred with timeframes and liquidated damages and he was unsure if this contract included that. Ms. Delurey noted the contract did not include any reference to liquidated damages, as a staff member of the DPW had assisted them with setting up the RFP (*Request for Proposal*) for this project during which no mention of liquidated damages was made. She informed she had requested that the County Attorney's Office look into whether the performance bond could be used as a method in which to seek reimbursement from Bronze Contracting, LLC.

A motion was made by Ms. Braymer, seconded by Mr. McDevitt and carried unanimously to authorize the appropriation of funds in the amount of \$10,000 from Budget Code A.893.00, *Reserve, Environmental Testing Fund*, to Budget Code A.1355 470, *Real Property Tax Services, Contract*, to pay for additional asbestos project monitoring fees for the demolition of a building on Town of Queensbury Tax Map Parcel No. 302.8-1-2 (*275 Bay Road, Town of Queensbury*). The necessary resolution was authorized for the February 19<sup>th</sup> Board Meeting.

Mr. Beaty requested that Ryan Dickey, *Second Assistant County Attorney*, ask the attorney in their office who was handling this contract to attend the next Finance Committee meeting to provide an overview of the County's options in terms of seeking reimbursement for the additional cost of the project monitoring services. Ms. Braymer asked

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if it was possible for a DPW staff member with knowledge in this type of work to visit the site and notify the contractor they needed to finish the project up as soon as possible by any means possible, such as getting more staff or equipment on site to work on the project. Mr. Hajos replied he could do that, but he was unsure how much leverage they would have due to their minimum involvement with this project. Ms. Braymer remarked she would appreciate if Mr. Hajos or a member of his staff could visit the site as an avenue to move the project along quicker and Mr. Beaty concurred. Ms. Delurey interjected Bronze Contracting, LLC could only work at the speed that ATL permitted them to because ATL had indicated they needed to inspect every piece of metal before it was removed which was time consuming given the fact that there was only one project monitor on site which was how the County budgeted for the project. She added the addition of another project monitor would double the cost for the County.

Agenda Items 6A-D, Mr. Beaty advised pertained to the following referrals from the Health Services committee:

*Office of Community Services:*

6A) Request to amend the 2021 Warren County Budget in the amount of \$194,559 to allow for pass-through of 100% State-aid funding from the New York State Office of Addiction Services and Supports for the Addiction Care center of Albany's Residential Rehabilitation Services in Warren County.

*Public Health:*

6B) Request to amend the 2021 Warren County Budget in the amount of \$14,105 to reflect receipt of supplemental funding from the New York State Department of Health to expand and enhance Local Departments for influenza, vaccine outreach and promotion and mass vaccination activities for 2020-2021.

6C) Request to amend the 2021 Warren County Budget in the amount of \$17,350 to reflect both the revenue and expenses related to the receipt of the COVID-19 grant funds.

6D) Request to amend the 2021 Warren County Budget in the amount of \$37,395 to reflect both the revenue and expenses related to the receipt of COVID-COMMCARE grant funds received from the Health Research, Inc.

Motion was made by Ms. Braymer, seconded by Mr. McDevitt and carried unanimously to approve Agenda Items 6A-D as outlined above and the necessary resolutions were authorized for the February 19<sup>th</sup> Board Meeting.

Mr. Beaty apprised Agenda Items 7A-B pertained to the following referrals from the Human Services Committee:

*Countryside Adult Home:*

7A) Request to appropriate funds in the amount of \$10,000 from Budget Code A.861.00, to Budget Code A. 6030 413, *Countryside Adult Home, Repair & Maint.- Bldg/Property*, to cover the cost of a repair to the building's boiler.

Amy McByrne, *Director, Countryside Adult Home*, stated during routine service on the facility's boiler it was determined that there were some major issues which required addressing and she did not have the funds available within her departmental budget to pay for the repairs. She informed following the replacement of several parts the boiler repairs were completed as of this morning.

Motion was made by Mr. Thomas, seconded by Ms. Braymer and carried unanimously to approve the request and

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the necessary resolution was authorized for the February 19<sup>th</sup> Board Meeting.

*Department of Social Services:*

- 7B) Request to amend the 2021 Warren County Budget in the amount of \$90,000 to reflect the receipt of allocations received from the New York State Office of Children and Family Services.

Christian Hanchett, *Commissioner, Department of Social Services*, provided a brief overview of the programs the funding would be used to support and how much money would be allocated to each of them; he noted \$5,000 of the funding would remain in-house.

Motion was made by Ms. Braymer, seconded by Mr. McDevitt and carried unanimously to approve the request and the necessary resolution was authorized for the February 19<sup>th</sup> Board Meeting.

Continuing with the Agenda review, Mr. Beaty informed Agenda Items 8A-C concerned the following referrals from the Public Safety Committee, *Office of Emergency Services*:

- 8A) Request to amend the 2021 Warren County Budget in the amount of \$1,164.24 to reflect the receipt of FY19 State Homeland Security Program grant funding.
- 8B) Request to amend the 2021 Warren County Budget in the amount of \$14,364 to reflect receipt of FY20 Local Emergency Management Performance grant funding.
- 8C) Request to increase Capital Project H254, *Fire Training Center Project*, in the amount of \$6,433.97 to reflect reimbursements received from Washington County received through December 31, 2020.

Motion was made by Ms. Braymer, seconded by Mr. Bruno and carried unanimously to approve Agenda Items 8A-C as outlined above and the necessary resolutions were authorized for the February 19<sup>th</sup> Board Meeting.

Mr. Beaty stated Agenda Item 9 involved a referral from the Public Works Committee, *DPW*, regarding a request to establish Road Projects for 2021-2022.

Kevin Hajos, *Superintendent of Public Works*, advised this pertained to a request for a resolution to establish the Road Projects for 2021-2022.

Motion was made by Mr. Thomas, seconded by Mr. McDevitt and carried unanimously to approve the request and the necessary resolution was authorized for the February 19<sup>th</sup> Board Meeting.

Mr. Beaty advised Finance Committee action was required in connection with Personnel, Administration & Higher Education Agenda Items 4A, 4D, 5A, 5B, 6, 7A, 7B, 8A, 8B, 8C and 9.

Motion was made by Ms. Braymer, seconded by Mr. Bruno and carried unanimously to approve Personnel, Administration & Higher Education Agenda Item 4A, which concerned a request from the Information Technology Department to appropriate funds in the amount of \$14,518 from the Computer Reserve Fund to various departmental budgets for the purchase of computers and related equipment and software.

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Mr. McDevitt inquired whether it would be permissible to approve all of the remaining Personnel, Administration & Higher Education Agenda Items under one motion rather than handling them separately. Amanda Allen, *Clerk of the Board*, responded all of the Agenda Items could be approved under one motion; however, she noted, Item 4D which pertained to a request from the Information Technology for an appropriation of funds in the amount of \$50,000 to Budget Code A.1680 426, *Information Technology, Subscriptions*, to cover the cost of security monitoring software for both data and physical devices in the County's network, required them to determine a source of funding to cover this expense. She said in light of this she would suggest they approve Agenda Items 4A, 5A, 5B, 6, 7A, 7B, 8A, 8B and 9 under one motion and approve Item 4D under a separate motion. Mr. Beaty called for a motion to approve all of the remaining Agenda Items with the exception of Item 4D. The necessary motion was made by Mr. Thomas and seconded by Ms. Braymer.

Ms. Braymer clarified that Agenda Item 8B did not include deleting the position of County Fire Coordinator - Temp., as the Personnel, Administration & Higher Education Committee had decided to hold off on deleting the position until the individual hired for the position of County Fire Coordinator - Part-Time that was being created was fully trained. Mrs. Allen noted the Committee had also decided to change the effective date of the County Fire Coordinator - Part-Time position from February 22<sup>nd</sup> to January 29<sup>th</sup>.

Mr. Beaty called the question and the motion as outlined above was carried unanimously.

Returning to Personnel, Administration & Higher Education Agenda Item 4D, regarding a request from the Information Technology for an appropriation of funds in the amount of \$50,000 to Budget Code A.1680 426, *Information Technology, Subscriptions*, to cover the cost of security monitoring software for both data and physical devices in the County's network, Mr. Beaty asked if anyone had a suggestion for how they could fund the purchase of these two software packages. Ms. Braymer suggested they consult with Mr. Thomas, who was the County Budget Officer, on this matter. She added she was aware that Mike Colvin, *Director, Information Technology*, was applying for grant funding to cover this cost, but it was likely the funding would not be available before these items were purchased. She indicated there was also leftover funding remaining from a grant the Board of Elections had received that could cover a portion of this cost, but not the full amount and she asked if Mr. Thomas had any suggestions how they could cover the remaining amount. Mr. Thomas questioned how much funding was leftover from the Board of Elections grant and Mr. Moore replied he believed around \$20,000 was remaining, but he could look into this and determine the actual amount remaining and then they could develop a solution for the difference which was somewhere in the vicinity of \$30,000. Mr. Thomas advised he would suggest appropriating the funds from the General Fund Balance Unappropriated Surplus account if the full amount of \$50,000 was needed, but if only \$30,000 was required his recommendation would be to transfer the funding from the Contingent Account. Mr. Moore added they should include a stipulation that if they were to receive the grant funding that Mr. Colvin applied for the \$30,000 would be returned to the funding source it originated from and the Committee concurred.

Motion was made by Mr. Thomas and seconded by Ms. Braymer to authorize a transfer of \$30,000 from the Contingent account, with the remaining \$20,000 to come from the Board of Elections Budget with the correct that the grant funding received by Mr. Colvin would be returned to the funding source.

A discussion ensued following which Mr. Beaty asked Mrs. Allen to read aloud the motion before them. Mrs. Allen advised the motion was to authorize a transfer of funds in the amount of \$30,000 from the Contingent Account to

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Budget Code A.1680 426, *Information Technology, Subscriptions*, to cover the cost of security monitoring software for both data and physical devices in the County's network and if the grant funding was awarded the \$30,000 would be returned to the Contingent Account. Mr. Beaty questioned whether the motion included transferring the leftover funding from a grant the Board of Elections had received to pay the remaining balance and Mrs. Allen replied she was unsure what Budget Code that funding would be transferred from, but they could include in their motion that these leftover funds would also be transferred into Budget Code A.1680 426, *Information Technology, Subscriptions*, to cover the remaining balance. Mr. Beaty advised the motion would include the leftover funds in the amount of \$20,000 from a Board of Elections grant would be transferred into the Information Technology Department.

Mr. Beaty called the question and the motion, as outlined above, was carried unanimously thereby authorizing the necessary resolution for the February 19<sup>th</sup> Board Meeting.

Concluding the agenda review, Mr. Beaty noted there were no pending or referral items to address; he called for any public comments, but Don Lehman, *Director of Public Affairs*, was not available to respond.

There being no further business to discuss, on motion made by Mr. McDevitt, seconded by Mr. Bruno and carried unanimously, Mr. Beaty adjourned the meeting at 12:44 p.m.

Respectfully submitted,  
Sarah McLenithan, Deputy Clerk of the Board