

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: FINANCE

DATE: MAY 5, 2022

COMMITTEE MEMBERS PRESENT:

SUPERVISORS LEGGETT
THOMAS
BRUNO
MERLINO
RUNYON
DIAMOND
DRISCOLL

OTHERS PRESENT:

RYAN MOORE, COUNTY ADMINISTRATOR
MIKE SWAN, COUNTY TREASURER
KEVIN GERAGHTY, CHAIRMAN OF THE BOARD
LARRY ELMEN, COUNTY ATTORNEY
AMANDA ALLEN, CLERK OF THE BOARD
SUPERVISOR BRAYMER
CONOVER
GERACI
HOGAN (VIA ZOOM)
MAGOWAN
MCDEVITT
SEEBER
TAMMIE DELORENZO, ASSISTANT TO THE COUNTY ADMINISTRATOR
MARCY FLORES, PUBLIC DEFENDER
KEVIN HAJOS, SUPERINTENDENT OF PUBLIC WORKS
DON LEHMAN, DIRECTOR OF PUBLIC AFFAIRS
SARAH MCLENITHAN, DEPUTY CLERK OF THE BOARD

Please note, the following contains a summarization of the May 5, 2022 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/mma>

Note: Pursuant to New York State Legislation (S.50001/A.40001): “Notwithstanding the provisions of article 7 of the public officers law to the contrary, any state agency, department, corporation, office, authority, board, or commission, as well as any local public body, or public corporation as defined in section 66 of the general construction law, or political subdivisions as defined in section 100 of the general municipal law, or a committee or subcommittee or other similar body of such entity, shall be authorized to meet and take such action authorized by law without permitting in public in-person access to meetings and authorize 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 of the Committee members were physically present.

Mr. Leggett called the meeting of the Finance Committee to order at 11:57 a.m.

Roll called, the following members present:

Supervisors Leggett, Thomas, Bruno, Runyon, Driscoll

A motion was made by Mr. Bruno, seconded by Mr. Driscoll and carried by a unanimous vote of those present (*Messrs. Merlino and Diamond absent*) 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 those in attendance, those participating remotely accessed the agenda via the Warren County website. A copy of the agenda is on file with the meeting minutes.

The agenda review proceeded as follows:

- 1) Request for transfers of funds as attached for Committee approval.

Motion made by Mr. Bruno, seconded by Ms. Runyon carried by a unanimous vote of those present (*Messrs. Merlino and Diamond absent*) to approve the request and the necessary resolution was authorized for the May 20th Board Meeting.

- 2A) Journal Report of transfers approved by the County Administrator staff for March 2022 - included for informational purposes.
- 2B) Request to amend the Warren County Budget in the amount of \$112,500 to include ARPA (*American Rescue Plan Act*) funding to cover the cost of the contract with Southern Adirondack Childcare Network.

Ms. Braymer announced an ARPA Advisory Committee meeting was scheduled for Tuesday, May 10th at 3:00 p.m. where she hoped the County Attorney would be able to provide an update regarding the contract language for ARPA funding that would be provided to outside entities. Larry Elmen, *County Attorney*, advised he would do his best to have something to present to the Committee.

Mr. Diamond entered the meeting at 12:00 p.m.

Motion was made by Mr. Thomas, seconded by Mr. Driscoll and carried by a unanimous vote of those present (*Mr. Merlino absent*) to approve the request and the necessary resolutions were authorized for the May 20th Board Meeting.

- 2C) Request to increase Capital Project No. H390, *County Bridge & Culvert Projects*, in various Towns in the amount of \$2,000.

Kevin Hajos, *Superintendent of Public Works*, apprised last year the Board had provided him with the authority to handle just compensation for right-of-way acquisitions that were identified when Federal Aid projects were involved. He stated this involved County Route 2 where the culvert collapsed and was not one he had on the radar for this year, but he was working on the process to get this project moving forward. He said they were working on the design phase right now and would need to acquire some right-of-way on the west side of the bridge toward Cameron Road consisting of two small parcels. He proceeded to distribute copies of a map displaying the parcels; *a copy of which is on file with the minutes*. He indicated the funding would allow him to move forward with acquiring the two right-of-ways that were necessary.

A discussion ensued following which a motion was made by Ms. Runyon, seconded by Mr. Thomas and carried by a unanimous vote of those present (*Mr. Merlino absent*) to approve the request and the necessary resolution was authorized for the May 20th Board Meeting.

Amanda Allen, *Clerk of the Board*, noted due to time restraints it was necessary for the resolution to increase Capital Project No. H390, *County Bridge & Culvert Projects*, in various Towns in the amount of \$2,000 to go before the May 5th Board Meeting. A brief discussion ensued following which a motion was made by Mr. Thomas, seconded by Ms. Runyon and carried by a unanimous vote of those present (*Mr. Merlino absent*) to amend the motion to approve the request to increase Capital Project No. H390, *County Bridge & Culvert Projects*, to authorize the necessary resolution for the May 5th Board Meeting.

- 3A) Discussion regarding County financial information.

Mike Swan, *County Treasurer*, advised he was pleased to announce his Office had closed the books on time for the tenth year in a row, indicating the balance of the General Fund Unappropriated Surplus was approximately \$34 million. He noted although this appeared to be a substantial amount of money it was suggested they have enough to cover two months of

expenses on hand as a safeguard which totaled \$28 million which meant they really only had \$6 million on hand. He mentioned the County was in a better position to handle a financial crisis should one occur than they were in 2008-2009 when it took a few years to recover because of the healthy level the fund balance was currently at.

Mr. Merlino entered the meeting at 12:08 p.m.

Mr. Swan apprised sales tax revenue was up which he noted related somewhat to the higher gasoline prices. In regard to inflation, he mentioned some were indicating it would be an issue for the long-term while others felt a recession was forthcoming within the next few months.

A brief discussion ensued during which it was noted the State's moratorium beginning on June 1st on the State gasoline tax had no impact on the County Budget, as the County's 3% portion would still be collected.

- 3B) Request to amend the County Investment Policy to increase the amount authorized to place in overnight investments with any one institution from \$1 million to \$25 million.

Mr. Swan provided an explanation for the request which would result in the County earning about an additional \$250,000 to \$300,000 in interest income.

Motion was made by Mr. Diamond, seconded by Mr. Thomas and carried unanimously to approve the request and the necessary resolution was authorized for the May 20th Board Meeting.

- 4A) Request to authorize closure of Capital Project H389, *Airport Snow Removal Equipment Building*, and return funds remaining in the amount of \$127.57 to Budget Code A.9950.910, *Transfers to Capital Projects*.

Motion was made by Mr. Bruno, seconded by Mr. Diamond and carried unanimously to approve the request and the necessary resolution was authorized for the May 20th Board Meeting.

- 4B) Request to authorize closure of Capital Project H263, *Design & Construction of the Human Services Building*, and return funds remaining in the amount of \$11,030.56 to Budget Code V.5031.

Motion was made by Mr. Driscoll, seconded by Mr. Thomas and carried unanimously to approve the request and the necessary resolution was authorized for the May 20th Board Meeting.

- 5A) Request to write off unpaid claim from September 2018 with the New York Governor's Traffic Safety Committee Child Passenger Safety Committee in the amount of \$750 in accordance with Resolution No. 240 of 2019 due to the claim being submitted after the deadline and the payment was rejected.

Motion was made by Ms. Runyon, seconded by Mr. Driscoll and carried unanimously to approve the request and the necessary resolution was authorized for the May 20th Board Meeting.

- 5B) Request to amend the Warren County Budget in the amount of \$81,943 to establish revenue and expense codes for New York State Sheriff's Association COVID-19 Detection and Mitigation grant.

Motion was made by Mr. Bruno, seconded by Mr. Diamond and carried unanimously to approve the request and the necessary resolution was authorized for the May 20th Board Meeting.

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- 6A) Request to amend the Warren County Budget in the amount of \$138,750 to allow pass through of 100% State funding from New York State Office of Mental Health for operation and further development of the Adirondack Veterans' Peer-to-Peer program.

Motion was made by Mr. Driscoll, seconded by Mr. Merlino and carried unanimously to approve the request and the necessary resolution was authorized for the May 20th Board Meeting.

- 6B) Request to authorize an adjustment for 2009-2016 Preschool program related to ATVLs/Evaluations on preschool children in the amount of \$57,368.85.

Motion was made by Ms. Runyon, seconded by Mr. Diamond and carried unanimously to approve the request and the necessary resolution was authorized for the May 20th Board Meeting.

- 6C) Request to amend the Warren County Budget in the amount of \$211,843 to reflect the total additional allocation for the ELC Schools Grant Contract (Contract 6823-01).

Motion was made by Ms. Runyon, seconded by Mr. Thomas and carried unanimously to approve the request and the necessary resolution was authorized for the May 20th Board Meeting.

- 7) Request to amend the Warren County Budget in the amount of \$20,000 to increase both revenue and expense accounts to reflect receipt of a gift from the Children's Committee of Warren County.

Motion was made by Mr. Thomas, seconded by Ms. Runyon and carried unanimously to approve the request and the necessary resolution was authorized for the May 20th Board Meeting.

- 8) Request to appropriate \$474,000 from the Occupancy Tax Reserve, *A.881.00*, to Budget Code A.6417.0002 469, *Other Payments/Contributions*, to pay the final distribution of 2021 Occupancy Tax collections to the towns, Village of Lake George and the City of Glens Falls.

Mr Leggett noted it was administratively recommended action resulting from the Finance Committee to go before the Board at today's meeting.

Motion was made by Mr. Merlino, seconded by Mr. Thomas and carried unanimously to approve the request and the necessary resolution was authorized for the May 5th Board Meeting.

- 9A) Request to increase Capital Project No. H381, *South Johnsburg Road (CR 57) over Mill Creek bridge replacement*, in the Town of Johnsburg in the amount of \$831,393.

Motion was made by Mr. Thomas, seconded by Ms. Runyon and carried unanimously to approve the request and the necessary resolution was authorized for the May 20th Board Meeting.

- 9B) Request to increase Capital Project No. H396, *East River Drive (CR 16) & Call Street (CR 32) Pavement Rehabilitation*, in the Town of Lake Luzerne in the amount of \$460,818.

Motion was made by Mr. Thomas, seconded by Mr. Driscoll and carried unanimously to approve the request and the necessary resolution was authorized for the May 20th Board Meeting.

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- 9C) Request to authorize closure of Capital Project No. H351, *CR 44 Bridge over Hudson River Bridge Painting Project*, in the Town of Lake Luzerne and return remaining funds in the amount of \$2.70 to Budget Code D.9950 910.

Motion was made by Mr. Merlino, seconded by Mr. Thomas and carried unanimously to approve the request and the necessary resolution was authorized for the May 20th Board Meeting.

- 9D) Request to increase Capital Project No. H401, *Sagamore Road Retaining Wall*, in the Town of Bolton in the amount of \$17,500.

Motion was made by Mr. Bruno, seconded by Ms. Runyon and carried unanimously to approve the request and the necessary resolution was authorized for the May 20th Board Meeting.

- 9E) Request to establish Capital Project No. H415, *2022 Bonded Road Projects*, in the amount of \$6,200,000.
9F) Request to amend the Warren County Budget in the amount of \$6,200,000 to amend and reduce various 2022 County Road Budgets funded with \$6,200,000 in Serial Bond funds.

Motion was made by Mr. Bruno, seconded by Mr. Merlino and carried unanimously to approve the requests as outlined above and the necessary resolutions were authorized for the May 20th Board Meeting.

- 9G) Request to appropriate funds in the amount of \$10,000 from the Environmental Testing Reserve (A.893.00) to the Department of Public Works Budget to fund the Asbestos Project Monitoring fees regarding the abatement of Town of Johnsbury Tax Map Parcel No. 133.8-1-27, completed by Atlantic Testing Laboratories.
9H) Request to appropriate funds in the amount of \$22,100 from the Environmental Testing Reserve (A.893.00) to the Department of Public Works Budget to fund unknown or unforeseen conditions that may arise during construction regarding Town of Johnsbury Tax Map Parcel No. 133.8-1-27.

Motion was made by Mr. Bruno, seconded by Ms. Runyon and carried unanimously to approve the requests as outlined above and the necessary resolutions were authorized for the May 20th Board Meeting.

- 10) Finance Committee action is required on the following item(s) approved by the Personnel, Administration & Higher Education Committee - Agenda Items 3B and 4:

3) **Referrals from the Criminal Justice & Public Safety Committee (Chaired by Supervisor Geraci):**

Public Defender (Marcy Flores, Public Defender) -

- B) Request to amend the Table of Organization and Salary Schedule to fill the position of Public Defender at an annual salary of \$128,450 effective May 9, 2022.

Mr. Leggett noted this resolution would be going before the Board for approval at their meeting today.

Motion was made by Ms. Runyon, seconded by Mr. Driscoll and carried unanimously to approve Personnel, Administration & Higher Education Agenda Item 3B as outlined above.

- C) Request to amend the Table of Organization and Salary Schedule to decrease the salary of the 9th Assistant Public Defender from \$74,089 to \$71,988 effective May 23, 2022.

Motion was made by Mr. Merlino, seconded by Ms. Runyon and carried unanimously to approve Personnel, Administration & Higher Education Agenda Item 3C as outlined above.

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- 4) **Referrals from the Human Services Committee (Chaired by Supervisor Driscoll):**
Department of Social Services (Christian Hanchett, Commissioner, Department of Social Services) -
Request to amend the Table of Organization and Salary Schedule to create and fill the new position of Community Services Worker (Part-Time), *Grade 8, Base Annual Salary \$37,918*, effective May 23, 2022.

Motion was made by Mr. Driscoll, seconded by Mr. Thomas and carried unanimously to approve Personnel, Administration & Higher Education Agenda Item 4 as outlined above.

Mr. Leggett noted there were a few referrals that needed to be addressed that were not included on the agenda today, the first of which was a referral from the Personnel, Administration & Higher Education Committee to amend the Table of Organization and Salary Schedule to delete the position of Tax Coordinator, *Annual Salary \$47,417*, and create and fill the new position of 3rd Assistant County Attorney, *Annual Salary \$65,295*, effective June 1, 2022.

Motion was made by Mr. Runyon and seconded by Mr. Thomas to approve the request as outlined above.

Mr. Elmen noted an appropriation of \$17,878 in funding from the General Fund Unappropriated Surplus Fund was required in order to cover the unfunded portion of the salary. A discussion ensued regarding job descriptions which Mr. Bruno noted should be included whenever requests to create new positions were presented. Mr. Elmen noted the County Personnel Officer had indicated to him there was no job description required for Assistant County Attorney positions because the duties and responsibilities were statutorily provided by the County Attorney and was why he provided a copy of the job posting to ensure the intent for the position was outlined. Mr. Bruno indicated he did not believe the job posting for this position was a sufficient enough job description.

Mr. Leggett restated the motion indicating the action to approve the creation and filling of the position and to appropriate funding for same. *Note: Subsequent to the meeting it was determined the County Attorney would return to Committee to request additional funding once a final salary was determined.* Mr. Leggett called the question and the motion was carried unanimously to approve the request to amend the Table of Organization and Salary Schedule to delete the position of Tax Coordinator, *Annual Salary \$47,417*, and create and fill the new position of 3rd Assistant County Attorney, *Annual Salary \$65,295*, effective June 1, 2022.

Mr. Leggett indicated there was also a referral from the Personnel, Administration & Higher Education Committee that had originally been referred by the Criminal Justice & Public Safety Committee to the Budget Committee and was not included on the agenda pertaining to a request to increase the salary for the 1st Assistant Public Defender from \$97,310 to \$102,053.

Ms. Braymer apprised it was noted at the Personnel, Administration & Higher Education Committee meeting this morning the proper procedure for salary increases was for them to be referred first to the Personnel, Administration & Higher Education Committee by their oversight Committee and then if approved forwarded on to the Finance Committee, adding the Budget Committee did not need to be involved in the process, although it was in this particular instance.

Motion was made by Ms. Runyon, seconded by Mr. Thomas and carried by majority vote, with Messrs. Bruno, Merlino and Diamond voting in opposition, to approve the request to increase the salary for the 1st Assistant Public Defender from \$97,310 to \$102,053.

Next, Mr. Leggett apprised they needed to address a referral from the Budget Committee that met this morning concerning their suggestion that the Finance Committee consider the appropriation of \$300,000 from the County's unappropriated fund balance to the Office of Community Services budget for CLP 730 expenses.

Motion was made by Mr. Merlino, seconded by Mr. Diamond and carried unanimously to approve the request to appropriate funds in the amount of \$300,000 from the County's unappropriated fund balance as outlined above and the necessary resolution was authorized for the May 20th Board Meeting.

Privilege of the Floor/Public Comment;

Mr. Diamond voiced his concerns with the number of resignations and terminations occurring within the Department of Social Services and he questioned whether any action was being taken to determine why this was occurring, as well as whether any action was required to address any issues that may be present. Chairman Geraghty indicated he had contacted the Department of Social Services and was provided with an explanation regarding each employees exit over the past month, all of which appeared to be reasonable to him. Mr. Diamond suggested they have a member of the Finance and Personnel, Administration & Higher Education Committees participate in the exit interview process with the County Human Resources Director and the Department Head.

A lengthy discussion ensued during which Ryan Moore, *County Administrator*, advised the County Human Resources Director had indicated in the Personnel, Administration & Higher Education Committee meeting she was working on revising the exit interview form in order to better record data regarding why employees were leaving. Mr. Leggett voiced that he did not believe this matter fell under the purview of the Finance Committee, apprising he believed it was more appropriate for this subject to be undertaken by the Personnel, Administration & Higher Education Committee.

Ms. Seeber spoke regarding her disappointment with the Supervisors lack of access to the exit interview forms which she had requested copies of and was informed these documents were confidential even though there was a question on the form that asked what advice would you give to your department to the Board of Supervisors. She added she believed it was appropriate for the Finance Committee to make a referral to the Personnel, Administration & Higher Education Committee to request that the policy be corrected and notify the employee that this information would be shared with the Board in effort to complete not only their fiduciary responsibilities, but also their responsibility to the public. Mr. Moore noted the form Ms. Seeber was referencing was form the County Human Resources Director utilized to guide the conversation which she took short hand notes on.

There being no further business to discuss, on motion made by Mr. Bruno, seconded by Ms. Runyon and carried unanimously, Mr. Leggett adjourned the meeting at 1:18 p.m.

Respectfully submitted,
Sarah McLenithan, Deputy Clerk of the Board