

FINANCE & PERSONNEL COMMUNITY COLLEGE COMMITTEE MEETING MINUTES
MARCH 11, 2010 (**Revised 03/30/10**)

FINANCE & PERSONNEL COMMITTEE MEMBERS PRESENT: Campbell, Brown, LaPointe, Hall, Shay, Banks, Lindsay, Henke, Suprenant, Haff

FINANCE & PERSONNEL COMMITTEE MEMBERS ABSENT: None

SUPERVISORS: Rymph, Idleman

Sandy Huffer, Deputy Clerk

Phyllis Cooper, Treasurer

Nick Reisman, Post Star

Kevin Hayes, County Administrator

Bill McCarty, RPTS Director

Roger Wickes, County Attorney

AGENDA AS PRESENTED IN COMMITTEE NOTICE:

- 1) Call to Order
- 2) Approval of Minutes - February 11, 2010
- 3) Joint Community College & Finance & Personnel Committee - ACC Faculty Contract
- 4) Furlough/Union Discussion
- 5) Department Reports/Request
 - A. Real Property
 1. Review Refund Application - Town of Easton
 2. Corrected Tax Bill Applications
 - a. Hudson/Black River Regulation District
 - b. Transition Assessment - Town of Kingsbury
 3. Discuss Exemption - Village of Whitehall/Town of Dresden
 - B. Treasurer - Monthly Reports - HF Resource Recovery Plant Shortfall, Sales Tax
 - C. Personnel - Amend Employee Handbook - Tier 5 Retirement
 - D. County Administration
 1. Budget Amendments
 - a. DSS
 - i. HEAP, Daycare, Intensive Case Services, FAR, Safety Net
 - ii. 2009 Budget Amendments
 - b. Public Health - Grants (2), 2007 Write-offs
 - c. Parks - Huletts
 - E. Health
 1. Pleasant Valley - Sprinkler System - Paul Martin Engineering
 2. Public Health - (3) Travel Requests
 - F. Hudson River-Black River Regulating District Discussion
 - G. Budget Update
 - H. Supervisors' Travel Policy Discussion
- 6) Other Business - Approve 2010 Appropriation - Literacy
- 7) Adjournment

Chairman Campbell called the meeting to order at 9:30 AM.

Mr. Campbell announced that he received a communication from the state indicating that there would be no I Love NY funding for the next two years. He also announced that Assemblyman Jordan is going to talk about the state budget at Falls Farm and Garden on Saturday.

A motion to approve the minutes of the February 11, 2010 meeting, moved by Mr. Shay, seconded by Mr. Banks and adopted.

Bill McCarty, RPTS Director distributed a report on the application for Fort Miller Co., Inc. of the Town of Easton for a partial refund of the 2010 town/county tax. They are questioning the levy of the

transferred exempt portion on the tax bill (\$42,886.86). This was an IDA project and was conveyed from the IDA to the company in 2008. The PILOT agreement states that the property becomes taxable as of the date of conveyance. The county wasn't notified of the conveyance until late 2009. This amount represents town and county tax. The school has waived it. Roger Wickes stated that his opinion is that the statute is suppose to make sure the taxing entities are made whole, not collect more than they would if it was fully taxable. He stated further that Bill is following the PILOT agreement and the law. Mr. Rymph stated that Fort Miller has never complained about their assessment and the fact that they are here today indicates they feel they've not been treated fairly. Bill stated that Fort Miller was notified by his office and the assessor in Easton in October 2009 and had the opportunity to talk to the Board of Assessment Review. Mr. Hedbring of Fort Miller Company addressed the committee. He feels the county should recover 57% of the 10% savings Fort Miller received in 2008 (\$4,152.99). Fort Miller Company is requesting a refund in the amount of \$38,733.87 (\$42,886.86 - \$4,152.99). Mr. Brown stated that there could be impacts outside this one decision and if that is a concern than maybe we should wait until we analyze the entire situation. Roger Wickes stated that the examination should be done when the PILOT's come through. We give the IDA authority to act on our behalf. The PILOT's just show up on Bill's desk without any coordination or discussion with the Board. The Board has the discretion to decide whether to refund. Mr. Hedbring stated that due to the county's financial situation, the county can delay the refund until next year. A motion to refund \$38,733.87 to Fort Miller Company next year, moved by Mr. Banks, seconded by Mr. Shay. Phyllis Cooper, Treasurer stated that if the Board decides to refund the taxes, she would prefer it be done this year. A motion to amend the motion to refund \$38,733.87 to Fort Miller Company this year, moved by Mr. Banks, seconded by Mr. LaPointe and adopted. Mrs. Hall opposed.

A motion for executive session to discuss collective negotiations pursuant to Article 14 of the Civil Service Law, was moved by Mrs. Hall, seconded by Mr. Henke and adopted. A motion to return to regular session, was moved by Mr. Lindsay, seconded by Mr. LaPointe and adopted. A motion to present resolution to the full board to approve a contract between ACC and its Faculty Association, moved by Mr. Banks, seconded by Mrs. Hall and adopted. Supervisors Brown, Haff opposed.

Furlough/Union Discussion - A motion for executive session to discuss collective negotiations pursuant to Article 14 of the Civil Service Law, was moved by Mr. Banks, seconded by Mr. Lindsay and adopted. A motion to go back into regular session, moved by Mr. Banks, seconded by Mr. Henke and adopted.

PERSONNEL - Barbara Winchell, Personnel Director distributed an amendment to the Employee Handbook to add language for the Tier 5 Retirement that went into effect January 1, 2010. Mr. Banks stated that under Tier 4, the effective date that the 3% employee contribution was eliminated was 1998. Barb stated that she will check into it. A motion to amend the Employee handbook to add language for the Tier 5 retirement, moved by Mr. Banks, seconded by Mr. Shay and adopted.

REAL PROPERTY - Bill McCarty, Director of Real Property addressed the following items with the committee:

- ▶ Corrected Tax Bill Application - National Grid applied for a corrected tax bill for a parcel in the Town of Fort Edward, tax map number 777.77-77-2. Washington County received a letter dated November 9, 2009 requesting the Board adopt a resolution authorizing the levy of an unpaid fee in the amount of \$16,154.18. Washington County subsequently adopted Resolution No. 325 in November 2009. The fee was levied by Hudson River Black River

Regulating District. A tax bill was produced as part of the 2010 town/county tax levy. Bill feels this is an issue between National Grid and HRBRRD and recommends denial. A motion to deny the application of National Grid for a corrected tax bill, moved by Mr. Shay, seconded by Mr. Lindsay and adopted.

- ▶ A motion to present a resolution to cancel taxes in the Town of Kingsbury for an unlawful entry, transition assessment in the amount of \$2.65, moved by Mr. Banks, seconded by Mr. Shay and adopted.
- ▶ Discuss Exemption - Village of Whitehall/Town of Dresden - In 2007, the Village of Whitehall requested and was granted an exemption on improvements to property they own in the Town of Dresden, consisting of a new water treatment facility from county taxation. The County has been granting this exemption on a one year basis. The Village of Whitehall is requesting to continue this exemption for 2012. The school and town do not exempt the improvements. A motion to authorize one year exemption of improvements to property owned by the Village of Whitehall located in the Town of Dresden for 2012, moved by Mr. Lindsay, seconded by Mr. Shay and adopted.
- ▶ Bill received a request for GIS data from a graduate student to complete a PhD at Clarkson University. The title of the dissertation is "Pricing Environmental Amenities in the Adirondack Park". She is requesting the data for all the towns. There is a fee of \$75 per town. The student is requesting the fee be waived. A motion to accept a copy of the completed dissertation as a fee, moved by Mr. Banks, seconded by Mr. Lindsay and adopted.

COUNTY TREASURER - Phyllis Cooper, County Treasurer addressed the following items with the committee:

- ▶ Sales Tax Recap for the period 1/1/2008-12/31/2010. The sales tax is up \$163,712.96 compared to this time last year.
- ▶ Personal Services and Fringe Benefits history report 1/1/2000-12/31/2009. The total personal services and fringe benefit costs are down in 2009 compared to 2008.
- ▶ History of Appropriated Fund Balance, Interfund Transfers & Tax Levy for period 1/1/2001 - 12/31/2010. As it stands right now for 2009, the county will use all of fund balance appropriated plus an additional \$2,424,688.
- ▶ Budget Variance Report for the period 1/1/2009-12/31/2009 as of 3/5/2010. She will provide 2010 budget variance information after the end of the first quarter.
- ▶ Cash flow sheet for the month of February.
- ▶ Phyllis distributed an updated list of parcels subject to foreclosure proceeding and conveyance to the County and a history report for the period 1/1/1998 - 3/1/2010. There are 175 parcels they are foreclosing on, up from 74 parcels last year. The committee discussed the following parcels subject to potential liabilities:
 - Town of Argyle, parcel ID 198.-4-21, burned out house. The committee's consensus was to keep this parcel on the list to sell at auction.
 - Town of Hebron, parcel ID 144.-1-31.1, burned out building. The committee's consensus was to keep this parcel on the list to sell at auction.
 - Village of Whitehall, parcel ID 51.17-4-11, dangerous structure. Mr. Banks feels that due to the location, Main Street, this parcel will sell. The committee's consensus was to keep this parcel on the list to sell at auction.

- For the committee's information, Town of White Creek, parcel ID 265.-1-9.11. Bill McCarty stated that there is a possibility that the total taxes on this parcel may be reduced. They are investigating a possible error on the assessment for the last few years.
- Town of Easton, parcel ID 237.-2-13. This parcel is located across the river, near a contaminated parcel under the same owner that was withdrawn from the 2007 tax sale enforcement as a liability. The committee's consensus was to keep this parcel on the list to sell at auction.
- Town of Fort Ann, parcel ID 104.-1-7. Associated with Bray Oil. This was withdrawn from foreclosure in 2007 due to potential contamination issues. The assessor notified us that there is a viable business there selling stone so it was put back on the roll. We are in the chain of title. Roger Wickes recommends letting the enforcement process go forward at this point.
- Town of Fort Edward, parcel ID 163.18-1-8. Former auto body shop. The Board authorized the Treasurer to withdraw this parcel in 2004 and cancel the taxes but before the taxes were cancelled, the owner came in and paid the taxes. There has been some clean up done on the property. Mitch stated that the inside has been cleaned but thinks there could still be gas tanks outside with possible ground contamination. Mitch stated that there is a business there and recommends going through the process and see if the owner pays the taxes. Mitch will try to find out what has been done on the property and report back to Phyllis. The committee's consensus was **to accept whatever Mitch recommends after he investigates what has been done on the property.**
- Town of Fort Edward, Olsen property, trailer park. There are two parcels that are on the exempt portion of the roll due to potential liability. Mitch stated that is being maintain by a person across the street who is interested in buying it. Mitch doesn't remember it ever being contaminated. Mitch will try to get the owner and the person interested in purchasing the property together. A motion to reinstate parcels 163.9-1-26 and 163.9-1-34 to the taxable portion of the assessment roll, moved by Mr. Banks, seconded by Mr. Shay and adopted.
- The auction is scheduled for June 12th.

INSTALLMENT PAYMENTS ON REAL PROPERTY TAXES - Phyllis sent the Board members information on options for payment of real property taxes in installments. The law provides for the collection of current taxes and delinquent taxes under two separate provisions of law. The collection of current year taxes in partial payments would be at the town level and the collection of delinquent taxes in installments would be at the county level. This is the Board's decision. Gayle stated that there has been a lot of requests from constituents for partial payments and feels the Board should at least look at this. Phyllis stated that there are only one or two counties that do partial payments at the town level. Partial payments would affect the town collectors administratively. A few years ago, Bill surveyed the town tax collectors and they didn't want any part of it. Roger Wickes stated that the law states that the county authorizes this, but all towns have to obey. The towns wouldn't have the option to opt in or out. Kevin suggested polling the tax collectors regarding partial payments for current year taxes. Due to the economic situation, we may have to be more flexible. Mitch asked if the interest free deadline could be extended until February 5 to allow the taxpayer an additional social security and/or retirement check. Roger Wickes stated that the deadline is set by statute. Phyllis volunteered to write a letter to the town tax collectors for their opinion and input. She will have the committee review a draft of the letter.

The Board is authorized to enact a local law providing for taxpayers to enter into agreements to make installment payment on delinquent taxes. The taxpayer would have to make a down payment and make monthly payments to the Treasurer. If they default, the county would foreclose on the property and the taxpayer would lose payments they made. There are several counties that do installment payments for delinquent taxes. Phyllis spoke with Warren County and they have a 22% default rate. If Washington County decided to offer installment payments for delinquent taxes, Phyllis would need to bring on at least one additional member to her staff.

COUNTY ADMINISTRATOR - Kevin Hayes, Administrator addressed the following items with the committee:

- ✓ A motion to approve a 2010 budget amendment for the Home Energy Assistance Program in the amount of \$140,978, moved by Mr. Brown, seconded by Mr. Shay and adopted.
- ✓ A motion to approve a 2010 budget amendment for Daycare, \$84,805, moved by Mr. Brown, seconded by Mr. Banks and adopted. Mr. Henke opposed.
- ✓ A motion to approve a 2010 budget amendment for Intensive Case Services, \$10,322, moved by Mr. Brown, seconded by Mr. Banks and adopted.
- ✓ A motion to approve a budget amendment for receipt of Family Assessment Response funding, \$12,500 and Safety Net Assistance funding, \$34,800, moved by Mr. Brown, seconded by Mr. LaPointe and adopted.
- ✓ A motion to approve a 2009 budget amendment for DSS, \$1,500, moved by Mr. Banks, seconded by Mr. Brown and adopted.
- ✓ A motion to approve a 2009 budget amendment to Huletts and Lauderdale Parks, moved by Mr. Shay, seconded by Mr. Brown and adopted. Kevin stated that there is a change to this resolution. Instead of increasing revenue, gifts and donations for \$407, it should be decrease appropriations, Huletts personal services.
- ✓ A motion to approve a 2010 budget amendment to correct an error in Resolution No. 58 of 2010 to the appropriate revenue account, moved by Mr. Shay, seconded by Mr. Lindsay and adopted.
- ✓ A motion to approve a 2010 budget amendment to recognize unexpended grant funds for the Healthy Communities Capacity Building Initiative Grant, \$22,488, moved by Mr. Shay, seconded by Mr. Brown and adopted.
- ✓ A motion to approve a Public Health nursing adjustment for 2007 in the amount of \$67,477.32, moved by Mr. Shay, seconded by Mr. Lindsay and adopted.
- ✓ A motion to approve a 2010 budget amendment for a Homeland Security Grant in the Sheriff's department, \$26,000, moved by Mr. Banks, seconded by Mr. Lindsay and adopted.
- ✓ Amend 2010 Budget, \$10,000, for Website Design - In December of last year, the Board authorized the signing of a contract for development of a website for tourism for up to \$10,000 out of the 2009 budget. The contract was not signed before the end of the year, so we could not encumber the funds. A motion to amend the 2010 Planning budget for \$10,000 for website design, moved by Mr. Lindsay, seconded by Mr. Henke. Gayle stated that perhaps we should not have a contract for \$10,000 due to the I Love NY funding not being available. Mr. Brown stated that he recalled the total cost to be \$20,000 for the website which included other components. Mr. Campbell stated that \$10,000 was the what the county had to pay. Mr. Campbell stated that the work has been done and the committee gave the ok, but the contract hasn't been signed. Kevin stated that this work

is being done on an hourly basis. A motion to pull this resolution and go back to the Ag/Planning committee for discussion, moved by Mr. Banks, seconded by Mr. Shay and adopted.

- ✓ A motion to amend the 2009 Community Development fund for TANF summer youth employment program, moved by Mr. Shay, seconded by Mr. Henke and adopted.

HEALTH:

- ✓ Pleasant Valley - Sprinkler System - Sigma Psi Consulting, Paul Martin PE - Kevin distributed a proposal from Sigma Psi for design services. The cost is \$26,000 and includes a \$3,000 environmental study. The total project is estimated to be between \$600,000 and \$700,000. A motion to authorize the Chairman to sign a contract with Sigma Psi Consulting for design work, was moved by Mr. Shay, seconded by Mr. Banks and adopted.
- ✓ Public Health - (3) Travel Requests
 - 1. WIC - NYS WIC Coordinator's meeting in Syracuse - Focus on educating the Directors in a new direction and increasing customer service. This would require overnight, tolls and meals. This is 100% funded and in the WIC budget.
 - 2. Training in Syracuse on Patient Review Instruments and Screenings - These screenings are given to individuals seeking nursing home or adult health placement. No lodging cost because she will be staying with family. She would need a county car, tolls and meals.
 - 3. Wound Care Nurse - Requesting to go to national conference in Phoenix, Arizona, June 12 - 16 at a cost of about \$1,900 for air fare, conference and meals. A motion to approve all three travel requests, moved by Mr. Banks, seconded by Mr. Shay and adopted.

Kevin stated that we need to set up a new budget for tourism under publicity. Kevin will give the Supervisors a draft budget for tourism at the board meeting March 19th for review before the next Ag/Planning Committee meeting.

Kevin stated that there are a few departmental budgets that are over budget for 2009. A motion to amend the 2009 budget for departments that are over budget, moved by Mr. Banks, seconded by Mr. LaPointe and adopted.

Brian announced that there will be a press conference for the Tour of the Battenkill bike race after the March Board meeting in Cambridge.

Kevin distributed revenue and expense sheets in a new format. Both revenue and expense sheets are broken down into categories. These sheets will be a tool to see where we are with the 2010 budget and projecting the 2011 budget. Kevin will be asking the department heads to project their 2010 budgets before next months Finance meeting. This will be distributed quarterly and possibly monthly when we get close to finalizing the 2011 budget. Mr. Brown asked about coming up with more revenue at the jail. Mr. Banks stated that the Sheriff is marketing the jail beds and doesn't think we should cut the price and get into a bidding war. Kevin believes that the only change we can do at the jail is to partner with another county and pool resources and share back and forth.

Roger Wickes, County Attorney addressed the following items with the committee:

- ✓ Roger informed the committee that he was contacted by ASA about sending an email to request an extension for a PDR project to March 31, 2012. A motion to approve this extension request, moved by Mr. Lindsay, seconded by Mr. Henke and adopted.
- ✓ HUDSON RIVER-BLACK RIVER REGULATING DISTRICT - The deadline to answer the apportionment is March 23rd. The hearing is March 30th in Saratoga. He is asking the committee for authorization to submit a grievance complaint. He is also asking for authorization to commence litigation if we are unsuccessful in the grievance complaint. He has met with the five county attorneys involved and they have talked about pooling resources for outside counsel. They have talked to three attorneys. The feeling of the group was they would probably go with Mark Schachner. His rates were the most reasonable and he came the most prepared. The cost would be about \$5,000 for each county and he has funds in his budget. Roger feels we will win. A motion to authorize filing of HRBRRD apportionment grievance complaint and retain counsel for cooperative litigation in the event of an unsuccessful grievance, moved by Mr. Banks, seconded by Mr. Henke. Mr. Banks stated that it would be nice if the attorney fees were based on exposure. Roger stated that spending \$5,000 to save \$171,367 every year in the future is well worth the money. A motion to authorize filing of HRBRRD apportionment grievance complaint and retain counsel for cooperative litigation in the event of an unsuccessful grievance, moved by Mr. Banks, seconded by Mr. Henke and adopted.

SUPERVISORS' TRAVEL POLICY: Kevin distributed a draft travel policy for review. This was worked on by a sub group last year. He added the Supervisors to the policy and asked the committee if they wanted to review this policy for consideration in the future. A motion to approve the travel policy and forward to the full Board for adoption, was moved by Mr. Henke, seconded by Mr. Banks and adopted.

OTHER BUSINESS:

- ✓ Approve 2010 Appropriation - Literacy - The Literacy Volunteers of New York, Greater Capital Region has submitted their 2009 annual report, copies of which were distributed. The 2010 budget contains an appropriation in the amount of \$2,212. A motion to approve payment of this appropriation, moved by Mr. Banks, seconded by Mr. Shay and adopted.

The meeting adjourned at 1:50 PM.

<http://www.co.washington.ny.us>