

**AUDIT & ADMINISTRATION COMMITTEE MEETING**  
**Held In Room 318 of the**  
**PUTNAM COUNTY OFFICE BUILDING**  
**CARMEL, NEW YORK 10512**

**Members: Chairwoman Conklin, Legislators Birmingham & LoBue**

**Monday** **September 24, 2012**  
**(Immediately following Rules Mtg. starting @ 6:30 P.M.)**

The meeting was called to order at 6:42 P.M. by Chairwoman Conklin who requested Legislator Birmingham lead in the Pledge of Allegiance. Upon roll call, Legislators Birmingham, LoBue, and Chairwoman Conklin were present.

**Item#3) Approval of Minutes – August 27, 2012**

The minutes were approved as submitted.

**Item#8) Approval/Fund Transfer (12T211)/Social Services/Fund Local Share of Proposed Supervision & Treatment Services for Juveniles Program (STSJP) Plan**

Chairwoman Conklin asked that item #8 be reviewed first. Her fellow committee members agreed.

Deputy Commissioner of Social Services, Mental Health, and Youth Bureau Joe DeMarzo and Fiscal Manager Grace Balcer came forward to discuss this item.

Fiscal Manager Balcer stated their department is using the local share savings from Foster Care to provide the local share or the match to the state dollars for the STSJP Plan.

Legislator Birmingham asked if this is something that the Legislature will need to consider for the 2013 budget process.

Fiscal Manager Balcer stated that their department did put the original amount in their 2013 budget request. She further stated that the 2013 number could change due to many factors including the State 2013 budget.

Legislator Birmingham made a motion to pre-file the necessary resolution, seconded by Legislator LoBue. All in favor.

**Item#4) Correspondence/County Auditor**

- 4a) Sales Tax Report** was duly noted.
- 4b) Board In Revenue Report** was duly noted.
- 4c) Transfer/Revenue Report** was duly noted.

- 4d) **Contingency/Sub-Contingency Report** was duly noted.
- 4e) **OTB Report** was duly noted.

**Item#5) Correspondence/Commissioner of Finance**  
**5a) Overtime/Temporary Report**

Legislator Birmingham made a motion to accept the additional for this item, seconded by Legislator LoBue. All in favor.

Legislator Birmingham asked Commissioner of Finance Bill Carlin, if we see a department constantly having overtime increases through this report throughout the year, how does that reflect in the tentative budget that the Administration will give us in two weeks?

Commissioner Carlin stated that it will depend on a number of variables that are involved.

**5b) Approval/Budgetary Amendment (12A077)/2011 Homeland Security Grant (also reviewed by Protective Services Committee)**

Legislator Birmingham made a motion to pre-file the necessary resolution, seconded by Legislator LoBue. All in favor.

**5c) Approval/Budgetary Amendment (12A078)/Bullet Proof Vests Grant (also reviewed by Protective Services Committee)**

**AND**

**Item#14) Other Business**  
**14a) Approval/Fund Transfer (12T226)/Sheriff's Department/ Purchase Bulletproof Vests**

Chairwoman Conklin explained that the Sheriff's Department wanted to purchase all of the vests at the same time and therefore it was an additional \$8,000 with no fiscal impact.

Legislator LoBue asked if it was part of the grant.

Undersheriff Peter Convery stated that it is 50% reimbursable by the Federal Government.

Legislator Birmingham asked if both transactions were 50/50 reimbursement.

Undersheriff Convery stated they were.

Legislator Birmingham stated that there might be some efficiency and savings in purchasing them together.

Legislator Birmingham made a motion to accept the Other Business Item #14a, seconded by Legislator LoBue. All in favor.

Legislator LoBue made a motion to pre-file the necessary resolutions for items #5c and #14a, seconded by Legislator Birmingham. All in favor.

**5d) Approval/Budgetary Amendment (12A079)/Health Department/Household Hazardous Waste Clean-up Day (also reviewed by Health Committee)**

Legislator Birmingham made a motion to pre-file the necessary resolution, seconded by Legislator LoBue. All in favor.

**5e) Approval/Budgetary Amendment (12A081)/Sheriff's Department/Port Security Grant (also reviewed by Protective Committee)**

Chairwoman Conklin asked what type of vehicles they are.

Undersheriff Convery stated it is one five-person Emergency Response Team truck for rapid response.

Legislator Birmingham made a motion to pre-file the necessary resolution, seconded by Legislator LoBue. All in favor.

**5f) Approval/Budgetary Amendment (12A082)/Sheriff's Department/Jail Overtime (also reviewed by Protective Committee)**

Legislator LoBue asked if these costs could be controlled.

Lieutenant Patrick O'Malley came forward with Undersheriff Convery to address this item.

Lieutenant O'Malley stated that most of these costs cannot be controlled. The Jail General line overtime is due to people being out at the same time, long-term illnesses, etc. He stated that the Department asked for \$350,000 but was cut back to \$300,000 at the beginning of the year in that particular line. Also, the population of the female inmates has increased and they are doing their best to keep that cost down.

Undersheriff Convery stated that we are also getting more psychiatric inmates that need constant watch and have large doctor's bills.

Legislator Birmingham asked based on the numbers so far, the Jail is anticipating another \$100,000 per month in overtime costs for the year?

Undersheriff Convery stated that costs are escalating for inmates and transportation to courts requires overtime corrections officers.

Legislator Birmingham stated that this was passed, as is, out of the September Protective Services Committee but, he stated that because there are three months left in the year that he may make a motion on the floor at the Full meeting to reduce this item to \$250,000.

Legislator DiCarlo stated that he hopes this is part of the budget process because this is a great deal of money to be asking for this far along in the year. He stated that this has happened for a number of years and it may be cost effective to hire additional staff.

Legislator LoBue stated that we need a plan because this is an indication of the state of the economy. Putnam County is at 10% unemployment and she imagines this may be driving up the inmate population. Drug related crimes might have a correlation with the increase in inmate population.

Legislator Othmer stated that jail expansion may need to be discussed and considered soon.

Legislator Albano stated that it may be time to hire part-time people.

Legislator Birmingham asked if hiring part-time people has been looked at as an alternative?

Lieutenant O'Malley stated they have looked into that option and those individuals still need to be certified, trained, and qualified. It is not as easy as it seems.

Legislator Birmingham made a motion to pre-file the necessary resolution, seconded by Legislator LoBue. All in favor.

**5g) Approval/Bond Resolution/Reconstruction of Various County Facilities**

Legislator LoBue stated she is not in favor of this bonding. She asked what was left in surplus and why were we not covering this outright instead of bonding it?

Commissioner Carlin stated that we could use surplus but it would impact the surplus for future years which might be something that you do not want to do with a 2% tax cap.

Legislator LoBue stated that our sales tax is up.

Commissioner Carlin stated that it is and if it was at the end of the year it might be something to look at using. He further stated that we already borrow to pay the schools

their taxes and that we borrow to pay the schools every year. We would just need to borrow more then.

Legislator Birmingham stated that as a Legislature we have already passed budgetary amendments for these items.

Commissioner Carlin stated that was correct and therefore, if the Legislature does not pass the bond then the funds will come right from surplus.

Legislator Birmingham stated that Commissioner Carlin would then not have the option to bond he would have to use funds from surplus.

Commissioner Carlin said that in his previous memorandum he stated that the County will be having a lower debt service budget next year than this year because the County has two items coming off the debt service this year. Now is the time to borrow because you can borrow twice as much and not pay any more because of historically low interest rates. We are bonding an overall capital improvements plan.

Chairwoman Conklin stated that she would worry if we took money out of the surplus because we would have nothing to fall back on.

The Committee and attendees further discussed this item.

Legislator DiCarlo stated that in previous meetings we have spoken about using some of the surplus money to pay for these smaller projects so we did not have to bond them.

Commissioner Carlin stated they are currently looking into that.

Legislator Birmingham made a motion to pre-file the necessary resolution, seconded by Chairwoman Conklin. All in favor.

**5h) Approval/Bond Resolution/New Boilers at County-Owned Buildings (see Item #5i)**

Commissioner Carlin stated that the former Commissioner of Highways entered the County into the New York Power Authority Energy Savings Program and there was a great deal of asbestos abatement and they completely rebuilt the boiler room. Now we are to pay the bill. His concern is with the variable interest rate. He would rather lock-in the bonding at a fixed rate over the ten-year period.

Legislator Birmingham asked about the note at the bottom of the letter from Bond Counsel regarding Putnam National Golf Club – to keep in mind our tax status.

Commissioner Carlin stated that the note is regarding tax status. Simply that a private entity cannot make a profit off of government funds and we need to keep that in mind if there is ever a change in the management form of the golf course.

Legislator Birmingham made a motion to pre-file the necessary resolution, seconded by Legislator LoBue. All in favor.

**5i) Approval/Budgetary Amendment (12A083)/New Boilers at County-Owned Facilities**

Legislator Birmingham made a motion to pre-file the necessary resolution, seconded by Legislator LoBue. All in favor.

**5j) Approval/Budgetary Amendment (12A084)/IT Department/Fiber Optic Lines**

Chairwoman Conklin stated that Director of Information Technology, Tom Lannon, could not be in attendance tonight because he had previously scheduled time off. He sent a letter justifying what took place in regards to this item.

Legislator LoBue made a motion to accept the additional information for this item, seconded by Legislator Birmingham. All in favor.

Chairwoman Conklin stated what Director Lannon had written in his letter – the estimate for the fiber optics was \$10,000 however, that was for the incorrect location. When the County was given an estimate for the correct location the company needed to add \$18,000. The total for the fiber optic estimate to the correct location is \$28,000. For security reasons, Director Lannon feels that this fiber optic line is essential for this location.

Commissioner Carlin stated that no work has been done and that there was not a formal contract. The estimate was done as a favor to Director Lannon. Commissioner Carlin stated that Director Lannon asked the company for a ballpark so Director Lannon could then come to the Legislature with a number.

Legislator Birmingham asked if this item was bid out?

Commissioner Carlin stated he did not know if it was bid out but the same company is our cable and internet provider right now.

Legislator Birmingham asked if this type of work is required to be done by this company because of their standing contract with the County?

Legislator Albano asked if this was to bring fiber optics to the location? Can Verizon or Comcast do it?

Legislator Birmingham stated that there are a great number of questions here for Director Lannon. Legislator Birmingham recommended that the Committee hold it over

to the Physical Services Committee or the Audit & Administration Committee meeting in October.

Legislator LoBue agreed and recommended it be tabled to the October Physical Services Committee meeting.

Legislator Birmingham made a motion to table this item to the October Physical Services Committee, seconded by Legislator LoBue. All in favor.

**Item#6) Approval/Fund Transfer (12T195)/Office for Aging/Software and Licenses for New Laptops**

Legislator LoBue asked Director of the Office for the Aging, Patricia Sheehy, if this request for the laptops was to increase productivity and reduce overtime?

Director Sheehy stated that it was definitely to increase productivity but was unsure as to the exact amount of overtime it would reduce. It was also certainly going to assist in the accuracy of their records.

Chairwoman Conklin asked if the Department had enough money to license all of the thirteen laptops they purchased?

Director Sheehy stated that was correct.

Motion was made to approve said Fund Transfer.

**Item#7) Approval/Fund Transfer (12T197)/Sheriff's Department/Purchase Uniforms & Specialized Equipment**

Sheriff's Department Fiscal Manager Patricia Butler came forward and stated that it was putting the money into the correct lines.

Legislator LoBue confirmed it was just housekeeping.

Fiscal Manager Butler stated that was correct.

Legislator Birmingham asked what kind of special equipment would not be considered miscellaneous?

Fiscal Manager Butler stated that special technology equipment that would not be considered miscellaneous would be a Taser cartridge. A Taser would be special technology equipment but the Taser cartridge would not be special technology equipment.

Chairwoman Conklin asked for a specific list of specialized equipment for this item before the October Full Legislative Meeting.

Fiscal Manager Butler stated that she would provide that.

Motion was made to approve said Fund Transfer.

**Item#9) Approval/Fund Transfer (12T214)/Sheriff's Department/Cover  
Temporary Line (also reviewed by Protective Services Committee)**

Chairwoman Conklin stated that this transfer is due to an employee out long-term due to illness.

Undersheriff Convery stated that the Department has a full-time dispatcher out long-term due to illness and this is a cost effective way to cover it.

Legislator Birmingham made a motion to pre-file the necessary resolution, seconded by Legislator LoBue. All in favor.

**Item#10) Approval/Local Law to Amend Chapter 5 of the Putnam County Code  
Entitled "Appropriations" (moved from August Audit Committee Mtg)**

Legislator Birmingham stated that the language has been changed to read that anything over \$25,000 is to be "reviewed by the Audit & Administration Committee". He believes that the Committee meetings are typically much more of a venue for discussions and question and answer with Department Heads or Department representatives, on items of this nature than Full Legislative meetings. He further believes the fact that this language was left out was accidental.

Legislator LoBue agreed with Legislator Birmingham.

Legislator Richard Othmer stated he would like an opinion on this proposed change from the New York State Attorney General due to the two conflicting legal opinions of our Legislative Counsel and our County Attorney.

Legislator Birmingham asked if the revised language to read "reviewed" cleared up any concerns.

County Attorney Jennifer Bumgarner stated she researched the authorization terminology and did not research the review terminology. She stated that she was not prepared to assess nor discuss the vocabulary change.

Legislator Birmingham asked if the Committee would amend the proposed change to read effective June 30, 2013 therefore, if Legislator Othmer wanted to get an opinion from the New York State Attorney General, it would give him enough time to receive an answer. That way, if the law is found to be inappropriate by the New York State Attorney General, the County can rescind it before it goes into effect on June 30, 2013.

Legislator Birmingham made a motion to pre-file the necessary resolution as amended, seconded by Legislator LoBue. All in favor.

**Item#11) Approval/Standard Workday Resolution/Backup to Follow**

Personnel Director Paul Eldridge came forward to discuss this item.

Legislator Birmingham made a motion to accept the additional for this item, seconded by Legislator LoBue. All in favor.

Director Eldridge stated that New York State informed the County that if a term changes this resolution needs to be re-filed with that individuals new term information, even if the individual has been reported previously. Therefore, this list contains everyone in the County that is required to be reported, to start fresh with the State. The State requires the County to report the exact numbers on the logs for those individuals that report on logs. As individuals leave and new individuals are added, the County will be required to submit the information for the new individuals as they are hired. As a result, this has the potential to be submitted multiple times per year.

Commissioner Carlin stated that this has nothing to do with Putnam County's practices. It has to do with other Counties reporting full-time hours to the State Retirement System for individuals who were not in fact actually working all of the hours reported. Therefore, the State requires all counties to report in this fashion.

Director Eldridge stated after the Legislature passes this resolution tonight, moving forward it will only be new individuals or term changes that will be required to be reported.

Legislator Birmingham asked what the difference was between elected officials and management employees.

Director Eldridge stated that if an employee is on the time and attendance system they are not required to keep a log therefore, N/A, Not Applicable, is placed in these employees' column on the report. Elected Officials are required to keep a log of hours worked for 90 days and that is why the numbers are different between each Elected Official.

Legislator Birmingham stated that the New York State Legislature developed this construct a few years back for everyone except themselves, is that correct?

Director Eldridge stated that was correct.

The Committee and attendees further discussed this item.

Legislator Birmingham stated he will abstain from this vote as a statement because he believes that the State Legislature should also apply this to themselves.

Chairwoman Conklin made a motion to pre-file the necessary resolution, seconded by Legislator LoBue.

By Roll Call Vote: Two Ayes. One Abstention – Legislator Birmingham. Motion Carries.

**Item#12) Schedule of Revenues/Fines Levied by Boards/FYI**

Legislator Birmingham stated that he would like to point out that we have working Department Heads in Putnam County and our Director of Consumer Affairs, Jean Marie Noel, is out in the field completing her job duties.

**Item#13) Approval/Fund Transfer (12T227)/Sheriff's Department/Purchase Vehicle**

Chairwoman Conklin stated that one of their cars died.

Undersheriff Convery confirmed the car was dead.

Legislator Birmingham made a motion to pre-file the necessary resolution, seconded by Legislator LoBue. All in favor.

There being no further business, at 7:43 P.M., Legislator Birmingham made a motion to adjourn; seconded by Legislator LoBue. All in favor.

Respectfully submitted by Krista M. Butler, Administrative Assistant.