

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 **April 23, 2012**
(Immediately following Economic Dev Mtg. starting @ 6:30 P.M)

The meeting was called to order at 7:00 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.

3) Approval of Minutes – February 23, 2012
March 26, 2012

Minutes were approved as submitted.

4) Correspondence/County Auditor

- a) **Sales Tax Report** was duly noted.
- b) **Board In Revenue Report** was duly noted.
- c) **Transfer/Revenue Report** was duly noted.
- d) **Contingency/Sub-Contingency Report** was duly noted.
- e) **OTB Report** was duly noted.

5) Correspondence/Commissioner of Finance

a) Overtime/Temporary Report

Legislator Birmingham moved to accept the additional for this item, seconded by Legislator LoBue, all in favor.

Legislator Birmingham questioned why the Department of Social Services/MA Eligible line was already 118% used and what the trend will be for the rest of the year.

Department of Social Services Commissioner Piazza stated this use was due to keeping up with State guidelines. He has been approving overtime to process applications for Medicaid approved within 45 days. There is an unfilled position and in order to process the applications in a timely manner he has approved this overtime to do so. Commissioner Piazza also stated that applications for food stamps and HEAP have increased.

Chairwoman Conklin pointed out that the Finance Department also had a significant use of their overtime budget.

Department of Finance Commissioner Carlin stated that this was a compensation time payout from time accrued for the MUNIS system.

County Executive MaryEllen Odell pointed out that 911-Emergency Services used 63% of their overtime budget because an employee left unexpectedly which has caused the department to burn through a significant portion of their overtime budget.

Legislator Tamagna confirmed with Commissioner Piazza that the HEAP monies are closed out. Commissioner Piazza agreed.

Legislator LoBue asked for clarification of the Finance Department overtime.

Commissioner Carlin stated that it was the overtime payout for the MUNIS system and that he has someone out on long-term disability.

There was also discussion regarding the transition from the ACS system to MUNIS system.

b) Vacancy Control Report

Legislator Birmingham addressed the vacant Watershed Information Coordinator position and why it did not appear vacant in both lines as the report only showed its vacancy in one line; it was budgeted in both lines.

Commissioner Carlin confirms that both lines are vacant and that it was an oversight with the new system reporting and he will ensure it appears on next month's report as vacant in both lines.

c) Approval/Budgetary Amendment (12A017)/County Executive/Consolidation/Department of Social Services/Mental Health/Youth Bureau (also reviewed by Health Committee)

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

Legislator Birmingham thanked Personnel Director Eldridge for this backup on this item.

Legislator Birmingham asked if we were waiting for State approval on all of this.

Director Eldridge confirmed and stated that no problems are foreseen with State approval.

Legislator Birmingham asked for clarification on the requirement of a Charter change. Legislator Birmingham stated that he would vote no for this item because he would feel more comfortable awaiting State approval.

Commissioner Piazza stated he requested that the State approval be in his office by May 1, 2012, so as to make the Full Meeting on that date.

Legislator Birmingham stated that if the State approvals were in by the Full meeting that he would vote yes for this item at said Full Meeting.

Chairwoman Conklin stated that it is really a consolidation of one position not the entire department and that the language in the resolution should really reflect that. She also stated that Commissioner Piazza had not been re-appointed in some time.

Commissioner Piazza stated that that was true, as he found out earlier that day from Director Eldridge. He clarified that in Mental Health when you are appointed once you are appointed until you are removed. In the Department of Social Services, you are appointed for a five year term.

Chairwoman Conklin confirmed that Commissioner Piazza did not need to be re-appointed at this time, he confirmed that fact.

Legislator Othmer asked the Committee if this item was moving through to the Full. The Committee confirmed that even if it did not pass this Committee that it would go through to the Full meeting because it passed through the Health Committee.

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

**d) Approval/Budgetary Amendment (12A018)/Legislature/
Reorganization/Legislative Staff Due to Retirement (also reviewed by
Personnel Committee)**

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

**e) Approval/Budgetary Amendment (12A019)/Highway/Painting &
Repairs/Historic Courthouse (also reviewed by Physical Services
Committee)**

Commissioner of Highways & Facilities Pena came forward to clarify this request. He spoke about the justification of the amounts requested and if he could start the work contract before the Full meeting approval of this item.

Legislator Birmingham stated that it was a legal question and not for the committee. He also asked where the lead paint removal was on the courthouse.

Commissioner Pena stated it is in various places on the outside of the courthouse.

The Committee agreed and stated he could sign the contract because he was already approved by the Legislature for \$45,000.00. If he spent up to the \$45,000.00 already approved before May 1, 2012 (the Full meeting), then work should stop, until the rest of the money is approved at the Full Legislative meeting.

County Attorney Bumgarner agreed.

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

f) Approval/Budgetary Amendment (12A021)/Highway/Sidewalk Repairs/Gleneida Avenue Clock Repairs/Courthouse Lights/WIC Renovations (also Reviewed by Physical Services Committee)

Commissioner Carlin stated that it was reduced by \$2,000, from \$85,000 to \$83,000.

Legislator Birmingham asked for the breakdown of cost per item named.

Commissioner Pena stated the breakdown of cost per item.

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

g) Approval/Budgetary Amendment (12A022)/Health/Public Health Emergency Preparedness Grant

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

h) Approval/Budgetary Amendment (12A024)/Finance/March Vacancy Control

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

6) Approval/Bond Resolution/Revitalization of Roads/Town of Carmel/Additional Costs (see Item #8 – Budgetary Amendment (12A020) discussed in Physical Services Committee)

Legislator LoBue asked Commissioner Pena the reasoning for the additional costs.

Commissioner Pena stated the various items that caused the additional costs.

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

7) Approval/Bond Resolution/Construction/Reconstruction of Sidewalks/ Additional Costs (see Item #8 – Budgetary Amendment (12A020) discussed in Physical Services Committee)

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

8) Approval/Budgetary Amendment (12A020)/Highway/Carmel Revitalization/ADA Accessibility Projects (also reviewed by Physical Services Committee)

Legislator LoBue suggested the following language be put in the resolution, that it is moved into contingency, that the requestor comes back to the Committee when everything is straightened out.

Commissioner Carlin stated he will not be borrowing this money until November, after the project is complete, therefore he will know the exact amount needed to borrow and will only borrow that amount necessary. He stated a bond resolution must be passed before the County spends the money.

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

9) Approval/Bond Resolution/Intent to Borrow/Reconstruction and Improvement of County Facilities/Additional Money Reimbursement

10) Approval/Budgetary Amendment (12A025)/Finance/Minor Renovations/COB

Items 9 & 10 were discussed together.

Commissioner Carlin clarified the second "Whereas" clause per Legislator Birmingham's request.

Commissioner Pena stated the amount requested is for the second and third floor punch list and the decision on how in depth renovations should be with energy efficient air conditioners. He believes now is the time to input energy efficiency air conditioners because they will be opening ceilings and walls. He talked further about energy efficiency and the current County Office Building and other County facilities.

Chairwoman Conklin asked if Commissioner Pena felt that this amount requested would be enough to complete the stated projects.

Commissioner Pena stated that it depends how in depth the renovations would be.

Legislator Birmingham asked if there was a budget for the renovations in the County Office Building.

The Committee and attendees further discussed this item.

Legislator Birmingham requested a list of projects completed along with the money spent on the respective projects.

Legislator Tamagna stated such a list is called a schedule of values.

Legislator Othmer asked if the first floor of the County Office Building was getting central air.

Commissioner Pena stated it is a design/build situation.

Legislator LoBue stated that two years ago energy audits were conducted on County buildings. Those audits should be considered when these projects are being formulated and priorities set in order of magnitude.

County Executive Odell stated that there is an order for this entire move and it started in a previous Administration. She stated that we need to move on the Hill and Dale property and we cannot do so unless Commissioner Pena has the funds to do so. She stated that Deputy Clerk Bartolotti has a comprehensive plan for their move into the first floor. She stated the Finance Department space on the second floor has already been built out. She believes that the question is - Are we ready to embrace energy efficiency in aging buildings? Is it a priority? We've all talked about it, the future is now - do we want Commissioner Pena to engage in conversation to look at these avenues?

Legislator Birmingham stated that energy efficiency is important but he would like the list he requested.

County Executive Odell and Legislator Birmingham agreed that the requested list should be made.

Legislator Oliverio stated his concern was that there was a difference between maintenance and enhancement for decorative purposes. He believes that a large amount of the work done already from approved funds has been for enhancement. He would like the list requested and he will not approve this item when and if it is brought to the Full meeting.

Legislator Albano stated the County should move forward with items that need to be done.

Legislator DiCarlo stated that the items that need to be done should be done. The rest should be phased over years.

The Committee and attendees further discussed this item.

Legislator Birmingham recommended the Committee decrease the resolution to \$26,000.00, and stated he would like a breakdown of the \$26,000.00. He also stated that he would like to see specificity in the bond resolution in relation to amounts tied to specific projects at specific locations and buildings.

Legislator Tamagna stated that that entire half of the second floor that has been built out for the Finance Department was abandoned when we built the new courthouse. We ignored that area of the building and did nothing by it. We need to think smart. He recommended we do not stop the work force that is actually building because it will not only hinder productivity but it will also cost more to re-mobilize and begin again.

The Committee and attendees further discussed this item.

Legislator Birmingham recommended the Committee pass items 9 and 10 together. Amend the resolution to \$30,000.00, the additional amount added for contingency, and that the specificity is added into the bond resolution. He stated he would also like the requested breakdowns for both resolutions by May 1, 2012.

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

11)Approval/Fund Transfer (12T047)/Board of Elections/Contracts/Primary Elections (also reviewed by Rules Committee)

Legislator LoBue stated that this item was necessary to obtain the additional programming cards needed for the additional primaries with no fiscal impact.

Motion was made to approve said Fund Transfer.

12)Approval/Fund Transfer (12T055)/Social Services/Temporary/Provide Continued Caseworker Coverage Due to Maternity (also reviewed by Personnel Committee)

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

13)Approval/Fund Transfer (12T057)/Board of Elections/Miscellaneous/IT Support for Election Night Reporting

Chairwoman Conklin confirmed with County Auditor Michele Alfano-Sharkey that this was a contract.

Legislator Birmingham questioned why it was coming from the Miscellaneous line. He stated that he believes the money should be transferred from IT to Board of Elections.

County Auditor Alfano-Sharkey stated that there was a similar transfer in December.

Legislator Tamagna stated that this support was to ensure that the election reporting is problem-free.

Motion was made to approve said Fund Transfer.

14)Approval/Fund Transfer (12T063)/Finance/Humane Society/May & June Payment

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

15)Approval/Fund Transfer (12T069)/Health/Medical Consultant

Legislator Birmingham asked for an update on the Health Commissioner.

Personnel Director Eldridge said they are still waiting to hear from the State before they present it to the Legislature.

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

16) Proposed Changes to County Budget Process/Discussion

Legislator Birmingham made a motion to accept the additional on this item; seconded by Chairwoman Conklin. All in favor.

Commissioner Carlin opened the discussion by stating that the later the budget process the more reliable data and more reliable the cost. Most numbers are only available after September 5th.

Legislator Oliverio stated that this proposed process change still ensures that the Legislature is required to pass their part of the budget process before Election Day.

County Executive Odell introduced Former County Executive-now Personnel Director Eldridge to explain in more detail how the question of accurate data affected his ability to comfortably submit a budget the Legislature last year.

Personnel Director Eldridge stated that last year was the first year in dealing with the tax cap. Getting the actual number and formula by the September 5th deadline was too close. He submitted a budget to the Legislature last year without knowing the actual number and formula from the State and although it worked out, he does not know what the future holds. He recommends that this proposed change be passed to ensure the most reliable and accurate data to appropriately submit the budget to the Legislature.

Commissioner Carlin stated that the State Comptroller's recommendation is that a budget be submitted no earlier than October 1st and that is what we put in the proposed change.

Director Eldridge stated he also believes this proposed change will give department heads a better opportunity to evaluate what their costs and projected needs are. He also stated that the adoption of the budget will be prior to Election Day.

Legislative Counsel Van Ross stated he had an amendment to the proposed change. "The tentative County Budget shall include, without modification by the County Executive, such line item appropriation requests for the County Legislature, the Clerk of the County Legislature and the County Auditor as are submitted by the Chair of the County Legislature a member of the County Legislature representing the minority political party, if another is represented, or a member elected without party endorsement, if any. This budget request shall be submitted to the Commissioner of Finance in writing before the first day of September."

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

By Roll Call Vote: Two Ayes. One Nay, Legislator Birmingham.

17)Correspondence Law Department/Proposed Budgetary Transfer/Litigation Attorney/Discussion

Legislator Oliverio requested the Committee table this item so more research and due diligence can be completed.

Legislator Birmingham stated that Risk Management was originally out of the Personnel Department. He is worried that the change would miss some qualifications that are required by the job description including insurance experience.

Legislator LoBue stated that she believed this position was field specific and should not be changed.

Legislator Birmingham stated his concern regarding any future changes in insurance and if there are then he would feel more comfortable having someone in Risk Management with an insurance background as required by the job description.

County Attorney Bumgarner defended her position for the change and explained the current courses of action taken on issues of claims and the like.

Legislator Tamagna informed the Committee that if the Legislature wants something to be done as a Legislature and we want to set policy it is our responsibility to talk to the Administration to let them know what we want researched. He believes that you cannot have a better person analyze insurance than an attorney when it comes to liabilities and risk.

County Attorney Bumgarner informed the Legislature that neighboring counties deal with health insurance solely through their Human Resources departments (Personnel). None of them have it through Risk Management.

Deputy County Executive Bruce Walker stated that he had the opportunity to sit down with the former Risk Manager before he retired and that he truly knew how to utilize the resources to really facilitate things getting done. Deputy County Executive Walker stated that he also had the opportunity to sit with County Executive Odell and really assess Risk in a broad level over the entire County government.

The Committee and meeting attendees further discussed the proposed changes, duties of the current and proposed position, and effects on departments involved.

County Executive Odell pointed out that what worked well for the last thirty-five years is not necessarily what is right for now or what is right for the future. She asked that the Committee and other Legislators keep an open mind during current and future discussions regarding this item.

Chairwoman Conklin stated that the Committee needs an updated job description of the new position.

The Committee and attendees further discussed this item.

Chairwoman Conklin made a motion to table this item; seconded by Legislator LoBue. All in favor.

17a) Approval/Budgetary Transfer (12T068)/County Attorney/Litigation Attorney

Chairwoman Conklin made a motion to table this item; seconded by Legislator LoBue, all in favor.

18) Approval/Resolution/Fund Balance Classification Policy/Pursuant to Governmental Accounting Standards Board (GASB) Statement No. 54

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

19) Proposed Resolution from State of the County/Support of Initiatives to Reform Funding of State Mandated Programs/Discussion

The Committee and attendees briefly discussed some avenues that could be taken for this item.

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

20) Schedule of Revenues/Fines Levied by Boards/FYI was duly noted.

21) Other Business

a) Approval/Budgetary Transfer (12T082)/Consumer Affairs/Provide Temporary Cover/Maternity Leave

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

b) Approval/Budgetary Amendment (12A028)/Finance/MS4 Program

Commissioner Carlin stated that this money is being moved back into contingency and was not originally from the East of Hudson funds. He also confirms that the balance of the \$8.2 million has already been assigned but not sent.

Deputy County Executive Walker stated that we are in the process of finalizing agreements between the County, DEP, and the corporation. They believe that these agreements will be completed and signed off on by the DEP and the corporation within the next few weeks. At which time we will transfer the remainder of the funds.

Legislator LoBue would like to know why we need to release funds all at once.

Deputy County Executive Walker stated that is how the resolution was written.

Legislator LoBue noted that this is a private corporation that we are giving money to.

Deputy County Executive Walker stated that we have an obligation under the MS4 requirements under the MOA to reduce phosphorus. The corporation was formed to try to leverage the resources with the other counties to take advantage of the work being done. He stated further details of Putnam County's role in the MS4 program.

Deputy County Attorney Danielle Harris stated the status of Putnam and other counties' agreements with the DEP and the corporation as well as the status and details of the transfers of funding.

Legislator Tamagna stated that we are not talking about giving \$8.2 million to a private non-profit corporation. We are talking about giving \$8.2 million to do the five year mandated work that the DEC through the EPA has mandated all of our Putnam County towns to do, and would virtually put all of our Town Supervisors under water very quickly. He stated further reasoning as to why the corporation would put Putnam County and surrounding participants in a better position with MS4.

The Committee and attendees further discussed the details and intricacies of this transfer of funds to the corporation.

Chairwoman Conklin made a motion to pre-file the necessary resolution; there was no second. Chairwoman Conklin stated that she would move this item to the Full meeting as an individual legislator under Other Business.

Legislator Birmingham asked for an update on the email he had sent to County Attorney Bumgarner regarding the Article 8 Section 1 question of the State Constitution.

County Executive Odell stated that County Attorney Bumgarner had an answer for him and she would request that County Attorney Bumgarner forward Legislator Birmingham said answer.

There being no further business, at 9:55 P.M., Legislator LoBue made a motion to adjourn; seconded by Legislator Birmingham. All in favor.

Respectfully submitted by Krista M. Butler, Administrative Assistant.