

Minutes

Audit & Control Committee

February 20, 2020, 8:35 a.m., Room 331

Gerace Office Building, Mayville, NY

Members Present: Nazzaro, Niebel, Odell

Member Absent: Gould, Harmon

Others: Tampio, Ames, Crow, Dennison, Bentley, Cummings, Chagnon, Walsh, Narraway, Geise, Hayes, Barmore, Rice, Spanos, Brinkman, McCord, Caflisch, Sanderson, Stearns, Swan, Quattrone, Abdella, Lis, Kneer, Gregory

Chairman Nazzaro called the meeting to order at 8:35 a.m.

Approval of Minutes (1/16/20)

MOVED by Legislator Niebel, SECONDED by Legislator Odell

*Unanimously Carried*

Privilege of the Floor

*No one chose to speak at this time*

Proposed Resolution - Confirming Lateral Restrictions for North Chautauqua County Water District

Chairman Nazzaro: This is out of order. That was addressed at Public Facilities should be taken out of order so we can remove that.

Proposed Resolution – Request for Immediate Funding for Repair of Courthouse Elevator

Mr. Bentley: So this resolution was discussed at length in Public Facilities, court house security, the Sheriff, and Buildings and Grounds were there. They highlighted the need that the state of disrepair of the elevators and the consequences that that has. This was a capital project that was proposed in 2020 but was not funded. The elevator was built in the 1960’s and the parts are still probably from the 1960’s, it’s obsolete and it does need to be replaced and a recent event highlighted the consequences of that. We need to get this thing done. We did approve the roof

repair and we're going to get that done before we actually work on that. We're keeping the elevator shaft and keeping the elevator car but we're replacing all the mechanicals, also upgrading it to code compliant elevator status as part of the quote. It's \$165,000 estimated cost to do the work and I think this a well needed project and probably should have been funded for 2020. But, that is what we're asking for.

Chairman Nazzaro: Thank you. There is a typo just to note and if there are any questions, I'll open it up. Towards the bottom, the one that says establish and increase capital appropriation account, that account number should be 194.4, so that's just a typo. Second to the bottom, establish, so just add a point four. As Kathleen Dennison pointed out, we have over \$1.2 million in the reserve for capital account and we also had individuals here from the Sheriff's department, court house stressing the need for this. Any questions or comments from the committee?

Legislator Odell: Brad, you feel that this is the best solution?

Mr. Bentley: Yes. (*Inaudible*) get to replace everything, but I think that would be overkill and probably not the most cost efficient for the County given the limited resources the County has. I think this is the most effective solution that we have on the table.

Legislator Odell: Any other plausible alternatives in the near term?

Mr. Bentley: There are other ways to move prisoners from the Jail to the Courthouse but they involve as the first security personnel highlighted, they highlighted the increase the risk of escape, the increase the risk of interactions with jury members, other court personnel, the other parties so it's not, by any stretch, an ideal situation. There is ways to do it but we really need to fix the elevator. And, as you can imagine, this is not a fix to fix day, it has to be scheduled so we would like to do it at a time where we're probably going to need at least a solid three to four weeks to do this and it's going to require enough coordination with the courts anyways. The last thing that we want to do is do it on an emergency basis where now we've increased the chance of something happening because we haven't scheduled it. So I think this is an immediate need. If we don't do something, the County is taking a big risk.

Legislator Niebel: Does this involve the tunnel going from the Jail to the Courthouse here and then the elevator at the end of the tunnel there?

Mr. Bentley: Yes, at the end of the tunnel, it goes right up behind the Courthouse. It's a very small elevator, if you haven't been in it. I've actually been in it.

Legislator Niebel: I haven't, thankfully.

Mr. Bentley: I've been in it only because they took me on a tour. Not because of other reasons and just from what I saw, I would not want to be in the elevator with a prisoner in that elevator knowing the condition that it's in.

Legislator Niebel: Because I think that Mark was eluding to is, there are other ways of brining prisoners into the courthouse but, -

Mr. Bentley: You have to go into the public sector.

Legislator Niebel: Exactly. This would be the most secure.

Mr. Bentley: Yes. There was lengthy discussion in Public Facilities minutes but in the record for that.

Chairman Nazzaro: And as the resolution points out, there was a recent event that moved this up -

Mr. Bentley: Highlighted the need.

Chairman Nazzaro: Highlighted the need to move forward. So great questions. Anything else?

*Unanimously Carried*

Proposed Resolution - Close DPF-CARTS (Dunkirk) Petty Cash Fund

Chairman Nazzaro: This makes me happy.

Mr. Bentley: Can I say, you're welcome?

Chairman Nazzaro: Thank you.

Mr. Bentley: Yes, we're in attempt to work with the auditors recommendations. We're continuing to find ways to simplify life and work with the auditors recommendations. This is another step down the road.

Chairman Nazzaro: Any questions?

*Unanimously Carried*

Proposed Resolution – CARTS – Section 5311 Consolidating Operating & Capital Grant Application Request

Chairman Nazzaro: There are three components to this which Mr. Bentley will go over.

Mr. Bentley: Yes and I'll try and be brief in here. The three components are the Operating and Mobility Manager positions. What that is, is it also includes the replacement vehicles and associated equipment. That is – let me step up on notch here. This is basically to apply for the grant. We haven't applied for it, this is to get the permission. To highlight the local share, what we would be committing if we do apply. This grant is something that we have done for many, many years. The agreement with the DOT extends through 2022 so this is what we do. It's in the budget, it's known for those factors. So this is just the numbers behind the scenes. So

out of the operating side, the first component is a 10% local share. Again, this buys our buses, this buys are associated equipment with the buses and Mobility Manager helps fund that as well.

Legislator Niebel: That's out of the \$1.6 million?

Mr. Bentley: Yes. The second component is the operating funds. The operating funds are in the second component and that's a matching grant. So it's \$381,000. At Public Facilities a question got asked, well, is that how much it cost you to run it? No, we get STOA money, we get fares, so, the true operating costs are much greater than just what is in there. But this is how much the DOT is willing to fund and what we have to match to get that. The third component is the Appalachian funds for Team Services which is, we do that through a third party so it's what we pay them to provide a service. They bill us by invoice. If they don't have (*inaudible*) money, we can actually can make a little money on this too to offset some other costs. So, that is an estimated cost.

Chairman Nazzaro: And as noted in Public Facilities, there is really a two year lag in getting – we haven't received because there was a shortage of chassis for the buses, so we haven't even received the 2017 buses yet and the first component is 12 buses which included 6 for 2019 and 6 for 2020. Just a quick question. We all received the email, I think, and it's great news, we're we awarded a \$1.5 million dollar grant for trollies.

Mr. Bentley: Yes.

Chairman Nazzaro: How does that affect any of this? Or not?

Mr. Bentley: To be determined, ultimately. We're processing, (*inaudible*), we applied for this grant a long time ago and we were actually quite surprised that we got what we got. We were hoping for it but it was a highly competitive grant. To get \$1.5 million for Chautauqua County out of the \$14 million that was available, that is a huge win. So, one of the reasons why I think we got it was the fact that it was a clean hybrid technology for these trolley buses and we're trying to partner it with, trying to expand CARTS as a service for the County. As we've talked numerous times, this is not just for old people and poor people. This is the public transit system, gets people to work. Gets County employees up here. It's for everybody and so as a part of that, we want, as we are seeing the tourist areas grow and Jamestown, the Institution, up in Fredonia, we want to have something that is kind of brings back nostalgia so we put this in there as being able to say, look, we are going to use clean hybrid technology and get these buses out there. So I don't know that they are necessarily all weather, all year. So this might be incremental, to be able to provide incremental service. So there is more to follow but, I think we're still exploring how this is all going to work. The picture in the paper was an example of a bus. It might change a little bit from the picture but, that was a huge win for us and whatever it goes to, is going to benefit Chautauqua County overall.

Chairman Nazzaro: That was exciting news and congratulations because when I saw that, I go, what a great boost for the local economy.

Mr. Bentley: I think we need to change the perception of CARTS and that is one of the reasons we applied for the grant that way. When Michelle Westphal and I talked about it, and George Borrello, I give a lot of thanks for George Borrello for allowing us to kind of think outside the box and P.J. for continuing that theme. We really need to expand what CARTS (*cross talk*), how it's thought of. It improves ridership, we're doing Saturday service, we're seeing a lot of great things come out about this and I think the award (*inaudible*) to us is part in recognition of all those efforts that everybody is doing to really highlight this so, it is separate from this. I think this is a big win. As part of this grant we're also looking to, again, do some web applications for this next 5311 grant. Just another step as I kind of put my quote. We have more to go.

Chairman Nazzaro: Thank you. Any more questions or comments?

Legislator Niebel: You mentioned Team Services, what exactly is Team Services or what do they do?

Mr. Bentley: I wish I had Michelle here.

Legislator Niebel: Just roughly.

Mrs. Spanos: Team is the (*inaudible*) program through the "Y" and they have their own transportation and so we've been trying to collaborate with them for quite a long time so that we're not carrying the same people or using duplicate trucks on the same route. So they collaborate with CARTS to cover different areas.

Mr. Bentley: Yes, I think it's in the same vein like the SUNY Fredonia services. We kind of (*inaudible*) that as a pass through so that we're not doing the same thing.

Chairman Nazzaro: O.k., thank you. Any further questions or comments?

*Unanimously Carried*

Proposed Resolution – Amend Capital Project Accounts Due to Fleet Management Services

Mr. Bentley: This is to lease an additional four vehicles for the Department of Public Facilities. We did lease 9 (*inaudible*) trucks for the workers. This actually replaces the County Executive's vehicle, my vehicle, as well as 2 district supervisors. We looked at the purchase versus lease and short story is, I believe that it's cheaper to lease these vehicles and use Enterprises value added services to potentially trade these vehicles in more often. Reducing the maintenance charges of cost of ownership, (*inaudible*), we'll get these things replaced, keep them under warranty so we're just doing general oil changes and maintenance. Again, this is an opportunity for Enterprise to show their value because if they truly hold to what they say they can do, when we trade it in, we can trade it in on a higher value than our lease payments so there is a way to recapture that costs and the next lease payment thereby (*inaudible*) County's cost. Proofs in the pudding so I'm giving it a shot.

Legislator Odell: This allows us a soft entry.

Mr. Bentley: Yes, so this is kind of phase two and trying to get into it and evaluate the program and its effectiveness. So a lot of movement on the account side. We are using \$100,000 of our budgeted money from the capital. Along with that, we're going to salvage about \$30,000 that will be put back in the capital reserve and ultimately come out of the operation funds in the future years.

Chairman Nazzaro: Very well done and this is a program that we had worked on in our Fleet Management and had the blessing of the Legislature and the County Executive, past and current. Any questions or comments from the Committee?

*Unanimously Carried*

Proposed Resolution – Authorize Director of Finance to Increase Appropriations for PIN 5758.45 County Bridge 827 Replacement over Prendergast Creek in the Town of North Harmony

Mr. Bentley: This bridge needs to be replaced. The engineering design was approved and they were moving onto the construction and construction/inspection phases so this would be authorization for the \$1.6 million dollars of which the local share is 5% because this was awarded under the Bridge New York funding so this is a huge win for the County to get this bridge replaced at 5% of the cost. The \$1.6 million is a bid number. So that is what came in through the bid.

Chairman Nazzaro: Any questions from the committee?

Legislator Odell: Great leveraging.

Chairman Nazzaro: All in favor?

*Unanimously Carried*

Proposed Resolution – Amend 2019 Budget Appropriations and Revenues – Consolidated Local Street and Highway Improvement Program (CHIPS)

Mr. Bentley: Again, lengthy discussion, kind of some of the Audit & Control questions came up at the P.F., (Public Facilities), so I'll try and summarize that discussion. This part is kind of after the fact reconciliation of the reimbursements that we get through CHIPS. In total we get about \$3.7 million dollars reimbursement and we have choices of how that reimbursement can flow, per CHIPS rules. It can either go to roads and bridges or it can go to vehicles. Anything that has a 10 year asset life. So, for ease of paperwork, when I send in a reimbursement for road, it's probably about this high, when I send in one for a vehicle, it's probably this, so it makes administrative costs a lot easier, saves the County a lot of money and that makes the other advantages, while a road has an asset life of 10 years on paper, we know our roads around here tend to have a shorter lifespan. If we put a road on CHIPS, we cannot go back to the State for 10

years to get funding to do that again. So it kind of helps us out to be able to put it towards buildings, heavy equipment, and stuff like that. So this is in recognition of the reimbursement of the heavy equipment that we bought last year.

Chairman Nazzaro: And like Brad said, basically it's to put the funds in the right accounts. It's just transferring, no budget effect.

Mr. Bentley: This is all within budget expectations.

Chairman Nazzaro: Any questions or comments?

*Unanimously Carried*

Proposed Resolution – Amend 2019 Budget for Year End Reconciliations – Public Facilities

Chairman Nazzaro: There is a series of adjustments here. And you are going to hear this theme a lot. Most of these have no use of fund balance and are budget neutral and are shoring up the accounts for actual performance in the past year. So I guess when different people come forward, just highlight the bigger numbers and any that you feel is important. A lot of them are minor as far as dollars.

Mr. Bentley: This one is self-balancing. Again there is not a lot of big numbers here given the size of our budgets. I think we did an excellent. You are considering all the changes of personnel benefits, like contracts, to be able to end the year with a self-balancing in the (*inaudible*) fund here. Excellent job for everybody. I don't know that there is anything that I would highlight that's really out of whack here at this point.

Chairman Nazzaro: The only comment that we had was the small number on the contractual Forestry and \$5,039 and that's for property taxes.

Mr. Bentley: Yes, which was discussed at Public Facilities about the increased taxes out in the Clymer School district for that property.

Chairman Nazzaro: Any comments or questions?

*Unanimously Carried*

Proposed Resolution – Amend 2019 Budget for Year End Reconciliations – Public Facilities,  
Road Machinery Division

Chairman Nazzaro: This does have the use of the DM fund balance.

Mr. Bentley: Yes, so this one does have a little bit of fund balance use. On the contractual, road machinery, this is our vehicle maintenance. We did take out \$50,000 as part of the budget process for the vehicle maintenance so the fact that we're over \$27,000, even though we reduced it twenty fifty, and again, part of the – I came here and said, our vehicles don't

magically show up January 1<sup>st</sup>, so we know that throughout the year it's going to be a little bit of a guessing game of what breaks and what doesn't so, that's certainly – I would consider that a win, given that we've cut \$50,000 to begin with. As far as the employee benefits, this part of the DPF doesn't have a lot of turnover. These employees are the welders, they are the machinist, so, typically there is a lot of turnover in the plow drivers, so we get the benefit of having vacant positions throughout the year. We didn't have a lot of vacancies in this area so it gets highlighted a little bit more and as Kathleen, if I say it correctly, some of the benefit costs were higher rates that previously.

Chairman Nazzaro: We had a 6% increase in premiums roughly and also change of elections for those in there and as Brad pointed out, low turnover.

Mr. Bentley: I think the rate changes like \$12,000 to forty one. So, it does use \$80,000 of fund balance but I think, given all the explanations, I feel comfortable with that.

Chairman Nazzaro: And as Kathleen provided us in Public Facilities, the current DM fund balance before this, was, \$946,000, I believe and Kathleen's nodding, so that was a yes. Any questions or comments from the committee?

*Unanimously Carried*

Proposed Resolution – Amend 2019 Budget for Year End Reconciliations – Public Facilities Administration, Maintenance of Roads and Snow Removal

Chairman Nazzaro: This too has no use of fund balance and is budget neutral.

Mr. Bentley: Any questions?

Chairman Nazzaro: Any questions or comments?

*Unanimously Carried*

Proposed Resolution – Amend 2019 Budget for Year End Reconciliations – Landfill – Environment

Chairman Nazzaro: Kathleen has been very good. I know what you are going to comment on but you are the Budget Director.

Mr. Bentley: There are some changes on this one.

Mrs. Dennison: It was amended in committee.

Chairman Nazzaro: And I will point out those amendments and then Brad and Kathleen can comment. On the decrease appropriations, the first one there, personal services, environment-landfill, please change the \$11,784 to \$13,723 and then the account below that,

contractual environment-landfill, change that from \$22,372 to \$20,433. Please note the net effect is zero, it's just putting the right amounts in. Correct?

Mrs. Dennison: Yes.

Chairman Nazzaro: So whoever wants to comment, feel free.

Mrs. Dennison: I was just going to comment on GASB so if you want –

Mr. Bentley: Why don't you go there?

Mrs. Dennison: As you will see the biggest change here is in employee benefits, going up \$165,000 and \$101,000 of that increase is due to an over budget situation because of adjustments for GASB 68, a government accounting standards bureaus rule regarding pension liability. As we talked about in Public Facilities that the GASB budget, we used an actual from two years ago as the budget and this number has fluctuated quite a bit from, in 2016, \$183,000 to, in 2018, negative \$17,000. And Mr. Chairman had asked for a little bit more information on how we get those numbers. The short answer is, we get them from the State Comptroller's office. They are a very complicated number –

Chairman Nazzaro: Can I get a copy of that?

Mrs. Dennison: You may have this. I did not print out for you the 247 page document on GASB 68 but, we get this information and then use it to calculate the adjustments for the different sewer districts. The other piece of information that is helpful is that there is quite a time lag, there is a time lag in the way we budget but there is also a time lag in the way the adjustment gets to us. There is first a difference of course between our fiscal year and the State fiscal year. But also the adjustments that are put in 19', are based on pension information for the period ended 3/31 of 18'.

Chairman Nazzaro: That answers part of the question.

Mrs. Dennison: So the market fluctuations are not based on what happened in 2019, they are based on what happened in, mostly 2017.

Chairman Nazzaro: Because the discussions we had in Public Facilities which is really more probably meant for this committee but it was good that you had the time to look at this was, the market was positive in 19'. In 18', in many cases, a slight increase and remember December of 2018, it went down. So it was a surprise to see an adjustment, a negative adjustment, where the year before it was sort of the opposite.

Mrs. Dennison: It was, in our books, negative in 18' which would be based on the numbers from 2016.

Chairman Nazzaro: I'm not going to assume anything but based on the fiscal years hopefully –

Mrs. Dennison: We would expect 2020 to be –

Chairman Nazzaro: To be a positive adjustment because –

Mrs. Dennison: To be a favorable adjustment.

Chairman Nazzaro: I like that word better, a favorable adjustment.

Mrs. Dennison: Another thing that Todd Button commented on is that, these rules are relatively new. I think he said this is about the 5<sup>th</sup> year that we've had to make these adjustments and he said, there has been a lot of fluctuation and he's not completely confident that even the Comptroller's office fully grasps how and what to make these adjustments so it's kind of a work in progress.

Legislator Niebel: And some of the calculations actually went back to 2017?

Mrs. Dennison: Yes. The Comptroller's information, their fiscal year ended March of 18', they calculate the pension expenses based on that time period so April 17' through March of 18'. That is the time period that they are analyzing so in early 19', they give us the adjustment information.

Legislator Niebel: Which is a little bit of a lag.

Mrs. Dennison: Yes, but if you look at the document that I have to the Chairman, you can see that they are adjusting for the market performance of the pension assets but also changes in personnel.

Chairman Nazzaro: If anyone wants a copy, Kathleen will – just send it to the committee. I'm sure our Chairman of the Legislature already has that.

Mrs. Dennison: Also attached to it is the excel worksheet where Todd takes the information from the Comptroller's office and calculates the adjustments. There is a lot going on there.

Chairman Nazzaro: I'm comfortable with the one page that you gave. That does explain and you are going to see this in the other enterprise funds. Again, keep in mind, this is only pension. This is not other post-retirement benefits.

Mrs. Dennison: Correct.

Chairman Nazzaro: So that is, to Kathleen's point, all that \$165,000, as she pointed out, \$101,000 of that is related to GASB 68.

Mrs. Dennison: I should also comment for the committee that, as Chuck mentioned, we still are waiting for the adjustments for other post-employment benefits for the enterprise funds as well as depreciation. We have not yet calculated depreciation, mostly on capital projects

where there is construction in progress. So there will be additional expenses coming to the enterprise funds and so we're going to be back again next month, probably for all of them but certainly for the landfill because we're going to bring their – in this one, we brought their contractual costs up to – well their benefit costs up to where they need to be today and the contractual costs up to where they need to be today, but we know there will be additional benefit and contractual costs.

Mr. Bentley: Not the final answer on this one.

Chairman Nazzaro: Any questions and thank you very much. Well explained.

Mrs. Dennison: I would also comment that with the landfill, you can see that we're balancing the resolution with revenue. Fortunately at this time the landfill has quite a large surplus of revenue.

Chairman Nazzaro: And we did discuss that, I had a couple of questions to be in the minutes. Was it due to the increase in usage by the out-of-County and the answer I received was more that increase in revenue is due to efficiency improvements because the revenue and the expenses as you grow, you're seeing an efficiency to economies of scale.

Mr. Bentley: But I think there is a slightly more use but, there is some cost, whether it's "X" or "X" plus 10. Kind of got that (*inaudible*) costs and there are incremental machine and usage costs, gas, diesel, whatever.

Legislator Niebel: Mostly efficiency?

Mr. Bentley: I think that is a big header out of it, is, we're using the same resources to take a little bit more garbage without an increase in the personnel costs. Obviously, the more you run a machine, the more you run a dump truck, the more you run a dozer, those are incremental costs and you do see increase maintenance off of that but, the net, what we call efficiency, I think we benefit from those over the long term.

Chairman Nazzaro: Any questions or comments from the Committee?

*Unanimously Carried*

Proposed Resolution –Amend 2019 Budget for Year End Reconciliations – South & Center Chautauqua Lake Sewer Districts (SCCLSD)

Mr. Walsh: The resolution you have in front of you is an increase in our personal services but it is not an overall budget increase, its benefits. We had three individuals and had grade increases as part of the cost and some of the other things we talked about.

Mrs. Dennison: I'm just sitting here so I can say GASB again. Tom could have said that but the employment benefits, it's all because of the GASB adjustment was \$33,822 over budget so you can see that is more than the adjustment so that is the whole story on the .8 increase.

Mr. Walsh: But the good news is, not a budget increase.

Chairman Nazzaro: No use of fund balance, budget neutral. Any questions or comments?

*Unanimously Carried*

Proposed Resolution – Amend 2019 Budget for Year End Reconciliations – North  
Chautauqua Lake Sewer District

Mr. Cummings: Going to say pretty much the same thing as what Kathleen has been talking about. This GASB 68 is something that wasn't budget, I don't want to say properly, but, we just aren't able to match that. It's kind of where we are at.

Mrs. Dennison: Yep, his GASB variance, his GASB is over budget \$8,772 so obviously the lion's share of the almost \$11,000 adjustment in employee benefits.

Chairman Nazzaro: Any questions or comments?

*Unanimously Carried*

Proposed Resolution – Authorize Agreement with New York State for the Petroleum Product  
Quality Program

Chairman Nazzaro: I didn't hear about this one before, all the others I heard in Public Facilities, so just a brief explanation please.

Mr. Barmore: Well basically this is a contract that New York State sends us every five years. They randomly throughout the year send us a list of service stations that they want us to go get gasoline samples from to send to them so that they can check it for the octane in the gasoline to make sure that the stations are selling what they are advertising. We basically never know who they are going to ask us to check or whatever, but our Weights and Measures guys go out when they go out and check the pumps for accuracy they get the samples and send them to New York State. The State pays us for doing this. They have a figure of \$41,600 here. I don't know where they come up with that number because it's probably more than double what they will end up paying us asking us to do but, we do get some income every year from this.

Chairman Nazzaro: And this was already in the 2020 budget?

Mrs. Dennison: It is in the 2020 budget and as Larry indicated, what's in the budget is less than one fifth of \$41,000. It's about half.

Chairman Nazzaro: About half.

Mrs. Dennison: About \$2,500.

Legislator Niebel: And it's a five year program.

Mr. Barmore: In fact, if you look at the resolution, it already started in 2019 and we're in 2020 already. I don't know how long we've been doing this but this is the second time that we've renewed it since I've been here.

Legislator Niebel: This one goes to 2024.

Mr. Barmore: Yes.

Chairman Nazzaro: O.k., and this is just authorizing the agreement. Any questions or comments?

*Unanimously Carried*

Proposed Resolution – Amend 2019 Budget for Year End Reconciliation – County Clerk

Mr. Bentley: If you want to know exactly what they are, I guess you better call Kathleen up here but – to much inter-department transfers.

Chairman Nazzaro: No use of fund balance, budget neutral, the total adjustment is less than \$20,000 going each way. Kathleen, you are welcome to stay up here.

Mrs. Dennison: There isn't really any new story here. As you can see the benefits are over budget for the Motor Vehicles unit and that would be due to the fact, as we've discussed before, there is an increase in health insurance rates and a change in elections.

Mr. Barmore: Unfortunately we have a lot of turnover in the DMV and it's not good for the DMV but it's out of our control. When you get to hire the top three takers rather than the person who feel is more qualified for the position, there is what we get.

Chairman Nazzaro: Any questions or comments?

*Unanimously Carried*

Proposed Resolution – Amend 2019 Budget for Year End Reconciliations – Board of Elections

Mrs. Stearns: We had exceeded our budget in personal services. That is due to several factors including the prorated increase through the CSEA contract and early voting which was implemented last year that we did not budget for originally. So that was a big hit to that budget item. But we are able to balance it within the budget by moving funds from contractual to personal services.

Chairman Nazzaro: So again, budget neutral, no use of fund balance. So for 2020, now that we know about the early voting and all that, we have that properly budgeted for 2020, correct?

Mrs. Stearns: Yes.

Mrs. Sanderson: We do in the personal services.

Legislator Niebel: So the State did not come through with any funds for Board of Elections for early voting?

Mrs. Sanderson: They did but it wouldn't have been for the personal services. They did come through for equipment and anything related to advertising and those kind of things. We have vouched for that have received that grant in the amount of \$110,000.

Legislator Niebel: But none of that went for the personal services?

Mrs. Sanderson: Correct.

Chairman Nazzaro: Great question.

Legislator Odell: I would just like to applaud, Mr. Chairman, the Board of Elections for Chautauqua County for staying on top of the issue. As we see in the news, Erie County had some major faux pas in their budget process, so thank you.

Legislator Niebel: And we had a lot of people that took advantage of the early voting in Chautauqua County as I recall.

Mrs. Sanderson: We did, approximately 3,000.

Legislator Niebel: Compared to some of the State wide counties. Very good.

Chairman Nazzaro: Any further comments or questions?

*Unanimously Carried*

Proposed Resolution - Amend 2019 Budget for Year End Reconciliations – Liability Insurance Accounts

Chairman Nazzaro: I believe that this has been amended. So do you want to give us what they are?

Deputy Clerk Ames: Under increase appropriation account, there is another line added. The account is CS.1710.----.4, contractual insurance admin and the total is \$1,450 which changes the total to \$14,947. Then increase revenue account, the total is changing to match that \$13,947.

Chairman Nazzaro: Kitty, do you want to go over that?

Ms. Crow: Sure. The CS fund is the liability insurance account fund where we capture all of the expenses and revenues associated with the liability insurance program and

administration. Those costs then get allocated back to all departments in one way or the other. So just the pluses and minus at the end of the year in the account and the reason for the amendment was just because we had a later accrual that was made. That happened after we had prefiled the resolution so in terms of the contractual in the insurance administration account, that was over the \$1,400 and under judgements and claims. We ran over about, a little over \$12,000. The participant assessment is the charges kind of back to the departments and there was sufficient charge backs to the department that offset that. The net gain for the fund itself though, which is usually – we budgeted it to breakeven because what we incur in expenses, we simply allocate it back to departments so the net fund gain/loss was \$3,700 to the good so we were pretty much on target for balancing it out.

Chairman Nazzaro: That's great, you were very close. Can't always be spot on, pretty hard to do. Any questions or comments?

*Unanimously Carried*

Proposed Resolution - Amend 2019 Budget for Year End Reconciliations – Health Insurance Fund

Ms. Crow: This is similar. We cap on the "M" fund. This is where we capture all the expenses related to our health plan and then those kind of get ultimately billed back to the departments and other revenue offsets are the retiree contributions for their benefit. Under judgements and claims, the \$296,000 overrun, we have seen a trend in our pharmacy costs going up and we are self-funded for the pharmacy plan. We had a very tight budget going into 2019 for the pharmacy but we did go over so that's what made up the majority of that \$296,000. Under the next two accounts, they are tied to retiree expenses for retirees who elect the cash out option versus taking the insurance for their earned benefit. We've tried to keep pace with that in the budget but several years in a row we've come short. You may recall when we were doing the 2020 budget, we kind of, in a sense, doubly increased it. I said, year after year, I hope we're more on the mark. For 2020, I'd be really surprised if we aren't closer to that number. So, I took a good look at the trends for that when I put together the 2020 budget. But we still haven't seen that curve start to come down in the total number of retirement but it can happen at some point but that's just the makeup of our workforce right now which is continued retirement. So, at some point and time, the cost of retiree benefits is going to start to trend down but right now we're kind of still at a peak.

Chairman Nazzaro: Kitty, on these HSA contributions, I know from a tax standpoint they are complicated but when you have on their department income employers, HSA contribution, can you explain that?

Ms. Crow: Yes. Like I said, everything in the "M" fund ultimately gets charged back to the departments so there is a component that is, the employee contribution to the health plan and the employer contribution to the health plan. So, we charge back the cost of what we contribute to the HSA accounts to the departments. That comes back to the "M" fund as a revenue. That is what this (*cross talk*), it's just the offset from the department back to the "M" fund for the employer's share of the HSA account.

Chairman Nazzaro: Perfect because when I was reading that, I was thinking shouldn't that be employee or but the way you allocate it -

Ms. Crow: I mean, this was just one of the revenue accounts that was available that had kind of a surplus back to the "M" fund and like I said, it's not really a true surplus because it's like offsetting the actual expense that we incur. So, that was one offset to the expense increases within the fund. The other was, our refunds. So the good news on the pharmacy side, while we did trend higher on our expense, we saw a significant increase in our pharmacy rebates. A lot of that has to do with, we've been working through our broker this past year in renegotiating our agreement with Univera and how we get paid our refunds and how they administer our pharmacy plan. So we pretty much doubled our pharmacy rebates this year. We did increase that in the 2020 budget so we are seeing -

Chairman Nazzaro: That's positive.

Ms. Crow: Yes. Overall in the "M" fund, additional, kind of good news this year is that we did have a net - we were positive \$185,000 and I've budgeted for there to be a surplus. We haven't always been able to achieve that the last few years but the "M" fund is kind of a near break-even where as we have been trying to build up a little bit of a surplus in that fund so that we can add the increases in pharmacy when we see them because we are self-funded for the pharmacy.

Chairman Nazzaro: So the net increase is \$185,000?

Ms. Crow: Yes, we are \$185,000 to the good in the overall "M" fund.

Chairman Nazzaro: Good explanation. It is a complicated subject so I appreciate your comments. Any other questions or comments?

Legislator Odell: That was a superb explanation, almost like the GASB funds in the lag and the lag makes sense.

Chairman Nazzaro: All those in favor?

*Unanimously Carried*

Proposed Resolution - Amend 2019 Budget for Year End Reconciliations -Workers Compensation Fund

Ms. Crow: The "MS" fund, we similarly aggregate all the Workers' Comp plan costs in the "MS" fund, including the cost that we charge out to the municipalities and what they return back to the plan for their share. But we did see, over what we had budget for the Workers' Comp role, but we also so a little bit of decrease in our administrative costs. To offset that, as a separate subject which we'll talk about at the end of the meeting, our investment earnings this year were very strong and those do get allocated back to the other funds. So, I used the increase in investment earnings that were applied to the "MS" funds to offset those adjustments. Overall, the

“MS” fund, we came in about \$36,000 over what we had budgeted, in total, for the fund so that will just be an adjustment to the “MS” fund balance.

Chairman Nazzaro: Thank you because I was going to note too that no use of the “MS” fund balance because we have the earnings.

Ms. Crow: Yes, but like in terms of what you might think of the net/gain loss for the fund, that will end up being a reduction to the fund balance. It doesn't require a budget amendment for that.

Chairman Nazzaro: Any questions or comments?

*Unanimously Carried*

Proposed Resolution – Amend 2020 Adopted Budget Due to Change in Accounting for License Fees

Chairman Nazzaro: This is mostly an accounting change to make it more efficient.

Mrs. Dennison: That is correct. Jessica Wisniewski had a doctor's appointment so she cannot be here to present this with me because it does effect mostly HR but as the Chairman indicated, it is a change in the budget so the budget more closely matches what we are actually doing with the accounting. We are obligated by the CSEA contract to pay license renewal fees for certain positions like nurses and drivers, CDL licenses. So HR in the past, has been paying those fees because they have to review the request for reimbursement from the employee. So the way it has been working is that HR pays the fee and that was the end of it. The idea was that they would charge the departments and get revenue back to HR so there would be two charges. One in HR, one in the department, and revenue in HR. Well that second step never happened so we had a revenue in Human Resources that Human Resources was never going to realize. We also realize that now the departments – well, HHS can claim reimbursement for these fees that they pay on the employees behalf so it makes more sense for the departments to have the expense within their department. At least makes more sense for HHS and DPF, is just going to have to play along. So we're taking the revenue and expense out of Human Resources in this proposed amendment and Human Resources will still process the reimbursement because they still have to review the request but they will just charge the expense directly to the operating departments. It was pointed out in Public Facilities by Legislator Vanstrom that we are not increasing the budget in the operating departments which would be completely correct. That would require the use of fund balance and so we're just expecting that they can cover approximately \$5,000 during the course of the year. So no change to the operating departments.

Legislator Niebel: This \$5,000 fee is similar to what has been in the past?

Mrs. Dennison: It's actually more. The actuals, last year – it usually runs about closer \$2,500 across all departments. So \$5,000 is as much as we would expect it to be.

Legislator Niebel: This is result of the contract negotiations?

Mrs. Dennison: No, it's always been a contract requirement that the County reimburse the employees for these licenses. There was a slight change in the contract language that made it easier for us to take the accounting out of HR but no real change in what the employee experiences.

Legislator Niebel: It's an increase from about \$2,500 in the past to \$5,000 now?

Mrs. Dennison: No, we always had a budget of \$5,000, just kind of as a placeholder. Revenue and expense in HR and so, it presented as a local share of zero when you look at the whole County budget which really was incorrect. Because however we did it, the County is going to pay for those licenses.

Mrs. Spanos: (*Inaudible*) came out of our budgets because we also had people and I always thought it came out of our budget. We have dieticians.

Mrs. Dennison: It did not in the past.

Legislator Niebel: It came out of Human Services.

Mrs. Dennison: It came out of Human Resources.

Legislator Niebel: Right.

Chairman Nazzaro: So the departments have to find a way to offset that?

Mrs. Dennison: Yes, they have to cover it within their existing budget.

Chairman Nazzaro: It's a small number when you spread it across all the departments.

Mrs. Spanos: Usually they're (*inaudible*) years so not everybody – some of them are four years, some five years.

Chairman Nazzaro: But from an accounting side, this is more efficient.

Ms. Crow: I can speak to what was negotiated in the contract because we did specifically request this change when we were doing negotiations. It was previously a requirement in the CSEA contract that the County include \$5,000 in its budget. So we argued that, we're paying the license fee no matter what it doesn't matter if we have \$5,000 in the budget or not, we're still required by contract to pay the license fee. So let's just take out the language that we have to include this minimum of \$5,000 when some years its \$2,200, some years it's more than that, so we just tried to simplify the language. The reason we kind of housed it in HR is because we are required to have this \$5,000 in the budget and rather than trying to sprinkle \$5,000 in every other department, we just said, we'll do it in HR, and we'll kind of try and do the in and out from there and so we got rid of that language now we can just charge directly to the department a lot easier.

Mrs. Spanos: And like HHS, some of departments don't have to take that out of local share. I can take that out of grant programs that cover my nutrition so my dietician license fees and come out of that. Also my nurse who does home care program, we can take it out of (*cross talk*)....

Legislator Niebel: And some of the departments get reimbursed.

Mrs. Spanos: Right.

Ms. Lis: I didn't know about this and when I found out about this I said, we can get money for this, why (*cross talk*)... -

Ms. Crow: The intent was when we set up the program in HR, the intent was always for it to get charged back to the department ultimately. Some of those journal entries were getting lost in the mix and they weren't happening.

Chairman Nazzaro: To me this keeps it cleaner.

Legislator Odell: (*Inaudible*) step, make it more efficient. I'm curious, would this include DPF, CDL license?

Mrs. Dennison: It does and I have the numbers. I was going to mention when Mary Ann brought up that licenses are multiple years because –

Legislator Odell: If we had them all hit in one year, we could control it –

Mrs. Dennison: Yes, Brad was upset, he was like, oh my God, this could be \$10,000 and then he realized that they are not renewed every year. So the actual expense for CDL license ranged from, in 2017, \$800.00; 2018, \$1,600 last year. So it is a relatively a small amount of money, unfortunately DPF is not going get reimbursement from anybody for those but, like I say, it's not too bad on an annual basis because they do last for (*cross talk*)...

Chairman Nazzaro: Any other comments or questions?

*Unanimously Carried*

Proposed Resolution - Amend 2019 Budget for Year End Reconciliations – Finance

Chairman Nazzaro: The amendment that was approved is on the desk.

Ms. Crow: There are a lot of changes in this one. This includes all of the, under the umbrella, Finance, aside from debt service which is the next resolution. I did have a reason to keep that separate. A lot of pluses and minuses here. I'll just kind of note the larger ones. In Finance, personal services, you may have heard or will hear from other departments, some of the adjustments were overruns in the personal costs which was due to the CSEA retro agreement. As you may recall when we presented the financials when you were voting on the contract, we

mentioned that we could be able to offset some of those with sales tax if needed but our initial look at departments was for them, if they could balance within their departments, we would do that first. Otherwise, if there was a need to allocate sales tax to offset those increases we would do it. We did do it in a couple of cases, you will see. But for Finance we were able to, for the most part, balance within our accounts for those changes. Under contractual, the .4, the \$32,500, about more than half of that was associated with the closing costs for the bond that we issued at the end of 2019. We had amended the budget earlier this year by adding \$50,000 because we knew that we were going to issue bonds but the total cost for the borrowing was closer to about \$80,000. We did have some other under ones within the contractual. The other, little bit less than half of the amount over budget was for the three plus one agreement that we entered into, that is helping us with reviewing our liquidity debt to help us find the best place to - help us understand better what funds we have available to invest. So, other offsets to that, we'll talk about later but, their fees are more than being offset –

Chairman Nazzaro: Return on investments.

Ms. Crow: Yes, it was very good. So again, a little bit over on the Property Tax personal services in contractual. The employee benefits, that is just due to changes in elections of coverage primarily. Down to account 1362, that's pre-foreclosure expenses. Those were a little greater than budgeted for. The municipal sales tax. As a reminder, well, the sales tax overall, compared to our adopted budget, our results were about \$1.5 million to the good for the adopted budget. We had amended the budget a couple of times during the year so compared to our amended budget, we still saw surplus of close to a million dollars which is good because that was used to offset some of the other adjustments in other departments. But the municipal sales tax is offset by revenue. So we received the sales tax from the State and we have to pay it back out to the municipalities and as GASB requires, we have to show that as an expense and revenue on our books.

Chairman Nazzaro: And I think you've heard, I know in Jamestown how they are seeing an increase in sale tax revenue and this is a piece of that. So, good news.

Ms. Crow: Community College expense, we did reduce the budget earlier in the year but just a little bit too much so at the end of the year, we were about \$45,000 over the budget. I did use the sales tax down below to offset that.

Chairman Nazzaro: Is some of that attributable to how we revised the charge back method? We had the floor and then we gave an increase, we had a range of the FTE's, went up by a certain amount, was any of that attributable to that change?

Ms. Crow: I don't think so much. I think it's just that mid-year we made an estimation of how much we could bring down the budget and you know, those changes didn't really go into effect until later this year so I think it was just a matter of the trends. But on that point though, I mean, the plan that we have going forward will help us to have a more better expectation of what the budget and actual will be so we won't have the ups and downs.

We had some under runs in a variety of other departments that offset the other general finance and tax expenses. Down below too, under the increase revenue, so when we issued the

bonds, we also had – our net, when you take into consideration the premium on the bonds and interest rate we got. We were under, I can't remember off the top of my head, I think the net interest rate was about \$1.7. But some of that is the premium that we get right up front so for the enterprise funds, that premium does get amortized but in the general funds it's just a surplus that as about \$68,000 total in the premium so some of that is offsetting those closing costs that we were over on.

Chairman Nazzaro: And these are not, I mean, we're going to have additional adjustments coming, are we not?

Ms. Crow: For?

Chairman Nazzaro: For Finance or is this going to be it?

Ms. Crow: No, for Finance, this should be it, I hope. I'm not aware of any other. I mean, the other adjustments like Kathleen mentioned, the depreciation, the GASB 75 which is the post-employment benefit and then the Worker's Comp so once those actuarial reports come in, they'll let us know what our ending liability is. It may or may not be more than what we budgeted already but those adjustments are always like some of the last adjustments to be made.

Chairman Nazzaro: And as noted with the other adjustments, we are not using fund balance here. We did use some sales tax but we had that available so this is technically budget neutral. Anything else you want to add?

Ms. Crow: No, I don't think so.

Chairman Nazzaro: I appreciate the comments you made? Any questions?

*Unanimously Carried*

Proposed Resolution – Amend 2019 Budget for Year End Reconciliations – Finance, Debt Service

Chairman Nazzaro: When I was reading this one I said I'm going to rely on Kitty to explain this one.

Ms. Crow: And I apologize. I had made a chart and I forgot to make additional copies for all of the committee.

Chairman Nazzaro: I was getting a little confused.

Ms. Crow: There are kind of three things going on in this resolution and that's why I had done this chart. I will just say, one thing for the JCC third dorm bonds, which we issued the bonds and JCC pays the debt service directly and it's for their third dorm that they built. In the budget, I didn't include the principal and interest and then an offset as revenue because they actually do make the debt service payment directly. But, accounting wise, we do have to show it

as an expense in revenue. So that is just adding back the JCC principal and interest payment and then the offset is shown as their revenue, the \$435,000 as their actual payment of the debt. Also in the interest account, so, \$145,000 of that is interest on that JCC payment. So, I will have to amend the 2020 budget because I did the same thing. I didn't include the payment and the reimbursement, so to speak, so, that will be a later amendment this year. The additional \$29,000 in that is imbedded in that \$175,000, is for interest on the BAN that we issued at the end of 2018. So we issued a BAN at the end of 2018 and then paid that off at the end of 2019 when we issued the new bonds. So that \$29,000 expense is offset by the mortgage tax surplus and the premium on the bonds. So the \$19,500 and the \$10,000 make up the \$29,000 that is offsetting that BAN interest expense. Again, like the other resolution we had the premium come in on the bonds that we issued, so, we were able to use that surplus to offset the closing costs and the BAN interest. Then the other thing going on is that those same JCC bonds, were part of what we refunded at the end of 19' when we issued the bonds. So part of the bonds that we did at the end of 19' were for new capital projects, another component of that issue was refunding those JCC bonds which I talked last month about the benefit that JCC is now seeing in terms of that reduction in the overall expenses.

Chairman Nazzaro: Which was a very good time to do that for all involved.

Ms. Crow: Yes, so that refunding piece required some accounting which was to show us paying off the old bond and the new bonds coming in to refund it, so to speak, as a revenue, so accounting wise –

Chairman Nazzaro: So you had to put the old ones off and put the new ones on.

Ms. Crow: Yes, so that is the \$4 million dollar transaction there. You can have that copy and make copies for the others but that kind of breaks down the components of this resolution into three columns. Those three items I just shared. You can make a copy or I can send it out.

Chairman Nazzaro: You can send it out. When I was reading this, it appears to be budget neutral and I was looking at it and I go, I know the refinancing had a lot to do with it and the way it was recorded in 2019 and then like you pointed out Kitty, you have to later on change how it was handled in the 2020 budget.

Ms. Crow: Correct, for the JCC's interest and principal payments in 2020.

Chairman Nazzaro: Does this effect any of their recordings? Obviously the reissue saves them some money but are they going to –

Ms. Crow: I'm not sure to be honest, what they have to record on their books. They'll probably show a reduction in their future liabilities.

Chairman Nazzaro: I thank you for that. Any questions or comments?

*Unanimously Carried*

Proposed Resolution – Amend 2019 Budget for Year End Reconciliations – Human Resources

Chairman Nazzaro: No use of fund balance, budget neutral.

Mrs. Dennison: That's right. This one is certainly easy compared to the last one. Not a lot to add. The employee benefits were slightly higher due to the items that we mentioned previously. Rate increases and changes in elections but fortunately the department did have a surplus in personal services so was able to self-balance within Human Resources organization.

Chairman Nazzaro: Any questions or comments?

*Unanimously Carried*

Proposed Resolution – Amend 2019 Budget for Year End Reconciliations – Information Technology Services

Mrs. Dennison: I am here for Jon. Again, his resolution self-balances within his organization. Just to comment on some of the larger variances, in the 1610, office services department, the personal services are over budget because one of his employees is out on extended sick leave and so there have been additional expenses to cover that work. Then in the employee benefits for Information Technology, that is over partially because a lot of those I.T. or several of those I.T. employees are allocated out to other departments but when we do the year end adjustment of retirement expenses, the year-end adjustment – it's not allocated in exactly the same way as some of the employees in Information Technology. So some of that year-end adjustment, it all stays in this department, rather than being sent out to other operating departments. So it hits this 1680 a little bit harder. Those are the two major overages. There were savings in communications. Both the communication departments, 1650 and I.T. 1680, both of those savings are largely due to the communications accounts which is phone lines. So lower expenses in phone lines. So there was some nice savings there. As I commented in Administrative Services, Information Technology department, when we did mid-year budget amendments last year, they were very forthcoming with savings and they were able to achieve those savings and more when you look at the local share for the department. So, it came in under budget and they did a really nice job to actualize some savings in their operating costs.

Chairman Nazzaro: Good explanation and I'm sure Jon appreciates that. Any questions or comments?

*Unanimously Carried*

Proposed Resolution – Authorize Sale of Tax Foreclosure Property to Home Leasing LLC

Mr. Geise: So this resolution authorizes the sale of the Arcade building which is located on North Main Street in the City of Jamestown to Home Leasing. This property has been foreclosed on for a while. It's in deplorable condition. Home Leasing is a Rochester based development, construction/property management firm that does primarily senior housing and very high quality senior housing projects. They are family owned, three generations, they have

been around so they are highly respected in the industry. The City has been meeting with them. They are interested in doing a mixed use project there to save that building, using historic tax credits, other financing mechanisms, so, they are interested in purchasing it for \$25,000. They need a long due diligence period, 12 months, because of the complicated financing package that they have to put together.

Chairman Nazzaro: That is classified as a certified historical structure or they are going to seek that?

Mr. Geise: Yes.

Chairman Nazzaro: I mean the building currently -

Mr. Geise: Yes, it's historical. They have done projects all over Rochester, Albany, Syracuse, Tonawanda, they have done new build, they have done historic tax credit projects, so they are the real deal and I think this is a really good outcome for this building. If it goes another, I mean, it's in horrible condition and I think if we wait any longer, it's going to have to be demoed.

Chairman Nazzaro: That would be a shame if it had to be demoed. When I read this, I was pleased that somebody had an interest in it. I know there is a lot of hurdles to go over and a lot of regulations. I'm looking to Mr. Abdella, you are here for support or things you want to say.

Mr. Abdella: Just support. It's been marketed, if you will, for many years now and it's just been very difficult to find a viable developer. I don't want to necessarily call this a last best chance but it really probably is and probably the first really creditable developer who stepped forward so I'm very supportive of it.

Mr. Geise: Home Leasing is doing the project in Falconer too at the four corners. So they would be good to have them have a presence here.

Legislator Niebel: That is what I was going to ask, have we dealt with Home Leasing LLC before but you say they have an ongoing project now.

Mr. Geise: We've been dealing with them on the Falconer project but when I was in Rochester, I spent a year and a half there as the Director of Economic Development. I did a project with them there. They were great to work with. Again, they do high quality work, they are very sophisticated –

Legislator Niebel: So you've had some experience with them?

Mr. Geise: Absolutely.

Legislator Niebel: And as far as the purchase price, how was that arrived at?

Mr. Geise: That is what they offered.

Legislator Niebel: O.k., good enough.

Chairman Nazzaro: Mr. Caflisch, you probably want to get in on this.

Mr. Caflisch: The total assessed value was \$25,000 at the present time. There is \$63,600 roughly owing against the property. So this, in my tenure here as the Director of Real Property, this has been one of the properties that had caused us the most grief to try get redeveloped or something done with. I think this is a great opportunity to get this building back on the tax roll producing tax revenue to benefit the City of Jamestown and the County.

Legislator Odell: How long has it been in the holding pattern?

Mr. Caflisch: Well the taxes go back to 2007, so it's been a long time.

Legislator Odell: Nice job, let's do it.

Chairman Nazzaro: Hope it's successful. I know that it's a long road, I know there are a lot of hurdles but sounds like a good project. All in favor?

*Unanimously Carried*

Proposed Resolution – Authorize Transfer to Tax Foreclosure Properties to the Village of Brocton and Chautauqua County Land Bank Corporation (CCLBC)

Mr. Geise: This resolution authorizes two things. One is the transfer of the property located at 10 East Main Street to the Village of Brocton and also the sale of Cave's Deli to the Land Bank for back taxes. Ten East Main is connected to 14 East Main by a common wall and 14 East Main is where Cave's Deli has been for many years. The Village recently purchased that because both those buildings are very – Mark's been very closely involved in this as have I, are both in deplorable condition, very, very unsafe condition and they need to be demolished. So what this would do is transfer, the Village already owns 14, they just purchased it, and this would transfer 10 to them as well. The Land Bank has allocated \$200,000 to demo both properties and then the Village will use that for redevelopment. Meanwhile the Green Arch Restaurant, the Village begged us to please pull it from the auction because they were concerned about where it would end up. We don't want somebody coming in there and doing the wrong thing. By conveying this to the Land Bank for the back taxes, the Land Bank can advertise it, market it, can do a negotiated sale to make sure that it ends up in good hands and the right thing happens there.

Legislator Odell: Mark, Steve, Jim, and everyone has been involved in this one pretty heavily. This is a (*inaudible*) that has been going on and a dangerous situation for (*inaudible*) judgement for 8, 9 years?

Mr. Caflisch: Since 2011.

Legislator Odell: Yes, and in getting this, being on the other side, take good care of a nice clean deal, I think it will do the mission we're looking to do. I've very thankful to the Land Bank who will be patient while this thing went through. Obviously things move very slowly so thank you for being patient in keeping those funds allocated for this project. It will make a *(inaudible)* in the neighborhoods and everything, it's the mission statement of the Land Bank, so thank you. I'm supporting this one Chuck.

Chairman Nazzaro: I can tell. The Village of Brocton is obviously behind this.

Legislator Odell: Yes. A lot of moving parts and we tried to work some other deals to keep the business in town. Exhaustive, but this is the next best solution for everybody.

Chairman Nazzaro: Anything from Mr. Niebel?

Legislator Niebel: No.

Chairman Nazzaro: All in favor?

*Unanimously Carried*

Proposed Resolution – Amend 2019 Budget for Year End Reconciliations: Unified Court Costs – Indigent Services – Child Custody and Law Department

Mr. Abdella: You will see there are a couple of items on the accounts list. With regards to the Law Department, we had a slight overage on the employee benefits of \$608. Then separate from the Law Department, the Unified Court costs relating to the Child Custody work, experienced a \$3,000 deficit. That account is budgeted exactly at the amount that is necessary for the contract that we have with Law New York to perform that custody work. However, what happens occasionally is the court will order a psychiatric evaluation. It's happened every couple of years so that \$3,000 was a court order psychiatric evaluation which would be a mandated County cost. As we were preparing the adjustments, I spoke to Kathleen and suggested that because the Law Department had surplus monies in our contractual account that we could go ahead and have those surpluses cover both the \$608 and the \$3,000. So that is what you have before you.

Chairman Nazzaro: Thank you and again, this is budget neutral, no use of fund balance. Thank you. Any other questions or comments?

*Unanimously Carried*

Proposed Resolution – Authorize Lease Agreement with the City of Dunkirk for Use of Office Space by the Chautauqua County Office of the Public Defender

Mr. Rice: We're pretty excited about this. For the first time we'll have a permanent presence in the City of Dunkirk. We're making arrangements to have the office staff, bilingual. We're planning on using this as a hub for our northern County courts. So I think this will be a

big benefit to our office and provide improved services to our client base. I guess the positive thing about it is, the funding for this is through ILS. It's without cost to the County.

Chairman Nazzaro: I'm sure the northern County – this is a good move. Like you say, not having a presence and office up there in Dunkirk, I think this is very positive and the bonus is, it's being funded so there is no use of local funds.

Legislator Odell: Staffing appropriately too, it sound like.

Mr. Rice: Yes. As I say, we really are excited about it. I think it's going to be a boom for our office.

Chairman Nazzaro: When will that be operational?

Mr. Rice: As soon as it's approved. I hear they are painting it. We have furniture stored in the foyer of the Hall Clothier Building ready to go over there. We're training a secretary at this point and we have an attorney ready to go over there and an investigator ready to go over there. We were talking about staffing the office with some of our senior attorney's on a rotating basis. Our plans are all in place and I guess we're just waiting for approval.

Legislator Odell: I'm just curious, how the vacancy within City Hall became available?

Mr. Rice: Dunkirk purchased the Sterns Building and we're taking over the Planning Board space which is right on the second floor of City Hall.

Legislator Niebel: It's right across from the court?

Mr. Rice: Right across from the courtroom. In order to get to it you have to go through security. We don't have any security issues, just perfect for us, it really is great space for us.

Legislator Niebel: The price per square foot is a little high, \$15.48 per square foot but it does give us a presence in Dunkirk.

Mr. Rice: I don't think it is as high as that because one of the things we did was, we arranged for utilities to be included and cleaning services to be included.

Legislator Niebel: Understood Pat but run the numbers and it will be about \$15.48 per square foot. However, you are getting utilities and that is something.

Mr. Rice: The cleaning service is for, I think our Dunkirk office and our Jamestown office range from \$240 to \$280 a month. I know it's a little higher than what we anticipated but when we calculated in those cleaning services, I think it brought down the cost.

Legislator Niebel: Because Jamestown rental space is \$12.04 per square foot which we got last August.

Mr. Rice: Right.

Legislator Niebel: So this is a little higher but it does give us a presence in Dunkirk and in the long run it should save us some money, I think.

Chairman Nazzaro: We're not going to hold this up because it sounds very positive so, all in favor?

*Unanimously Carried*

Proposed Resolution – Authorize Acceptance of the Crimes Against Revenue Program (“CARP”) Grant Funds for 2020

Mr. Gregory: This partially funds one assistant District Attorney, it's already in the budget. We've had this grant since about 2014. There are no matching funds associated with it.

Chairman Nazzaro: It's pretty clear cut. Any questions or comments?

*Unanimously Carried*

Proposed Resolution - Amend 2019 Budget for Year End Reconciliations – Office of the Sheriff

Chairman Nazzaro: I believe we had an amendment to this that was already approved in Public Safety. They changed the numbers on me.

Sheriff Quattrone: But in a good way.

Chairman Nazzaro: And the amendment which was just given to you is in the A.3110.----.4, contractual, Sheriff, it went from, in a good way, increasing appropriations, it was originally \$25,325 and now it's \$19,317 and that would change the total too. I just want to say, I want to thank the Sheriff and Jennifer, I did meet with both of them, last week?

Mrs. Swan: Yes.

Chairman Nazzaro: Time goes by, last week for a couple of hours. We went over changes in the 2019 budget very thoroughly and also talked about some things for 2020, so I appreciate both your time and was a very informative meeting. I consider this a very good resolution because when you look at the amounts, and the size of your budget overall, this is a small adjustment. So, I'll open it up to you.

Mrs. Swan: We just wanted to go over a couple of the larger variations.

Sheriff Quattrone: The first one is the 3020, Dispatch. The \$16,000 over and that primarily was the result of early on last year we were still hiring dispatchers and we had quite a bit of overtime in the first part of the year. Anticipating, as long as everybody stays working for us that we will level that out this year. We had people in the process of training so we weren't able to put them on their own at that time. So that is the large part of that.

Mrs. Swan: That takes us to the next one that I'll touch on which is the A.3020.PSCN.4, contractual. That was actually a budgeting error on our part. The amount that we budgeted it for, the original Motorola contract that was later in the year, upgraded, was about \$14,000 short of the actual amount of what we were charged for that contract. That's what created that \$11,900 difference. Then lastly is the 3110.4, contractual for the Sheriff. We actually, in looking into this, we discovered there are actually 18 cell phone, it's a mix of cellphones and modems. Through Verizon, it should have actually been disconnected prior to 2019 that were not so we had still been getting charged for those resulting in the majority of that \$19,000 difference. Our I.T. Department is working with the County I.T. Department right now to get that alleviated. So that is also a one-time variance. Are there any questions on any of the variances that you wanted us to touch on? We just kind of hit the bigger ones.

Legislator Odell: It's good housekeeping.

Chairman Nazzaro: Any comments?

Legislator Niebel: Nice job.

Chairman Nazzaro: I want to say, with meeting with both of them too, we talked, they are very proud and should be, about different efficiencies and different changes you are making. There is a lot of changing, landscape for 2020 because of the bail reform. That's a whole another discussion, we won't do that here because we have a lengthy agenda but, I feel it's in good hands. So thank you. All in favor?

*Unanimously Carried*

Proposed Resolution – Fiscal Year 2019 Hazardous Materials Emergency Preparedness (HMEP) Grant Program

Mrs. Hayes: This is to appropriate funds for the previously accepted grant and this money will be used for training.

Chairman Nazzaro: Again, this is a change to the 2020 adopted budget. Any questions or comments?

Legislator Niebel: I think it's 2019.

Chairman Nazzaro: Isn't it 2020?

Mrs. Hayes: It's to the 2020 budget. It's a 2019 grant.

Chairman Nazzaro: It's a 2019 grant but it's affecting the 2020 budget. Questions or comments?

*Unanimously Carried*

Proposed Resolution – Amend 2019 Budget for Year End Reconciliations – Emergency Services

Mrs. Hayes: The largest shortage in this was in the contractual for Fly Cars. Two main reasons. One was our accounting firm. We had to pay them more than we anticipated which was actually a good thing, because it meant that they were processing more billings but we were under budget in that. The other part of the contractual to the Fly Car, one of our vehicles had two accidents so we had to pay the deductibles twice. And we also had to outfit all vehicles with new tires before the end of the year which we didn't anticipate because of the lease agreements weren't done in 2019. So that is the biggest shortfall but we were able to allocate from the .1's and .8's in the Fly Car so it was all balanced within that department.

Chairman Nazzaro: Are we, do you know, now receiving reimbursements from Medicaid?

Mrs. Hayes: Yes.

Chairman Nazzaro: We are and will we be able to go back retroactive?

Mrs. Hayes: Until July 29, 2019.

Legislator Odell: Not that far back but some -

Mrs. Hayes: And the money is coming in.

Chairman Nazzaro: At some point, I would like to receive just an analysis of the Fly Car program, if you could pass that onto John that I've been waiting for. I know that we received some information but obviously this has been a discussion, sort of hot discussion at times, so I would like – we've met with John and I know there are a lot of moving parts and a lot of things are happening, but I would, sooner than later, like an accounting of the program for 2019. Any questions or comments from the Committee?

Legislator Odell: No, it's that onerous, maybe just a basic scorecard. Just like a benchmark to stay on top of it.

Chairman Nazzaro: Because you know we had discussions about funding the 4<sup>th</sup> Fly Car and things like that.

Legislator Odell: Right.

Chairman Nazzaro: I know that a lot of things are changing in the positive direction and also a lot of obstacles and difficulties. So I do understand that but to keep everything moving forward, we would need that analysis.

Legislator Odell: Maybe an analysis also to share with our colleagues.

Chairman Nazzaro: Yes, absolutely. Thank you. All in favor?  
*Unanimously Carried*

Proposed Resolution - Reimbursement for Jamestown Fire and Chemical Spill

Chairman Nazzaro: This seems pretty clear.

Mrs. Hayes: This was an incident in August of last year. The City of Jamestown did reimburse us for our supplies and we will be replenishing with this money.

Chairman Nazzaro: Thank you, any questions or comments?

*Unanimously Carried*

Proposed Resolution – Amend 2020 Adopted Budget for State Homeland Security Program (SHSP) Grant Award

Chairman Nazzaro: Again, this is an amendment to the 2020.

Mrs. Hayes: It's another grant that was accepted last year and we are appropriating some funds for mobile radios.

Chairman Nazzaro: And is the \$13,000, is that the balance of the grant?

Mrs. Hayes: No.

Chairman Nazzaro: Because the total grant was almost \$150,000.

Mrs. Hayes: Some of that is personnel and that is part of the 2020 budget. But then when we make these purchases for equipment, as we decide what we need, is when we do these amendments.

Chairman Nazzaro: Oh, so as the equipment is purchased, that clarifies it for me.

Mrs. Hayes: Because sometimes we – well, you'll see it in the next one, we plan on something and it doesn't actually happen when we expect it to. You'll see that in a minute.

Chairman Nazzaro: Any questions or comments?

*Unanimously Carried*

Proposed Resolution – Amend 2019 & 2020 Budgets for Grant Equipment Revenue – Emergency Services

Mrs. Hayes: This is for some protection emergency gear. I did a purchase order in 2019, we expected the equipment in 2019, so that I could voucher and be reimbursed, however, we

don't have it yet and so we were trying to carry both budgets, the expense and revenue over to 2020.

Chairman Nazzaro: So we're decreasing the revenue in 2019 and recognizing the revenue in 2020?

Mrs. Hayes: Yes.

Chairman Nazzaro: Any questions or comments?

*Unanimously Carried*

Proposed Resolution – Amend 2019 Budget for Year End Reconciliations – Unified Court Costs

Mrs. Dennison: These are the costs that we have to pay for court facilities and really the only thing that is in these budget is property and liability insurance. There was an increase in those insurances this year. Those increases get charged out to all of the departments so the courts are slightly over budget for their insurance costs. There is a small revenue – I'm sorry, there is small reduction in expenses for justices and constables, so, part of the increase in insurance is counteractive by a reduction of \$700.00 in one of the sub-departments. But in general we need to go outside the court organization to balance this amendment so we're using \$1,146 of the sales tax surplus.

Chairman Nazzaro: We see that in another resolution but a much larger amount.

Mrs. Dennison: Yes, as I say, these departments really don't have anywhere to draw from to cover any kind of variances.

Chairman Nazzaro: Any questions for Kathleen? I see our Chairman raising his hand.

Chairman Chagnon: I expected you to ask, why has the insurance costs have gone up more than budget.

Mrs. Dennison: That would be a Kitty question. Is she still here? Why are casualty and liability insurance costs go up for the overall County and expenses got allocated back to sub-departments? Increase in premiums in the CS funds.

Ms. Crow: Well overall, the CS fund was positive \$37,000 so if individual department budgets might have changed based on the actual premiums allocated to them. There is about 20 different premiums that we pay and each premium is allocated based on its own methodology to the department. I can't answer the question without digging into a lot of the detail but the premiums, the total –

Chairman Nazzaro: That's o.k., if our Chairman has any other questions, he's nodding, -

Chairman Chagnon: Why don't you begin with this department, Unified Courts.

Chairman Nazzaro: There was a small adjustment.

Mrs. Dennison: I think the question is overall, there was an increase overall in premiums.

Ms. Crow: Yes but there were other things that offset that so the net allocation back to departments shouldn't have been to particular in excess of their budget unless there was some premiums that were allocated in a way that caused that – like for example, if we had additional vehicles that were added on during the year for a particular department, by the end of the year, their allocation of the total that we paid for vehicle insurance would be more than what they might had budgeted initially but overall, in terms of the total CS budget, what ended up being at – because we do a reconciliation of the liability fund at the end of the year. So, other offsets of revenue within the CS fund, offset what in total we completely charge back but there is many levels of detail in the allocation of the liability insurance.

Mrs. Dennison: But most of the departments experience an increase over their budget, not only in courts. Most departments, their insurance costs were over budget after the year end adjustment.

Chairman Nazzaro: Good question, if he needs any more information, I'm sure the Chairman will reach out to you.

Mrs. Dennison: I can get with Kitty.

Ms. Crow: I can show you the exact different allocation because I show what was budgeted by the department, what was the actual for the department and I think some of was, as I'm thinking further about it, I think some of it was in terms of the administrative costs, how they were budgeted to what the actual was.

Chairman Nazzaro: O.k., you'll provide that information to Chairman Chagnon. We did vote on that, correct?

Deputy Clerk Ames: I don't think so.

Chairman Nazzaro: O.k., all in favor?

*Unanimously Carried*

Proposed Resolution - Amend 2019 Budget for Year End Reconciliations – Conflict Administration

Chairman Nazzaro: This one is using a sizeable amount of sales tax and we're using \$180,000 plus of sales tax to balance that.

Mrs. Dennison: Correct. As we discussed last night, unfortunately for another year, the County expenses for Conflict Administration are in excess of budget and using sales tax surplus to balance that. Legislator Pavlock asked last night how much sales tax surplus are we using in

all amendments and that total is \$230,436. Obviously this is the lion's share of it here so this one and the JCC adjustment that you saw earlier are the two main players in that. The sales tax surplus versus the amended budget is \$984,000. So we are using, like I said, \$230,000 of that across all the amendments but there is still a surplus in sales tax. If you would like to, we could go into some discussions on how we might mitigate this expense going forward.

Chairman Nazzaro: What was the budgeted amount for the Conflict Administration in 2019?

Mrs. Dennison: That is a good question. I can look that up.

Chairman Nazzaro: I just trying to understand what percentage we are over.

Chairman Chagnon: Would you like me to come forward?

Chairman Nazzaro: You are always welcome at the table.

Chairman Chagnon: As you recall Mr. Chairman, we've been holding the budget for this Conflict Administration kind of flat because of the Hurrell Settlement funding in anticipation that those funds could be used for reducing this expense and that the actions coming from those funds, hiring additional public defenders would reduce the number conflicts and hiring a conflict administrator would reduce the number in extent of the conflicts. So we've been holding that budget flat. We've been over budget every year.

Legislator Odell: It's significant to point out Mr. Chairman though we are quite high this past year, at \$180,000 over, it's a significant reduction from \$290,000 in the prior year. So we're trending in the correct direction.

Chairman Chagnon: Good point.

Chairman Nazzaro: Good point.

Mrs. Dennison: The budget is \$569,846.

Chairman Nazzaro: About a 33% increase. To your point Legislator Odell, it was \$290,000 the previous year and we are trending – to Legislator Chagnon's point, we've been knowingly budgeting it probably at an amount hoping that it will be going down because of use of funds.

Chairman Chagnon: And the Public Defender's office has just really seem some of the beginning benefits from having the additional Public Defender's on board because they were hiring during 2019 and as of yet, we have not staffed the Assigned Counsel Administrator position, although the Search Committee has, after several rounds of interviews, selected our number one candidate and we will be sending out a, offer up a proposal to our preferred candidate in the very near future.

Mrs. Dennison: Just to give one of their comparison, in 2018, our Assigned Counsel expenses were total about \$814,000 and this year it's \$750,000.

Chairman Nazzaro: So it's a downward trend and I expect that trend to continue downward especially when you fill the administrative position. Any other comments?

*Unanimously Carried*

Proposed Resolution – Amend 2019 Budget for Year End Reconciliation - Probation

Mr. Narraway: Try as I might, I could not come up with a good acronym to say, budget neutral, no use of fund balance. This resolution moved \$21,790 between the personal services and the employee benefits within my budget and like I said, its budget neutral.

Chairman Nazzaro: Again, I'm sure some of this is due to an increase in premiums, insurance elections, things really out of your control? Any questions or comments?

*Unanimously Carried*

Proposed Resolution – Authorize Acceptance of Funding from the Health Foundation of Western & Central New York

Chairman Nazzaro: This was not included in the 2020 budget.

Mrs. Spanos: Correct. As you may have heard in the news, in the north County we're having some upset with the seniors there about a renovation that we assisted the City of Dunkirk to apply for to add an addition to their building, to co-locate adult day care and medical offices there. The initiation for this was following a model that is sweeping across the country of "NORC's" (?), Naturally Occurring Retirement Communities. Not just having social programs but programs and services centered in the neighborhood. Earlier on in seniors seemed o.k. with it and now there are a lot of rumors and innuendos so we thought it would be best to bring in a facilitator to move the conversation in a positive direction. While I don't feel that County government should be paying for these things, I approached the Health Foundation of Western and Central New York and they are happy to fund that in full and it would just pass through our department.

Chairman Nazzaro: Thank you for doing that. Helps the situation.

Mrs. Spanos: Yes, we want it to be a positive thing.

Legislator Odell: The other alternative was to do a fieldtrip to Findley Lake.

Mrs. Spanos: That too, we may still do that. Anybody who wants to come to – this gentlemen is from the University of Albany Communication Department. He's going to be doing one on one interviews in focus groups but he's also going to do this really cool presentation

called the magic of change. That is going to be on Saturday the 29<sup>th</sup> at the Dunkirk Senior Center. Do you want to do my other resolution why I'm up here?

Chairman Nazzaro: Let's vote on this one first. All in favor?

*Unanimously Carried*

Chairman Nazzaro: O.k. with the committee to move that out of order?

*Committee agreed.*

Proposed Resolution – Amend 2019 Budget for Year End Reconciliations – Office for Aging Services

Chairman Nazzaro: I believe there was an amendment in committee on this.

Mrs. Spanos: I think Kathleen just had a different number.

Deputy Clerk Ames: I can tell you. The total, \$38,806 is going to change to \$38,986.

Legislator Niebel: A typo.

Deputy Clerk Ames: No, it was an amendment and the same in the decrease appropriation account. The total changes to \$38,986.

Chairman Nazzaro: O.k..

Mrs. Spanos: I just confirmed with my finance gentleman, Josh, that when we got the additional money from New York State, we could charge to that, both personal and/or services. Because it was difficult to tell which you estimate and we had some delays in hiring personnel, we've hired 2 new staff people because we got almost an additional \$500,000 to serve people on our wait list, we were supposed to serve 200 people and I will tell you to date we've served 224 and we're still, in the program here for that but we did have, we were staggering anyways the hiring of personnel because we're not going to bring all those clients on board at once but then, you know, it took a little longer than we thought. So we just put more into services rather than to personnel which these funds can be used for either.

Chairman Nazzaro: Which makes total sense. Again, budget neutral, no use of fund balance. Any questions or comments?

*Unanimously Carried*

Proposed Resolution - Amend 2019 Budget for Year End Reconciliations – Mental Hygiene

Chairman Nazzaro: Some contractual changes here, its budget neutral.

Mrs. Brinkman: I wish it was budget neutral but unfortunately it isn't.

Chairman Nazzaro: It's not? According to this, it is.

Mrs. Brinkman: We can balance it within our budget. We're under expended in 4320 which is our Addiction and Mental Health fund. But 4322 is the fund that is set aside for court order competency evaluations and restorations. State law and regulation requires that to be local share. We can't use other dollars to fund that. This year, if you remember a few years ago, we had a year like this where we exceeded the amount in the budget and Audit & Control, in your wisdom, had us increase the amount to \$50,000. Some years we come in close to that. This year, unfortunately, the courts have ordered more individuals for competency restoration and they have been staying for longer periods of time. So, the law requires us to pay 50% of the cost for every day that someone is in a State institution for restoration. If that's an adult, right now with the current rates, that \$515 which is our portion. If it's a youth, it's \$943 a day. Right now we have a youth that was court order by Family Court to OPWDD, and it's a really difficult situation and the expenditures right now are close to \$50,000. This young person could be there for another 5 to 6 months. So it's part of our budget that we have absolutely no control over. I think it's also, I want to make the point with this committee and with the whole Legislature actually, that as an area of savings for the New York State Office of Mental Health going forward, due to the budget crisis they are experiencing, they are looking at charging back counties for 100% of this cost next year. So, however, we would push back on that as a County would be important. Our conference of Mental Hygiene Directors are certainly lobbying against that but, as a County, for 2019, it was \$146,698, you would double that and we would bearing that full cost and that would be if they get the change that they are requesting. My understanding is technically it's always been able to be charged back to us at 100% but there had been some sort of negotiation where the State said that they would only charge us back 50% and that's been for all the years that I've been here, it's only been 50%. So, it will be a radically change.

Chairman Nazzaro: You said Pat, there was a pretty big effort to make our State representatives aware of what this would do to the various counties.

Mrs. Brinkman: Yes. We're doing that through our Conference of Mental Hygiene Directors and having conversations with our Legislators and so if you are out there having conversations with them, please make them aware that this would be a heavy burden. The other piece of it is that, it may be something that they Legislature would want to pass a resolution opposing and get that to OMH.

Chairman Nazzaro: Maybe we should have a motion.

Legislator Odell: I think so. I'd support it and that's big.

Chairman Nazzaro: So we should get a motion. I'm not sure it will be prefiled for this but for the March meeting, maybe a motion, I would be glad to cosign to make sure your voice is being heard of what affect it would have by going to 100% as opposed to 50%. So at the beginning when I said it was budget neutral, I'm putting on my hat where I'm not seeing the use

of fund balance here but I do understand Pat that this is a big number, this program. I don't want to down play it.

Mrs. Brinkman: Right. We tend to come in on our local share very close to it every year. Because of this expenditure, we'll be over roughly \$96,000 this year.

Legislator Niebel: So we're paying for \$430 for this one adolescent and he may be confined for another, up to 6 months?

Mrs. Brinkman: The way that the law reads is that, the courts can remand an individual or a youngster to either Office of Mental Health psychiatric facilities or to OPWDD facilities for up to a year to restore competency.

Legislator Niebel: Is there any review within that year period? A judicial review or any kind of review?

Mrs. Brinkman: Again, part of the issue we have is that, once the individual is in State custody, then we don't necessarily have any ability to impact that. We've also been working with our judges and our prosecutors and so forth to kind of educate them on community options and other opportunities other than sending our young people –

Legislator Niebel: To a State facility.

Mrs. Brinkman: Exactly.

Legislator Niebel: Because that is pretty expensive.

Mrs. Brinkman: It's very expensive. Again, we lose control of what happens to that individual once they are in the facility. Some of our folks, like this young person has been there since September or October and could be there though August potentially of this year. Again, for some it's seen as, this particular youngster is intellectually challenged and so when you talk competency restoration, the question becomes, one can't necessarily restore intellect so how do you demonstrate that that young person is able to know that this is the judge, this is your defense attorney, this is the court, and what are you charged with. So, I'm trying to work out a way to move this particular situation along but it's not something that I have control over so we're working collaboratively on it but once the court order is done, any control that I have is gone.

Chairman Nazzaro: It's a difficult situation to say the least.

Legislator Odell: This is the change back to 100% schedule for 2021, January 1<sup>st</sup>?

Mrs. Brinkman: It would be April 1<sup>st</sup> – that is one of those savings –

Legislator Odell: (*Cross talk*) on the motion.

Mrs. Brinkman: That is one of the savings that OMH booked when they put their budget out.

Legislator Odell: Telephones will contact our Senators and Assemblyman ahead of the motion for sure. Thank you for that.

Chairman Nazzaro: Any questions or comments?

*Unanimously Carried*

Proposed Resolution - Amend 2019 Budget for Year End Reconciliations – Veterans Service Agency

Mrs. Dennison: Director Carlson is out of town so I'll be speaking on his behalf. But Mr. Chairman if I could, I would just like to go back to Conflict Administration just for a moment. I was checking the actual expenditures and found that 2018 is less than I quoted previously.

Chairman Nazzaro: So what is the amount?

Mrs. Dennison: Because I was taking the budget and adding in the budget amendment to get to \$814,000. We must have had some positive developments as we finalized the results for 2018.

Legislator Niebel: It wasn't \$814,000?

Mrs. Dennison: It's less than that, so, in 2019, we're looking at \$750,000 right now. That could change, usually it changes in an upward direction. In 2018, the actual expense was \$763,000. So a little bit better than we thought. In 2017, it was \$810,000, 2016; it was \$940,000. So the good news is, the expense has decreased every year since 2016.

Chairman Nazzaro: But the decrease from 2019 –

Mrs. Dennison: Decrease from 18' to 19' is not very much, only \$13,000.

Chairman Nazzaro: And it could be different than that for 2019.

Mrs. Dennison: Could be, yes. So right now, it's going in a favorable direction but not as much as we thought.

Chairman Nazzaro: O.k., thank you for that clarification. O.k., moving onto Veterans Service.

Mrs. Dennison: Veterans Services, there was an overage in the employee benefits for Veterans Services. This is a small department so any change in the employee shows up very dramatically but the other affect in their budget is that Veterans Services is charged for some of the CARTS bus drivers that drive for Veterans purposes. There is a lot of bus drivers that are

substitutes and so we do estimate how many of those people will take retirement benefits and I think we under estimated the retirement cost associated with the substitutes. Because it's very difficult to figure out how many substitutes will avail themselves of retirement and when we do the budget, we just make a general assumption of an amount of all the substitutes. The actual results, they take the actual substitute who did the driving and charge CARTS for that. So I think we can't possibly predict exactly who is going to have retirement and who's going to drive for Veterans. That's why retirement expense is over budget. There were some small savings in contractual and personal services but not enough to cover that so we are using a little bit of the sales tax surplus.

Chairman Nazzaro: O.k., lucky for that surplus. Any questions or comments?

*Unanimously Carried*

Proposed Resolution – Amend 2019 Budget for Year End Reconciliations – Health and Human Services

Chairman Nazzaro: I will note, since last time and I want to be careful in this resolution, we're not using any fund balance and it's budget neutral.

Ms. Lis: We are not and actually it is budget neutral.

Chairman Nazzaro: And you can walk us through the larger items.

Ms. Lis: Generally what happened and these are things that we knew earlier in the year and it kind of mentions ahead of time, we're going to be bumps in the road. Our preschool costs, which is the first line, the contractual education of handicapped children administration, that's our preschool program with all the children who need to have services and aides and go off to Buffalo, hearing and speech places like that. We knew that that was going to be a sticking point. We have seen an increase in our enrollment there. I ran through it month by month and it's like 15 to 20 kids more, as you look at through the year because you start out a school year and you have so many kids in it, the teachers say, oh no, this kid needs to go and so it gets bigger and bigger. We used to have a nice decrease in the summer but they have opened up a couple of extra summer schools. I think Westfield school was one of them, there is a couple more places where the kids can go in the summer so the summer dip has gone away. And, we had a rate increase which I'm not sure when that came through but it was retroactive to the beginning of the year. So, all that combined, we knew something was going to happen, we just couldn't quantify it. As we have always said, we believe a lot of this has to do with the opioid epidemic because the children are being born with issues. They are getting to this age, it's just hard to figure out how many kids are going to need this but it is increasing. So, that's \$390,000. That is the largest increase that we have here.

The other two sizeable increases are with A.6123, juvenile delinquent care and A.6129, State training school. Those are both detentions. The first one is a detention that is more in a County level. Usually we send the kids to Erie County and the second one is the OCFS State training detention owned by the State. We budgeted low because we have been leaning towards, please do not send kids to the State school because it's expensive. It's not always within our

control. It's what the courts decide to do, what attorneys or whoever may decide to do so, we try not to have any added. We did have some added. It doesn't take a lot of time to – it's a \$1,000 a day gross and we pay about half of that. But it doesn't take a long time for the dollars to increase on that. We had, I think, a couple of kids go in and were there for most of the year. They don't – once (*inaudible*) stay there, they don't tend to move them out. We have no custody of them. Over the last couple of years, we have - our number of kids at the State school has dropped a lot. Everybody is doing that so the cost to run the State schools is not going to change and it's because they have not held back on their staffing or their buildings. So we are afraid that the rates are going to increase per kid, per day, because there is fewer kids there. So, we're still on a mission to get the kids out but it's often out of our control on that one because, again, it depends on what the courts want to do. Those are our three areas where we came in over budget.

The first thing I did was, I looked at what we had for revenues that were over budget which is the last section. Mainly the largest one there is, repay on child care and actually child care, that's really Foster Care, just the wording the State uses for it, -

Chairman Nazzaro: What year would that be for, when you say a repay of child care. Is that a retroactive?

Ms. Lis: No, this is coming from, mostly, almost all of it, comes from child support. We'll go out and we'll get funding from the absent parent to pay for these things. You don't know how much you are going to collect. We do have a pretty good track record on collecting these things but we budget it, conservatively, based on what we usually see and sometimes you will do well. Other than that we had some other collections over budget in our A.6010 which is sort of the same thing, a little bit extra in our incentive earnings. We got more State aid for the Jail than we expected because that was new to us. The Jail clinic didn't used to have any revenue but when we took it over, we were able to claim State aid on certain work we do with the – for example, one of the areas is if an inmate is under 21 years old, we can get State aid on that. So, we got a little more than we thought we would on that. We had rental space. We rented out the first floor, basement floor I believe of the Jamestown office building to the Chautauqua Center and they were going to build their own building, which they have. It took longer than expected so I believe we budgeted about a half a year in 2019 knowing that they would be leaving but it took them longer to get out so we have more earnings there than expected. So that's where I started was, recognize some of those additional revenues. Then I said, where else do I have money that I can use for these expenses that were over budget. The lion's share of what I used was, I used personal services in our A.6010 department. We, as you know, it's sort of a revolving door over there. Our people come and go, we have a lot of people coming and going during the year and so it's hard to say how much you are going to save because of that but there is always a lag in time to hire somebody.

Chairman Nazzaro: That's a big number.

Ms. Lis: It is but we budget based in detail on the people that we have and planning to replace them when they go but there is always a lag. Our services people are always leaving, our TA people, we had 8, I believe, we had 8 open spots for a while. There was an issue and this is State wide where on the services side, it was hard to bring in caseworkers, because they – we've gotten to give the test more frequently because we were running all the way out to the bottom of

the list and we had nobody left to choose from. And those are the people that we have to train for two years before they can take the case on them. So it's just - sometimes it takes a long time but a big part of it is that there are just so many people coming and going.

Chairman Nazzaro: So have you – I mean, when I was looking at this, again, to my comment of budget neutral but when you look at A.6010, you have the surplus to help balance this, do you know overall in 6010, what your – I mean, we're using \$370,000 here –

Ms. Lis: There's more.

Chairman Nazzaro: Kathleen is nodding her head.

Mrs. Dennison: Right now, just in 6010, there is a local share surplus of \$996,000.

Chairman Nazzaro: Wow, almost a million dollars.

*(Cross talk)*

Ms. Lis: And that's just the point ones?

Mrs. Dennison: That's 6010, all revenues, all expense.

Ms. Lis: What were the point ones?

Mrs. Dennison: The point ones were –

Ms. Lis: I know that we did budget a savings in 2020 for this sort of thing. So we won't have that next time but it's something that, it's always been that way.

Chairman Nazzaro: I know, obviously, there are always variances. I mean this is very complicated but I am surprised – it's not all .1 is it?

Mrs. Dennison: I'm looking it up right now.

Chairman Nazzaro: It's got to be some of the other extensions.

Ms. Lis: I don't think too much in the other extensions. I mean, there is not much budget here. There is just longevity and on call and things like that.

Chairman Nazzaro: I did listen to your explanation Val. A lot of it, you said is vacancies,

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Ms. Lis: Rolling vacancies.

Chairman Nazzaro: But also don't you get into overtime and things like that?

Ms. Lis: Well, we are a 35 hour a week shop so we have 5 hours that is not going to be overtime. We do have some overtime, we keep it to a minimum. I approve the payroll every two weeks so I see it but we try and keep it to a minimum. We are suffering, we really are, getting things done.

Chairman Nazzaro: Kathleen, what do you show?

Mrs. Dennison: O.k., 6010, personal services, the surplus right now is \$538,000.

Chairman Nazzaro: Is that after this or before this?

Mrs. Dennison: Before that. The contractual surplus is \$484,000 and the employee benefits are plus \$371,000.

Ms. Lis: Which relates to the .1 pretty much.

Chairman Nazzaro: So you are talking about \$1.3 million?

Mrs. Dennison: One point four almost. Then there is Federal aid, there is right now a sizeable deficit but all revenue sources combined right now, we're looking at a deficit of almost \$400,000 in a million deficit in Federal aid, but then there is a surplus in State aid of \$559,000.

Ms. Lis: But you will see, it makes sense, the more expenditures over budget, our revenues will go up.

Chairman Nazzaro: Right, because of the match. I mean, obviously because of the funding and so forth.

Ms. Lis: We budget for each position that we have to be full all year. That is in detail by person. So there is no so called, fluff in there but the amount of time these positions are filled is variable.

Chairman Nazzaro: For 2020, when we did the budget, we closed that up.

Ms. Lis: We did and I can't remember how much we did.

Chairman Nazzaro: I remember and that's o.k. Kathleen, but –

Mrs. Dennison: I was just going to comment, we did put in a vacancy back there.

Chairman Nazzaro: And we only did that for the larger departments and we did talk about vacancy factors. So, o.k., any questions or comments?

Legislator Niebel: When you do have vacancies Val, while the people are coming in are coming in at the same grade, they are coming in at a lower –

Ms. Lis: They are coming in at a lower grade so we are having some savings there sometimes.

Legislator Niebel: Oh, even some lower grades.

Ms. Lis: Yes, because especially if it's somebody who's retiring and you don't have a lot of retiring –

Mrs. Dennison: Lower steps.

Ms. Lis: I mean, lower steps. Same grade but a lower step. So you have someone who has been there for years and years, retiring as someone coming in same grade but a lower step.

Legislator Niebel: Significant savings.

Ms. Lis: So there will be savings there as well, yes. That is another side of it.

Chairman Nazzaro: Again, we did account for some of that in 2020.

Mrs. Dennison: It's a pretty big number, \$249,000 just in the .1's.

Ms. Lis: But it has been difficult filling those spots and it takes a lot of time. It's not all internal, like I said, part of it is that the civil service exams for the spots are not given often enough so we'll run through the list and we have no one to choose. We have to wait for a whole another cycle. Or hire people provisionally and we've been burnt. We've gotten away from that unless we really have to because we have been burnt on that.

Chairman Nazzaro: Any other questions or comments?

*Unanimously Carried*

Proposed Resolution – Adjust the Division of Planning & Community Development's 2019 and 2020 Budgets for Soil & Water for Water Quality Improvement Projects

Chairman Nazzaro: This looks like a timing issue.

Mr. McCord: I can make this real easy. The next four are all budget neutral. These are housekeeping issues for us. This particular resolution came through in December of 19' and was placed in the 19' budget. Obviously at that point, Soil & Water was unable to undertake the project so this is just taking it out of the 19' budget and placing it into the 2020 budget.

Chairman Nazzaro: Seems clear to me. Any questions or comments?

*Unanimously Carried*

Proposed Resolution – Amend 2020 Adopted Budget for County Agriculture & Farmland Protection Planning Grant from the New York State Department of Agriculture and Markets

Mr. McCord: We have already submitted a resolution to you previously to accept the grant for \$50,000. The resolution that you have before you is to establish accounts for the \$50,000 and also to establish the account to allow us to accept a \$30,000 grant from the Community Foundation.

Chairman Nazzaro: Any questions or comments?

*Unanimously Carried*

Proposed Resolution - Establish Capital Project for Welch Trail Recreation Area

Mr. McCord: The money for this particular project, the Welch Trail which is a mile and a quarter trail in Westfield, was established back in 2016. We are just reaching a point where we're entering into a contract with the Town to provide the funding that we committed previously so we need to establish an account for (*inaudible*).

Chairman Nazzaro: The comment I had here was, why was there a delay? I mean, from 2016, it seems like a long time.

Mr. McCord: It is, a little bit of a long time. They traditionally allow 5 years for these projects and I guess part of it is the difficulty in reaching an agreement with the State. It took the Town about a year and a half to enter into the first agreement and we've been helping them through the hurdles, the administrative portions so that they can actually build this. They will build it with in-house.

Chairman Nazzaro: So this will happen in 2020 then?

Mr. McCord: Yes.

Chairman Nazzaro: Kathleen, what does that do to our reserve?

Mrs. Dennison: As Don mentioned, it will reduce the reserve but it has been designated for many years so most of the resolutions that you consider are looking at the undesignated reserve and this would not change the undesignated reserve.

Chairman Nazzaro: So basically because of the delay here, the project that was going to start, for various reasons, didn't come to fruition so now in 2020, we're funding it out of the, not the designated but funding for the 3% -

Mrs. Dennison: Funding it actually out of the designated.

Chairman Nazzaro: Not out of the undesignated.

Mr. McCord: Right because it was previously designated by a resolution.

Mrs. Dennison: But it will definitely – the overall reserve is around \$300,000 so that is going to go down by, the overall reserve will go down by fifty and the designated portion will also go down by fifty.

Chairman Nazzaro: Any questions or comments?

*Unanimously Carried*

Proposed Resolution – Adjust the Division of Planning & Community Development’s 2019 and 2020 Budgets for the Barcelona to Chautauqua Institution (B2C1) Trail Easement Grant

Mr. McCord: We received a grant from New York State Parks. We also have some funding in there that is from our designated reserve which is switched over into our 19’ budget. This project is a little more complicated than we thought. As we attempt to get easements, we also have to go back as a State requirement to get surveys. It turns out that the latest surveys on most of these parcels was 1905. So the only surveys that we have are hand drawing surveys from the old oak tree and other landmarks. Anyway, it’s taking us a little longer. We have spent some of the funds. We spent a little over \$11,000 in 2019 so this is just a budget correction so that the 19’ budget actually reflects what incurred and the 2020 budget then has the money to finish the project.

Chairman Nazzaro: So the net effect on the unassigned fund balance is zero.

Mrs. Dennison: Between the two years.

Chairman Nazzaro: Correct. Any questions or comments?

*Unanimously Carried*

Proposed Resolution - Accept NYS Funding for 2020 Census Effort

Chairman Nazzaro: It seems, I don’t know if there is anybody here to speak on it but it seems pretty clear to me, it’s – Mark, you Chair the committee.

Legislator Odell: Yes, just our portion of what we’re receiving from the State to our County.

Chairman Nazzaro: We’re not going to turn down money, correct?

Legislator Odell: Exactly.

Chairman Nazzaro: Any questions or comments?

Legislator Niebel: Mr. Chairman, exactly how is this money supposed to be used? Because the Federal census, it's the Federal government that hires the census takers, correct? So, I'm not sure exactly what - do we know what we're supposed to do with this money? It looks like to hire sub-contractors to perform the work but, I wonder what work they are supposed to do?

Mr. McCord: I can help you out. New York State has offered funding to areas where it's hard to count populations, to try and make sure that New York State receives a complete count. The amount assigned to Chautauqua County is the amount on the resolution to a tune of \$220,000 and we have a couple of complete count committees in Chautauqua County already that consist of non-profits and volunteers and so on. We are currently putting together a required plan that will be submitted in March that will designate exactly how the funding is going to be spent by these non-profits.

Chairman Nazzaro: I know the City of Jamestown is working on an effort. Is this going to be all coordinated?

Mr. McCord: It's all coordinated.

Chairman Nazzaro: Because obviously, the cities, especially, which are difficult, not only Jamestown but Dunkirk, and other areas that are difficult to count because of the social economic conditions and demographics and so forth.

Legislator Niebel: This money comes into Planning & Economic Development?

Mr. McCord: It will actually go into the County Executive's budget. We have been working with them just to help coordinate some of the initial steps.

Legislator Niebel: If we don't spend this whole \$220,000, what happens to the rest of it?

Mr. McCord: The balance will go back to the State.

Chairman Nazzaro: Can't be used for another purpose.

Mr. McCord: There are very specific criteria's around how it can be expended.

Legislator Niebel: I might have to look into being a sub-contractor.

Chairman Nazzaro: I know that this has been an issue with the past censuses.

Legislator Niebel: And it only comes up once every 10 years.

Chairman Nazzaro: It's very important to get a correct account. Many of the funding sources and other programs that we have - planning effort programs. Thank you for coming forward Don. That comes under your job description, other duties as assigned. All in favor?

*Unanimously Carried*

Proposed Resolution – Close Capital Projects

Chairman Nazzaro: I believe this is the last resolution before our discussion. We always like to close capital projects and I know our Chairman loves when we close capital projects because this was an effort lead, you are welcome to come to the table Mr. Chagnon. So, Kathleen, would you like to comment?

Mrs. Dennison: Great introduction. This is a list of capital projects that are completed and can be closed. I survey the department heads every year and ask for their input on this. There are a number of projects that are very close to completion but the work is done but if the invoices aren't all paid, we can't close the project. So, these are ones where all the invoices are paid and the only thing left is to do a final reconciliation of the project and then anything that is left over will be returned to the capital reserve. As of today, \$45,399, that is the surplus from the projects on this list.

Chairman Nazzaro: At the moment so about \$45,000 will be returned to the capital reserve.

Mrs. Dennison: Yes, and like I say, that depends on the final reconciliation unless Todd Button finds something amiss when he goes through all the details, that's the amount that will be return to the reserve. I wanted to make a couple of comments about the second one on the list, the County vehicle replacement. The first comment is that it is not a typo. This is the exact title in the accounting system so for some reason the first word is missing an "e" and the second – the first replacement is missing an "e" and the second one is not. I don't know why but that is the name of the project. The reason this one is being closed is this is the generic account that we used to use for all vehicle purchases. As you may recall, we kind of ran into a problem, I think, early last year with it being –

Legislator Odell: Lumped.

Mrs. Dennison: Yes, multiple departments lumped into one department so that is why we're closing this one because we don't use it anymore. For example, there is an open project now, now it would be for the Social Services, they have their own. That have one that is H.6010.999 and different, separate projects for each department that may purchase vehicles. I also just wanted to comment Social Services had a project to purchase vehicles with a budget of \$75,000. That project isn't being closed, but that money will return to the capital reserve because the department opted to lease vehicles instead of purchase. So we can't close the project but the money will be returned to the reserve.

Chairman Nazzaro: Mr. Chairman, any comments?

Chairman Chagnon: Were any of these projects closed with a deficit effect?

Mrs. Dennison: No.

Chairman Chagnon: They all have surpluses?

Mrs. Dennison: They were all zero or positive.

Chairman Nazzaro: Good question and a positive direction. Any questions or comments?

*Unanimously Carried*

Chairman Nazzaro: O.k., we have two discussion items.

Discussion – Status of Recommendations presented by Courier Capital at the December A&C Meeting – Finance Director Crow

Discussion – Status of AirBnB Contract discussed at the December A&C Meeting – Finance Director Crow

Other

Chairman Nazzaro: Anything else under “other”?

MOVED to adjourn by Legislator Odell, SECONDED by Legislator Niebel

*Unanimously Carried (11:42 a.m.)*

Respectfully submitted and transcribed,  
Olivia Ames, Deputy Clerk/Lori J. Foster, Sr. Stenographer