

MINUTES
FINANCIAL MANAGEMENT COMMITTEE
September 26, 2012

MEMBERS PRESENT

Dodie Huber, David Baker, Jack Marren, Daniel Marshall, John Sheppard

Absent: Robert LaRocca

OTHERS PRESENT

In addition to Committee Members: Supervisor Ted Fafinski, John Garvey, Cathy Bentzoni, Lorrie Scarrott, Darlys McDonough, Gary Baxter, Mary Gates, Nellie Puma, Halle Stevens, Bill Wright, Tom Harvey, Dru Malavese, Mary Krause, Julie Hoffman, Melissa Burke, Shelly Gray, Mary Burnett, Deb Gierman, Judy Mantai

CALL TO ORDER

The meeting of the Financial Management Committee was called to order at 1:00 p.m. by Chair Huber. Robert LaRocca was declared to be necessarily absent.

MINUTES

Supervisor Baker made a motion to approve the minutes of the Financial Management Committee meeting on September 5, 2012. The motion was seconded by Supervisor Marren. The motion carried.

PUBLIC WORKS

- ▶ **Transfer:** *Vehicle Wash Reserve - To Cover Unexpected Repair*

Supervisor Sheppard made a motion to approve the transfer of \$13,000 from Appropriated Reserve - Vehicle Wash to cover the cost of unexpected repairs as well as future maintenance costs for the remainder of the year. The motion was seconded by Supervisor Marshall. The motion carried.

- ▶ **Resolution:** *Canandaigua Sewer District - Authorization of an Agreement with Riedman-Wegman Canandaigua LLC to Accept Contribution*

Supervisor Marren made a motion to file the resolution to authorize an agreement with Riedman-Wegman Canandaigua LLC to accept a contribution for the cost of the sanitary sewer improvements in the Canandaigua Lake County Sewer District at a 33% contribution rate of an amount to be determined by Friday, September 28. The motion was seconded by Supervisor Marshall. The motion carried.

PUBLIC SAFETY

- ▶ **Resolution:** *Stop DWI - Authorization to Apply for a Grant from the NYS Stop-DWI Foundation*

Supervisor Sheppard made a motion to file the resolution to authorize Stop-DWI to apply for a grant of \$31,000 from the New York State Stop-DWI Foundation to supplement existing funding for DWI special patrols and drug recognition expert overtime

callouts. The motion was seconded by Supervisor Baker. The motion carried.

- ▶ **Resolution:** *Stop DWI - Authorization to Apply for a Grant from the NYS Association of Traffic Safety to Supplement Existing Motorcycle Safety Program*

Supervisor Sheppard made a motion to file the resolution to authorize Stop-DWI to apply for a grant from the New York State Association of Traffic Safety Boards to supplement the existing Governor’s Traffic Safety Committee Motorcycle Safety Awareness Program. The motion was seconded by Supervisor Baker. The motion carried.

- ▶ **Resolution:** *Stop DWI - Authorization to Accept a Grant from the NYS Governor’s Traffic Committee for Motorcycle Safety Program*

Supervisor Sheppard made a motion to file the resolution to authorize Ontario County to accept a grant of \$41,350 from the New York State Governor’s Traffic Safety Committee to participate in the New York State Highway Safety Program to promote motorcycle safety. The motion was seconded by Supervisor Baker. The motion carried.

- ▶ **Resolution:** *Assigned Counsel - Budget Transfer*

County Administrator Garvey addressed the matter of the Assigned Counsel Program which is constitutionally mandated for indigent clients. The County must have a plan that the Court has approved. The Public Safety Committee has indicated that the repeated problem of unexpected invoices (\$200,000 in December 2011 and now a request for an additional \$300,000), is unacceptable and is prepared to make a recommendation to explore alternatives. One reason for increased cost is the growth of Family Court cases which are rising at a level far beyond expectations.

The County has the option to petition the Court to change the plan which permits an agreement with a contract firm that would receive a stipulated amount per case. Another option is to start a Conflict Bureau which would be a County department with County employees separate from the Public Defender’s office. Mr. Garvey indicated he is prepared to explore alternatives, seek to amend the plan with the Court, and to develop a strategy for exiting the current arrangement.

Information was requested on how the Ontario County numbers compare to other counties. There is a “no plea bargain” policy by the District Attorney’s office, but should an alternative be explored in light of the financial impact the “no plea bargain” policy has on the County?

Supervisor Baker made a motion to approve the transfer of \$300,000 from Appropriated Fund Balance to cover the additional funding necessary for the Assigned Counsel Program. The

amount requested is based on prior year usage and current trending factors. The motion was seconded by Supervisor Marren. The motion carried.

CAPITAL PROJECTS

Capital Project resolutions were considered in two separate blocks: Agenda items 4a-e; and items 4f-r.

- ▶ **Resolution:** *Public Safety - Emergency Communication System - Establish Capital Project - UHF Simulcast Network*

Supervisor Baker made a motion to file the resolution to:

- > establish Capital Project 6-2012 as the UHF Simulcast Network Capital Project for a total project amount of \$437,033, and that the FY10 SHSP, FY11 SHSP, and FY12 SHSP grants be used to fund construction of the UHF Simulcast Network;
- > amend Capital Project 7-2006 as indicated; and to
- > accept the \$149,612 award from the FY11 SHSP and the \$99,750 award for the FY12 SHSP.

The motion was seconded by Supervisor Sheppard. The motion carried.

- ▶ **Resolution:** *Public Safety - Emergency Communication System - Acceptance of SLETPP Funds*

Supervisor Baker made a motion to file the resolution to accept grant funds from FY12 Law Enforcement Prevention Program in the amount of \$33,250. The motion was seconded by Supervisor Sheppard. The motion carried.

- ▶ **Resolution:** *Public Safety - Emergency Communication System - CP 7-2006: Approval of Change Order CO4-001*

Supervisor Baker made a motion to file the resolution to approve Change Order CO4-001 with R.J. Schickler, Inc., to install standardized backup power connections and transfer switches at six existing Ontario County tower sites in the amount of \$9,253. The motion was seconded by Supervisor Sheppard. The motion carried.

- ▶ **Resolution:** *Public Safety - Emergency Communication System - CP 7-2006: Approval of Change Order CO4-002*

Supervisor Baker made a motion to file the resolution to approve Change Order CO4-002 with R.J. Schickler, Inc., to provide and install conduit and fiber optic cable between the Safety Training Facility and the new radio communications shelter at a cost of \$5,267. The motion was seconded by Supervisor Sheppard. The motion carried.

- ▶ **Resolution:** *Public Safety - Emergency Communication System - CP 7-2006: Approval of Change Order CO4-003*

Supervisor Baker made a motion to file the resolution to approve Change Order CO4-003 with R.J. Schickler, Inc., to provide and install conduit and fiber optic cable between the new 9-1-1 Center and the existing 9-1-1 Equipment Room, and between the new 9-1-1 Center and the Information Services Department Equipment Room in the amount of \$7,493. The motion was seconded by Supervisor Sheppard. The motion carried.

- ▶ **Resolution:** *FLCC Master Plan Phase 1 - CP 5-2008: Approval of Change Order CO6-004 - HVAC Ductwork Changes* Supervisor Marren made a motion to file the resolution to approve Change Order CO6-004 with HMI Mechanical Systems, Inc., for required ductwork changes at a cost of \$11,517. The motion was seconded by Supervisor Sheppard. The motion carried.
- ▶ **Resolution:** *FLCC Master Plan Phase 1 - CP 5-2008: Approval of Change Order CO6-005 - HMI Recover Unused Field Order Allowance* Supervisor Marren made a motion to file the resolution to approve Change Order CO6-005 with HMI Mechanical Systems, Inc., to reduce the amount of their contract by eliminating the unspent Field Order Allowance in the amount of \$1,632.26. The motion was seconded by Supervisor Sheppard. The motion carried.
- ▶ **Resolution:** *FLCC Master Plan Phase 1 - CP 5-2008: Approval of Change Order CO9-007 - Billitier Electric for Temporary Power* Supervisor Marren made a motion to file the resolution to approve Change Order CO9-007 with Billitier Electric, Inc., increasing the contract in the amount of \$6,289.05 for providing temporary power for Pepe Construction to run equipment. The motion was seconded by Supervisor Sheppard. The motion carried.
- ▶ **Resolution:** *FLCC Master Plan Phase 1 - CP 5-2008: Approval of Change Order CO9-008 - Billitier Electric for Cleaning Transformers* Supervisor Marren made a motion to file the resolution to approve Change Order CO9-008 with Billitier Electric, Inc., increasing the contract in the amount of \$1,183.58 to clean electrical transformers of excess spray-on fire proofing from Pepe Construction. The motion was seconded by Supervisor Sheppard. The motion carried.
- ▶ **Resolution:** *FLCC Master Plan Phase 1 - CP 5-2008: Approval of Change Order CO9-009 - Billitier Electric for Miscellaneous Work* Supervisor Marren made a motion to file the resolution to approve Change Order CO9-009 with Billitier Electric, Inc., increasing the contract in the amount of \$11,686.22 for additional labor and materials as indicated. The motion was seconded by Supervisor Sheppard. The motion carried.
- ▶ **Resolution:** *FLCC Master Plan Phase 1 - CP 5-2008: Approval of Change Order CO9-010 - Billitier Electric Recover Unused Field Order Allowance* Supervisor Marren made a motion to file the resolution to approve Change Order CO9-010 with Billitier Electric, Inc., to reduce the amount of their contract by eliminating the unspent Field Order Allowance in the amount of \$1,597.41. The motion was seconded by Supervisor Sheppard. The motion carried.
- ▶ **Resolution:** *FLCC Master Plan Phase 1 - CP 5-2008: Approval of Change Order CO13-002 - Main Ford Supply to Expand Fire Suppression System* Supervisor Marren made a motion to file the resolution to approve Change Order CO13-002 with Main-Ford General Supply for the required expansion of the Ansul fire suppression system at a cost of \$2,159. The motion was seconded by Supervisor Sheppard. The motion carried.

- ▶ **Resolution:** *FLCC Master Plan Phase 1 - CP 5-2008: Authorization of Additional Storage Expenses*
Supervisor Marren made a motion to file the resolution to approve an additional two months for rental of a storage container from June 1, 2012 through August 22, 2012 for a total cost not to exceed \$260. The motion was seconded by Supervisor Sheppard. The motion carried.
- ▶ **Resolution:** *FLCC 2012 Maintenance Capital Project - CP 1-2012: Approval of Change Order CO18-002 - Thurston Dudek Plumbing Changes for Lecture Hall*
Supervisor Marren made a motion to file the resolution to approve Change Order CO18-002 with Thurston Dudek, LLC, for additional plumbing work related to the revision of the fire suppression system in the renovation of the Lecture Halls at a cost of \$4,758.19. The motion was seconded by Supervisor Sheppard. The motion carried.
- ▶ **Resolution:** *FLCC 2012 Maintenance Capital Project - CP 1-2012: Approval of Change Order CO17-001 - HMI HVAC Changes for Lecture Hall*
Supervisor Marren made a motion to file the resolution to approve Change Order CO17-001 with HMI Mechanical Systems, Inc., for a minor amount of additional HVAC work in the renovation of the Lecture Halls at a cost of \$14,585. The motion was seconded by Supervisor Sheppard. The motion carried.
- ▶ **Resolution:** *FLCC 2011 Maintenance Capital Project - CP 1-2011: Approval of Contract with Tylin for Classroom Design*
Supervisor Marren made a motion to file the resolution to approve a contract with Tylin International for professional consultant design services for the renovation of 12 classrooms in the amount of \$20,850. The motion was seconded by Supervisor Sheppard. The motion carried.
- ▶ **Resolution:** *FLCC Master Plan Phase 1 - CP 5-2008: Approval of Change Order CO17-002 - Elimination of Ductwork Demolition*
Supervisor Marren made a motion to file the resolution to approve Change Order CO17-002 with HMI Mechanical Systems, Inc., decreasing the contract amount by \$27,300 for ductwork which had to be removed by a certified asbestos abatement subcontractor. The motion was seconded by Supervisor Sheppard. The motion carried.
- ▶ **Resolution:** *FLCC Master Plan Phase 1 - CP 5-2008: Approval of Change Order CO4-004 - Northeastern Insulation Co.*
Supervisor Marren made a motion to file the resolution to approve Change Order CO4-004 with Northeastern Insulation Co., Inc., for adjustments to blocking, flashing and other work and materials related to finishing the roof edges at an additional cost of \$14,006.91. The motion was seconded by Supervisor Sheppard. The motion carried.

It was noted that the additional work and materials are a result of construction errors by Pepe Construction and are included in the litigation against Pepe Construction.

**FMC STANDING
COMMITTEE ITEMS**

Treasurer - Occupancy Tax Update

A report of the Occupancy Tax Funding for the period of September 11, 2011 to August 12, 2012 was reviewed, noting an increase of \$45,691.87 over the previous year.

► **Resolution:** *Authorization to Make Temporary Advances to the D Fund*

Supervisor Baker made a motion to file the resolution to authorize the County Finance Department to make temporary advances as needed to the D Fund from the General Fund, not to exceed \$2,000,000. The temporary advances will be interest free and repaid upon receipt of State and Federal Aid. The motion was seconded by Supervisor Marren. The motion carried.

Budget Review Follow-up

Cathy Bentzoni distributed and reviewed *Summary Totals and Tax Levy by Fund for 2013 and 2014* which includes all changes from the Financial Management Review (prior to this meeting). Additional information distributed and reviewed included:

- > Tax Levy Cap Calculation - 2013 Tax Levy (Draft)
- > Financial Management Changes for 2013 and 2014 Budgets

Purchasing

Purchasing Director Deb Gierman met with the Committee to report on the amount of time and cost to the Purchasing Department related to FLCC. Over a 12-month period, 41% of the formal bid/quotes by Purchasing were for FLCC. Using the proposed 2013 salaries for staff, this equals \$88,560 for purchasing services for FLCC. Using the indirect cost allocation formula, the amount equals \$90,272 per year.

By general consent it was agreed that the information should be shared at the next meeting of the FLCC Board of Trustees and the administration should be included and informed of the direct cost to the County. Further, beyond next year, an agreement will be formalized for the future using the hourly rate of purchasing staff (including all fringe benefits).

Personnel

New position requests which were previously approved were reviewed and reconsidered.

County Attorney - Office Specialist: Position was removed by County Attorney.

Police Officer at East View Mall: The mall requested the additional position and negotiations are ongoing. EVM will cover the total personnel and fringe costs for the position, but not outfitting the new position (i.e., car). There would be a minor

County cost after the initial purchase of the car. It was noted that the agreement must indicate the position will be there as long EVM agrees to pay all salary/fringe related costs.

Sheriff - 6 Part-time Positions: By general consent it was agreed to deny the part-time positions pending a cost analysis to justify the request, noting that the “part-time” classification allows more scheduling flexibility and keeps personnel costs down. The cost analysis is to also include the value in relation to the revenue generated by outside inmates.

Public Safety - Senior Dispatch Officer: Position will be filled mid-year at a savings of \$53,631.

Jail - Nurse Practitioner: Position removed for 2013 at a savings of \$73,808.

Team Agencies - Pioneer Library

The contribution to the Pioneer Library System was discussed. Director of Finance Cathy Bentzoni commented on information regarding other sources of funding which the libraries receive.

Supervisor Baker made a motion to completely eliminate the \$60,690 contribution for the library system. The motion was seconded by Supervisor Sheppard. Options for a declining contribution scale were discussed, i.e., reduce by \$10,000 over the next six years.

Supervisor Huber made a motion to amend the resolution by reducing the contribution by \$10,000 for the next six years beginning in 2013. The motion to amend was seconded by Supervisor Marshall. The motion to amend failed.

Supervisor Marshall made a motion to amend the resolution by reducing the contribution by \$20,000 for the next three years beginning in 2013. The motion was seconded by Supervisor Sheppard. The motion as amended carried. Supervisors Baker and Marren voted in opposition to the amendment.

The budget for Team Agencies as amended passed.

Priority Services

Supervisor Sheppard made a motion to approve the Priority Services amount for 2013 and 2014 as proposed by the County Administrator. The motion was seconded by Supervisor Baker. The motion carried.

2013 Proposed Budget Reductions By general consent, the Committee agreed that the maximum increase to the tax rate will be .14 cents per thousand. The list of proposed Budget Reductions for 2013 was reviewed seriatim. The list as considered and action taken by the Committee is attached and is a part of these minutes.

Motion to Approve Budget Supervisor Baker made a motion to approve the changes made by the Financial Management Committee to the proposed 2013-2014 Budget and to submit it to the Board of Supervisors for their consideration. The motion was seconded by Supervisor Sheppard. The motion carried.

With the reductions submitted and approved, the proposed 2013 Budget represents about \$6.29 per thousand (3.19%) tax levy. The 2014 Budget is about \$6.82 per thousand, a 9.54% increase over 2013. The tax rate may be slightly different depending on the final assessment figures.

OTHER BUSINESS

There was no other business.

**BUDGET SCHEDULE -
IMPORTANT DATES**

- a. October 17
 - ▶ Filing Notice of Setting the Budget Hearing Date
 - ▶ Filing Notice of Public Hearing for Budget and CIP
 - ▶ Budget Message Completed and Signed by Committee Members
- b. November 7 ~ Budget Resolutions Approved by FMC and Filed
- c. November 15 ~ Budget Workshop, Public Hearing and Adoption of the Budget and CIP
- d. By December 16 ~ Information Services posts the Final Budget on the County Website

ADJOURNMENT

Being no further business to come before the Committee, the meeting was adjourned at 3:06 p.m. following a motion by Supervisor Marshall. The motion was seconded by Supervisor Baker, and carried.

The next regularly scheduled meeting is Wednesday, October 17, 2012 at 1:00 p.m.

Respectfully submitted,

Judy Manntai
Recording Secretary