

Minutes

Public Facilities Committee

March 18, 2019, 4:00 pm

Gerace Office Building, Mayville, N.Y.

Members Present: Hemmer, Gould, Scudder

Members Absent: Wilfong, Nazzaro

Others: Tampio, Ames, Dennison, Abdella, Cummings, Chagnon, Wisniewski, Zafuto, Davis, Brumagin

Chairman Hemmer called the meeting to order at 4:05 p.m.

Approval of Minutes (02/19/19)

MOVED by Legislator Gould, SECONDED by Legislator Scudder to approve the minutes.

*Unanimously Carried*

Privilege of the Floor

*No one chose to speak at this time.*

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Renew and Amend Resolution No. 32-19- Acceptance of CARTS 5311 2017-2018 Consolidated Grant and 2017 Accelerated Transportation Capital Grant

Mrs. Dennison: Last month when I helped the Department of Public Facilities draft the amendment we were talking about in kind of general terms, four new capital projects. So, four numbers were assigned and then when my assistant Ms. Hansen was creating the capital projects she rightly informed me that we had a couple of numbering errors. The vehicles- any department that purchases a vehicle now we are using the main department number, which in this case would be H.5630 and then a sub-department of 999.4 for any vehicles. So, there is a vehicle that's purchased as part of this grant award, so we propose to put that into sub-department H.5630.999. That is the first change. These are all on page two of the amendment. The second change- miscellaneous capital projects- Jenelle also found that in the past when CARTS had received a similar award the project title for various projects was "accel transit grant funding," so we proposed to change the title to coincide with titling that we've used in the past. Then, under the revenue accounts you would see the same numbering changes that were changed in the vehicle revenue accounts to sub-department 999 and then we would not use the 25014 for the vehicle,

we would use 25014 for the accelerated transit grant funding that was previously referred to as miscellaneous capital projects. So, in short it's just a change in department numbers and one department name and no change in substance.

Chairman Hemmer: The funding is all the same?

Mrs. Dennison: The funding is all the same-

Chairman Hemmer: This is just to keep track of it?

Mrs. Dennison: Yes.

Chairman Hemmer: I noticed that the 25014 is five digits and you are just replacing it with a three digit number- 999?

Mrs. Dennison: The 999 is a new sub-department for vehicles across all departments. We created that because of the issues with the District Attorney and the vehicle purchases. We'd like to now have a unique department, sub-department combination for any vehicles that are purchased by any entity in the general fund. That's why we're going with the 999 for the vehicle and then in 2018 we started a new numbering system for all of the capital projects. So, the first four digits are the department number and then the second- they can be anywhere from three to five digits for the sub-department number. In the past, a lot of capital projects had only three numbers in their sub-department numbers, but we did start a new numbering scheme in 2018 where the first two digits are the organization numbers. So, in this case 25 is organization number for the department of public facilities and then starting with 000, 001 and just counting up for each new project within the organization. So, changing that last one to 014 was just to keep it in sequence with projects that are not vehicles.

Chairman Hemmer: OK, sounds good to me. Does anyone have any questions? All we have to do is vote on it again in order to make these amendments?

Ms. Ames: The changes will have to be done on the floor of the Legislature, so this is just for discussion.

Chairman Hemmer: OK.

*(Cross-talk)*

Renew and Amend Resolution No. 46-19- Amend 2018 Budget for Year End Reconciliation–  
North Chautauqua Lake Sewer District

Mr. Cummings: We went through this last month and this is just a continuation- there were some changes done last month. I think it was to *(inaudible)* for the debt service.

Mrs. Dennison: Yes, we made the correct numerical adjustment in the appropriation account for the interest classification, but when Scott and I were working on this resolution I

neglected to add the classification number, which is 7 and it is interest and not principal on debt. So, I'm proposing to add the 7 to the ESN.9730.9732. to indicate interest classification in this and correctly identify the classification as interest.

Chairman Hemmer: There was no principal-

Mrs. Dennison: There is no budget for principal. The title of the account and the classification is interest on debt. The Sewer District does have a budget for interest, which we decreased. Again, no change in the amount, just a change in the titling-

Chairman Hemmer: Just changing the title of where the money is actually going.

Mrs. Dennison: Correct.

Chairman Hemmer: Again, this is a no vote thing since it has to go to the floor in order to be changed? Moving on.

Proposed Resolution- Board Appointments – North County Industrial Water  
District No. 1 & North County Industrial Sewer District No. 1

Mr. Cummings: Just two members that need to be reappointed. I will probably be back next month because there is one seat vacant and they are going to try to fill that at their next meeting.

Chairman Hemmer: Good. Any questions? All in favor? Opposed?

*Unanimously Carried*

Proposed Resolution- Amend 2018 Budget for Year End Reconciliations – North Chautauqua  
Lake Sewer District (NCLSD)

Mr. Cummings: Again, as we're doing the reconciliations for the 2018 budget, this is just another part of that. This is- Kathy can correct me- this has something to do with what Todd Button has been working on for our upgrade project.

Mrs. Dennison: Yes, it is depreciation associated with your upgrade- the phosphorous upgrade project.

Mr. Cummings: It is just getting everything in line as time goes on-

Mrs. Dennison: Well, the phosphorous project for the North Chautauqua Lake Sewer District was completed October 31<sup>st</sup> of 2018. So, since it is now a completed capital project we can start depreciating it. The depreciation budget is based on all capital assets that exist as of 12/31/17. So, when the budget was created the phosphorous project was not completed, so it was not included. The capitalization of these projects tends to happen late in the year, so last month we did not have this information and now that we've gotten to the point of entering depreciation

entries for all of the capital projects this came up. It includes- reflects two months of depreciation- November and December of 2018, which was not in the budget, but the district did have sufficient revenues to cover that additional expense in 2018. So, as I said, the information was not available when we did the budget amendments in February. It is available now, so we would propose to make this additional amendment to the 2018 budget.

Chairman Hemmer: Sounds good to me. Any questions? All in favor of the proposed resolution? Opposed?

*Unanimously Carried*

Mrs. Dennison: I would like to request that you consider resolutions five and six in the reverse order and take number six first because there is some information in the current resolution five that depends on resolution six.

Chairman Hemmer: On your recommendation, we will do that.

Proposed Resolution- Amend 2019 Budget Appropriations and Revenues in the County Road Fund (D Fund)

Mrs. Dennison: There is a lot going on in this resolution. This is something that myself, Sam Zafuto and Brad Bentley have been doing a lot of work on- trying to redraft some components of the D fund budget to make the budget easier to work with. What I thought I would do is describe to you a little bit more of the background on what we are proposing in the first four whereas clauses. If you would like I can highlight exactly how those whereas clauses fit into the accounting information that's shown below.

The first clause, as it says, is to more closely monitor revenue and expenses for funded capital improvements. The way the budget has been done in the past, there is one department that has a lump sum of revenue from outside sources that can be used for- some for roads, some for bridges and it makes it a little bit more difficult to track revenues and expenditures associated with the different projects because the revenue is in one department and the expenditures are in a different department. So, we'd like to redraft the budget- the revenue specifically so that it more closely matches where- it's in the same department as the expenditures. So, that's the idea behind the whereas clause number one.

The second whereas clause- there is an item in the 2018 that I'm sure you remember- the Complete Streets. There is a budget of \$850,000 for that endeavor and that's funded by the capital reserve. Right now, in the budget the Complete Streets is blended in with the general capital improvement (*inaudible*) in the D fund. There has been a lot of discussion by all parties involved that people want to be sure that the \$850,000 is actually spent on Complete Streets initiatives. So the second whereas clause is suggesting that we put that in its own capital project sub-department.

The third whereas clause pertains to permit fees. There is a relatively small amount of revenue- \$60,000 that is included in the engineering department- in the general fund. Sam enlightened me this afternoon that it's for overweight permits-

Mr. Zafuto: Yes, exactly.

Mrs. Dennison: So, the revenue has historically been in the general fund, but the expense to go with that is road improvements. So, the department for a long time has thought that we should take that revenue out of the general fund and-

Mr. Zafuto: Move it into the D fund.

Chairman Hemmer: So it will be available for road improvements?

Mr. Zafuto: Exactly.

Mrs. Dennison: Again, same thing. So, it's matched more closely with where the expenditures actually will occur because the expenditures are not in the engineering department- I mean, it's still in DPF, but not in the right spot.

The fourth whereas clause is about interfund transfers. There is a transfer now from the A fund into the D fund. So, it's an expense in A and it's a revenue to the D fund. That transfer historically has been in sub-department 5142.9999, which that is a sub-department of snow removal. No one knows why the interfund transfer is rolled in with snow removal, so we would like to take that transfer out of the snow removal department and put it in its own sub-department, which is D.9901.9000. It is a sub-department that's specifically for interfund transfers. It's the same sub-department that's used in other funds; it just hasn't been used to house that revenue stream in the D fund. So, that's the last whereas clause- to just make that transfer of the revenue from snow removal into an interfund transfer department.

I guess I should make one other comment. The first resolved clause is creating a new department for funded bridges because we have found it difficult to track in the past the funded bridges and the unfunded bridges. We have bridges that are- they're all capital endeavors, but some of them are funded by local funds, some of them are funded by federal and state funds. We would like to create this sub-department- 989 would house only the revenues and expenditures for funded bridges. There would be a better distinction between outside funding and local funding for those projects and make sure that funds are not spent in the (*inaudible.*)

The last resolved clause just implements all of the accounting adjustments that we just discussed. I would be happy to go through any of that detail if you would like me to.

Chairman Hemmer: OK, so these new funds that are new budget line items- these are just created now to keep track of those budget items that were kind of being lost in the-

Mrs. Dennison: They were blended. Right now we have sub-department 390, which is bridges and in this resolution we are just setting up the new sub-department 389- not putting any funds in it. That comes in the next resolution. That's why I wanted to flip them. So, we're proposing to establish these for use in future projects and also what we intend to do is at the end of every year any project funding that is not utilized, but is still available, it rolls forward from one budget year into the next for capital projects. So, Sam is in the process of calculating from 2018 appropriations and revenues how much of those appropriations for bridges- how much work has not been completed, it's going to be done in 2019, how much revenue has not been received in 2018 and will be received in 2019. Eventually, he'll calculate how much of the 2018 revenue and expenditure budgets need to move forward and we're proposing they would move

forward into these new sub-departments, but we didn't have that information ready in time for the resolution. That would be one of our expectations that-

Chairman Hemmer: In the future-

Mrs. Dennison: Yeah, the end of the year rollover- it's going to go into- the funded bridges will go into this new department. Before, they would have just stayed all combined with the local share bridges, but for right now all this resolution does is establish that department so it can be used.

Chairman Hemmer: OK, so this is amending the 2019 budget and not doing anything with the 2018 budget.

Mrs. Dennison: Correct.

Chairman Hemmer: Once Sam is all done with all of his stuff there may be some money that is moved into this?

Mrs. Dennison: Yes. It would not be amended to the 2018 budget because what happens with all capital projects is that what is left at the end of the year rolls forward and it becomes an amendment in the next year, so it would not affect the 2018 budget, but would be an amendment to the 2019.

Chairman Hemmer: So, this is just going forward with the-

Mrs. Dennison: You'll see in the next resolution there is new funding for a bridge that we're proposing to receive and in that- since it's a new budget amendment- in the past it would have gone into the blended bridge sub-department of 390, we're proposing that it go into 389 if you agree to adopt these new numbers. If not, we'll have to amend the next resolution.

Chairman Hemmer: OK-

Mrs. Dennison: But given all that detail background, I just want to kind of come back to the main idea that when we are looking at actual versus budget variances in the 2018 budget there were some items that were difficult to interpret and we want to avoid that going forward- make it clear and properly balance the revenues and expenditures so they are both in the same departments.

Chairman Hemmer: It sounds good to me.

Mrs. Dennison: I should say too, when we were working on the 2019 budget Sam and George Spanos with regard to the interfund transfer we talked about why it was in snow removal. At that time we thought that there was some statewide accounting regulation or some reason that it had to be part of snow removal. We can't find any documentation that it needs to be there. I talked to Todd Button and said why are we doing this and he has no idea. We just want to make

it easier to follow for all of us. That adjustment is what triggers the really big numbers here because that-

Chairman Hemmer: It's all the money that is coming from snow removal?

Mrs. Dennison: It's coming from the general fund into the D fund.

Chairman Hemmer: Oh.

Mrs. Dennison: And now it's going into snow removal and we're just going to put it in interfund transfer. It's going to be on its own so it stands out just as exactly what it is- a transfer from another fund and nothing to do with snow removal.

Chairman Hemmer: Alright. Thank you very much for that clarification. Any questions concerning this resolution? All in favor? Opposed?

*Unanimously Carried*

Proposed Resolution- Authorize Director of Finance to Increase Appropriations for PIN  
5762.12 County Bridge 998 Replacement

Mr. Brumagin: This resolution is to authorize the construction funding of the Matteson Street bridge replacement project. It's a bridge New York funded project, which is 95% federal aid and 5% local share, so the original \$300,000 for design was previously (*inaudible*) and this is to have the construction funds available so that we can get it built and then reimburse at those percentages. Based on the previous resolution (*inaudible*) that's the breakdown-

Chairman Hemmer: The newly formed account- OK.

Mr. Brumagin: Which is much better because typically these federal aid jobs carry over. They take years to build.

Mrs. Dennison: And one thing that we will do when we calculate all of the rollovers is that the 5% county funds- those are part of what used to be the (*inaudible*.) So, that's part of the local share. It's part of the general D fund bridge work. So, if this is approved, eventually we will do an adjustment- as Lex said, we are bringing in 95% of federal funding in this resolution and eventually we do a transfer to take money out of the D 390 sub department and move it into here. So, that 389 will contain 100% of the revenues and the expenditures associated with the bridges. We planned to do that adjustment when we do the rollover adjustment from 2018 into 2019.

Chairman Hemmer: OK-

Mrs. Dennison: This would just put the federal revenues and the federal costs into a new department and then we'll do a subsequent resolution to reconcile the local share portion.

Chairman Hemmer: Typically when we have these large projects like this we do agree to fund them locally before we get reimbursed. That's nothing unusual. Any questions concerning this proposed resolution? All those in favor? Opposed?

*Unanimously Carried*

Proposed Resolution- Approving SEQRA Findings in Relation to the Second Modification of the Map and Plan for the North Chautauqua County Water District

Clerk Tampio: As you'll recall last month we had the resolution to set the public hearing for this month and in order to approve the changes in the map and plan there was an addendum to the SEQR findings for the SEQR determination. You should have received those in your prefile.

Chairman Hemmer: Yes, we did. This resolution does have a- "notice of said public hearing was duly published and mailed as required by law and the public hearing was held at the Legislative Chambers, Gerace Office Building, Mayville, New York on March 27." We are approving this now, but the public hearing isn't until next week's meeting.

Mr. Abdella: But when the full Legislature adopts this, at that point in the meeting the public hearing will have happened.

Chairman Hemmer: OK, I just (*inaudible.*) Does anyone have any questions concerning this SEQR findings resolution? All in favor? Opposed?

*Unanimously Carried*

Proposed Resolution- Determining that it is in the Public Interest to Make a Second Modification to the Map and Plan for the North Chautauqua County Water District

Mr. Abdella: This resolution following a public hearing and then that SEQR determination would be the resolution by which the County Legislature makes its final approval of the amendment- the second amendment- modification to the map and plan for the North Chautauqua County Water District. I was just alerted by Kathy that the map and plan- when it's speaking of the Westfield interconnect in the text of the plan it refers to "along New York State Route 20" as opposed to New York State Route 5, which is what is shown on the map attached to the engineers map and plan.

Legislator Scudder: It's right on the map?

Mr. Abdella: Correct. It is just wrong in the text. So, in that whereas clause that contains the list of the modifications, number 9 at the top of the second page is where states Route 20 and that should be viewed as a typo.

Chairman Hemmer: Do we need to- it's just a typo, so we don't need to amend the resolution?

Mr. Abdella: I'm OK with it being viewed as a typo at this point. It is in conformance with the map attached to the plan. We would prefile it with 5 in there when it's prefiled for the full Legislature.

Chairman Hemmer: Is everyone OK with that? Are there any further questions on this resolution? All in favor? Opposed?

*Unanimously Carried*

Other-

Mr. Abdella: Mr. Bentley is out of town this week, but I wanted to give you an update on some developments relating to this capital project and the land that joins the Peacock lot right behind us. Mr. Bentley had conversations with the property owner of the parcel that I've circled the lot number on, which is the lot that adjoins the whole expanse of our parking lot here. He was having conversations with her in the context of this ongoing capital project, which as I understood it has been approved as far as the phasing of the funding up through the \$65,000 of fiscal year 2019. Mr. Hemmer, earlier today I spoke to you on the phone about a figure of \$800,000 and I don't know where that number came from in my head, but the accurate number is on the page before you which is the total project contemplated- the \$439,442- \$75,000 of that \$439,442 being contemplated for fiscal year 2020. In any event, with what was somewhat unexpected availability of that parcel, Mr. Bentley did have conversations with the owner who has signed a contract that is- which a received just literally in the past hour- that's conditioned upon County Legislature approval. They would sell us this .57 acre piece of property for \$32,500. The actual cost is really \$32,000 net of a credit that the County would be receiving. It includes a house that's on the property. There are actually two houses over there. There's one on the corner and you can see that parcel on the map and that's not part of this transaction. It's that rectangular "L" shaped piece that's right out here and runs the whole length of the parking lot. Mr. Bentley feels that with the potential acquisition of this property his intent would be to stay within in the budget numbers, but it would give them more flexibility in options to have that land available to manipulate and expand the parking area out here. He expressed the concern, which I know many have had, that the parking situation has become more and more difficult with some of the expansion of the court activities, especially on jury duty days, and you also have bankruptcy days and there are certain days where it is just very difficult for the public to find a place to park. So, the contemplation here would be to have me a draft a resolution and associated documentation if that is the desire of the committee to move forward to obtain approval this month by the Legislature for that purchase. I will mention that this was being discussed in the last couple weeks, but prior to a signed contract being received because it was known that there was the possibility of this moving forward, Mr. McCord was able to speak to the Planning Board in executive session while the contract was being negotiated to advise them of this and get any input and they were informally supportive of going forward. I was ready to do this in executive session today, but then I received the contracts.

*(Cross-talk)*

Legislator Scudder: This does not include the house?

Mr. Abdella: There are two houses. This includes the house- the white house is included, but I think it's a brick house on the corner that is not included.

Legislator Scudder: I think it's a great idea.

Chairman Hemmer: Jay, do you like it?

Legislator Gould: Oh yeah. I thought we should have done it a long time ago.

*(Cross-talk)*

Chairman Hemmer: It should help.

Legislator Scudder: That's an attractive price.

Mr. Abdella: I'll mention that the house is in deteriorated condition. It's likely that-

*(Cross-talk)*

Chairman Hemmer: I am very happy. I think that will be a big improvement. Thank you and thank Mr. Bentley for his work on this.

Mr. Abdella: I don't need a vote, but it sounds like you would like me to go ahead and prepare that?

Chairman Hemmer: Yes please.

Mr. Abdella: I should have a resolution for Audit & Control.

Chairman Hemmer: Thank you very much. I'm looking forward to seeing that resolution.

Mrs. Dennison: I would like to return to one of the resolutions. I would like to return to the newly numbered resolution number six regarding county bridge 998 replacement. There was- I just want to make sure that you voted on the current version of the resolution because there was a change and my comments were addressing the old version. I printed out the prefiled packet- Olivia, I'm not sure, does the committee have this version? It doesn't look like it.

Ms. Ames: No they do not.

Chairman Hemmer: No we do not.

*(Cross-talk)*

Mrs. Dennison: Right at the end of my comments I was saying that when we finished the rollovers we would have to take some money out of the general bridge fund and put it into the funded bridge fund, the local share portion of this newly granted amount. It must have been after the prefile deadline.

Chairman Hemmer: So, this is the old number and you're decreasing that?

Mrs. Dennison: Putting it into the new department-

Legislator Scudder: That's the reason that the other number is larger?

Mrs. Dennison: Yes because the- if you go up to the top of the resolution- there is another change in the-

Chairman Hemmer: In red?

Mrs. Dennison: Yes.

*(Cross-talk)*

Chairman Hemmer: Can you explain that to me?

Mrs. Dennison: Yes I will. This resolution- the first resolution, which was in 2017- resolution 134-17 was a \$300,000 project. \$285,000 federal funding and \$15,000 local funds. All within D.5112.390. Now, the new budget for the whole project is \$2,002,000, which includes the \$300,000 plus an additional \$1,702,000 for the construction phase. So, this resolution is to amend the budget for the additional \$1,702,000. With our new structure that we're proposing we would have \$1.702 million in the funded bridges department of 389. There would be federal revenue of \$1,616,900. That would be the revenue component from the federal and then we would also have the local share component of that (*inaudible*) which we are going to take out of the 390 and put in the 389.

Chairman Hemmer: So, that old resolution is where the-

Mrs. Dennison: That's the local share of the new portion.

Chairman Hemmer: Of the new portion?

Mrs. Dennison: So, what we would like to do is with this new funding do everything the right way for this new funding, which would be all of the appropriations in the funded bridges and then revenue and all of the revenue sources for the funded bridges also. This one was circulated late. I'm pretty sure the County Executive saw this new version, but you didn't get it?

Ms. Ames: I don't believe we got this version from the County Executive.

*(Cross-talk)*

Mr. Abdella: I think we need to have the committee make the amendment.

Legislator Scudder: Are we substituting it?

Mr. Abdella: I think just making those changes in red.

Chairman Hemmer: Does everybody understand this amended resolution?

Mrs. Dennison: Just to clarify, the new resolution would put the authorization to spend all of the new award, which is \$1,702,000. There would be a revenue source- federal revenue source of \$1,616,900. That would leave a local share component of \$85,100. There will be a local share expense remaining in the new funded bridge department- in the 389 department there would be a local share expense of \$85,100, which would be in that new sub department.

Legislator Scudder: I'll make a motion to amend it to what we have here.

Legislator Gould: I'll second that.

Chairman Hemmer: All in favor please say aye? Opposed?

*Unanimously Carried to Amend*

Chairman Hemmer: Now, the resolution as amended? All in favor? Opposed?

*Unanimously Carried as Amended*

Chairman Hemmer: So, do we sign this new one?

Clerk Tampio: It's not properly prepared to be signed.

Ms. Ames: I'll staple the new one to the previous copy.

Chairman Hemmer: Sounds good.

MOVED by Legislator Gould, SECONDED by Legislator Scudder to adjourn.

*Unanimously Carried (5:04 p.m.)*

Respectfully submitted and transcribed,  
Olivia L. Ames, Deputy Clerk/Secretary to the Legislature