



Sullivan County

Management & Budget, Capital Planning and Budgeting Committee

100 North Street
Monticello, NY 12701

Meeting Agenda - Final

Chairman George Conklin
Vice Chairman Michael Brooks
Committee Member Alan J. Sorensen
Committee Member Joseph Perrello
Committee Member Ira Steingart

Thursday, October 13, 2022

9:00 AM

Government Center

Call To Order and Pledge of Allegiance

Roll Call

Comments:

Reports:

1. Budget Office

Management and Budget Monthly Report

[ID-4985](#)

Attachments: [OMB Committee Budget Office Report 3rd Quarter 2022](#)

2. County Treasurer

3. County Audit & Control

Office of Audit and Control Quarterly Report

[ID-4986](#)

Attachments: [3rd Qtr 2022 report](#)

4. ITS

Discussion: None

Public Comment

Resolutions:

1. Resolution to adopt amendments and revisions to the Sullivan County Investment Policy

[ID-4981](#)

Attachments: [Investment Policy.pdf](#)

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2. TO AUTHORIZE AN AGREEMENT WITH ABILITY FOR THREE DEPARTMENTS IN THE DIVISION OF HEALTH AND HUMAN SERVICES [ID-4982](#)
 3. TO AUTHORIZE A STIPEND FOR THE COUNSEL AT FIRST APPEARANCE PROGRAM [ID-4973](#)

Adjourn



Sullivan County

Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-4985

Agenda Date: 10/13/2022

Agenda #:

Management and Budget Committee Report

Budget Office

3rd Quarter 2022

1. Budget:

- The 2023 Operating Budget requests have been reviewed and meetings have been conducted with various departments. These meetings assist the budget staff in gaining a better understanding of the details behind requests and the department's goals and/or new initiatives for 2023.
- The 2023 – 2028 Capital requests are being reviewed in conjunction with the 2023 Operating Budget to analyze the net impact on 2023 monies being requested.
- The budget staff continues to monitor 2022 Budget Performance Reports and budget modification requests to ensure departments remain within their budgetary appropriations and are on target to achieve budgetary revenues. Notable variances are reviewed with the departments. Reviewing this information also assists the budget staff in projecting yearend financial status.

2. Financial Management:

- The 2021 Medicaid cost reports have been completed and filed on time for both the Care Center and Public Health Services.
- The budget office attended a kick off meeting with Planning, Grants and IT to discuss strategy for implementation of Amplifund, the grants management software chosen by the County. Anna Novello, Senior Budget Analyst, will be part of the implementation team. This software will not only be used to track discretionary funding, but also other revenue streams including entitlements, allocations, etc.
- Regular meetings have been conducted with finance staff throughout the county with a concentration on Public Health. With input from management, Jason Nuhn, Budget Analyst, has been working closely with finance staff to streamline, increase efficiencies and offer suggestions for possible reorganization.
- Continued to attend negotiations and work with Human Resources and the County Manager's Office on proposals with various unions.
- The budget office met with Purchasing, Audit, IT and Treasurer's to discuss usage, monitoring and reporting of the County's Purchasing Card (P-Card). Changes to New World set up were reviewed. Creating P-Card functional

departments was discussed and agreed upon. This will enable departments to more easily track and view their P-Card purchases. Since Purchasing's Assistant Director, Sheila Parks, has taken on the role of Administrator for the P-Card not only has usage increased, which increases the County's rebate, but the process has been streamlined and relationships with local vendors have improved.

- Attended standing Commissioner's and County Manager meetings.
- 2021 Indirect Cost Allocation and Space Occupancy Cost Analysis reports have been completed and distributed to departments that use these reports to claim funding.
- As a recipient of the Coronavirus State and Local Fiscal Recovery Funds (SLFRF), authorized by the American Rescue Plan Act (ARPA) of 2021, the county is required to submit Project and Expenditure Reports on the use of the funds. The third report was filed by the July 31, 2021 deadline.
- As a member of the committee, the Budget Director attended the initial Corporate Compliance meeting. The mission of the committee, roles and responsibilities of committee members and goals were discussed.
- Participation in both the New World security team and Kronos security team continues.

3. Payroll

- The Budget Office continues to work with Human Resources and Kronos to implement the Family Medical Leave Act module in Kronos, the timekeeping software. Anna Novello, Sr. Budget Analyst, is the main contact for Kronos maintenance. Anna maintains security, staff changes, rule changes and upgrades in the system.
- We are continuing to review payroll processes and working on updating user manuals. We are also working with IT to update custom reports needed to verify payroll, report information to outside vendors, etc.
- New York State Local Retirement System has implemented retirement on-line and, at this point, is requiring enhanced reporting be implemented by the end of 2022. The Budget Office, with payroll staff, has attended webinars for informational purposes and will begin this implementation later this year.
- As contract negotiations conclude and final signed contracts are received retroactive payments are being calculated and paid to employees. Retroactive payments have been completed for NYSNA, Teamsters Probation Unit and Laborers International Unit.



Sullivan County

Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-4986

Agenda Date:

Agenda #:



ANGELA CHEVALIER
COUNTY AUDITOR

TEL. 845-807-0547

**COUNTY OF SULLIVAN
OFFICE OF AUDIT AND CONTROL
SULLIVAN COUNTY GOVERNMENT CENTER
100 NORTH STREET
MONTICELLO, NEW YORK 12701**

3rd Quarter 2022 Report

The Office of Audit and Control audits and processes all lawful claims or charges against the County or against funds for which the County is responsible. Our goal is to promote accountability throughout the County government, and serve the public interest by providing the Legislature, County Manager and other County management with reliable information, unbiased analysis and objective recommendations. We continue to provide services in a timely manner, as we strive to be as efficient as possible.

ACCOUNTS PAYABLE – Invoice Processing

For the first three quarters of 2022, the Office of Audit & Control (“Audit Department”) worked diligently to process over 33,800 invoices for payment. During this time period, there was a reduction in payments in the amount of \$413,420.39 through voucher corrections and/or the removal of duplicate submissions from processing. Vouchers totaling \$223,874.48 were also removed from processing after having been submitted for payment without having a proper contract on file to authorize the expense.

ACCOUNTS PAYABLE – P Card Processing

My office continues to work closely with Purchasing to increase the card usage. We have been analyzing vendors to assist in selecting vendors who will participate in the program. We are working with the New World Security Group to create security settings to streamline this process, protect information and become paperless as it relates to the approval process.

FIXED ASSET INVENTORY & REPORTING

We completed a County-wide inventory for all Machinery & Equipment recorded in our Fixed Asset records. My office continues to compile source documents for the recording of and/or tracking of Fixed Assets (including tagging and photographing).

CONTRACT REPOSITORY

The Audit Department is the repository for all County contracts. As such, all contracts are analyzed to ensure they are fully and properly executed. ie. signatures, insurance, legislative authority and attachments/exhibits etc. Upon review any missing documentation is requested and once deemed complete, each contract is entered into the County’s contract database, scanned & attached and made available for viewing.

VENDOR CREATION- NEC & MISC 1099 REPORTING REQUIREMENT-

We continued to process new vendor creation and maintenance in the financial software which included requesting I.R.S. Form W-9 from vendors for proper business entity information. This enables the County to have the required information for NEC & MISC 1099 I.R.S. reporting requirements.

AUCTIONS

The County's Surplus Auction is underway. We worked closely with DPW staff and the auction company to catalog each of the items/lots. The auction will run from now until the beginning of November.

REPRESENTATIVE PAYEE RECONCILIATION

This was a long term project which originated to assist the Department of Family Services in implementing new software and, for various reasons, grew into a reconciliation engagement. This required completing many years of bank reconciliations and assisting in determining corrections needed to clients' sub-ledgers. Reconciliations have been completed through August 2022. Training the department's fiscal staff on maintaining this process has begun.

OTHER ACTIVITY (NOT ALL INCLUSIVE)

- Staff completed all County required trainings for third quarter 2022.
- Various meetings/phone calls/communications with key departments and personnel regarding daily operations, contract balances and general ledger questions.

Respectfully submitted,



Sullivan County

Legislative Memorandum

File #: ID-4981

Agenda Date: 10/13/2022

Agenda #: 1.

Narrative of Resolution:

WHEREAS, that pursuant to Resolution #180-2013, the County of Sullivan adopted its Investment Policy dated February 1, 2013; and

WHEREAS, amendments were made to the Investment Policy pursuant to Resolution #344-2017; and

WHEREAS, the County Treasurer has determined that several amendments and revisions should be made to the County's Investment Policy including:

1. Increasing the maximum dollar limit which may be kept on deposit at any one time in each depository.
2. Adding NY Class to the list of designated depositories; and
3. Adding paragraph 3 Under "VI - Permitted Investments" to permit the County of Sullivan to participate in cooperative investment agreements.

A red-line version of the revised Investment Policy in its entirety is attached to this Resolution.

NOW, THEREFORE, BE IT RESOLVED that the proposed amendments and revisions to the County's Investment Policy be and the same hereby are adopted.

If Resolution requires expenditure of County Funds, provide the following information:

Amount to be authorized by Resolution: N/A

Are funds already budgeted? No

Specify Compliance with Procurement Procedures:

N/A

SULLIVAN COUNTY INVESTMENT POLICY

I - PURPOSE

The purpose of establishing an investment policy is to develop operating principles [which govern investment activity] within the guidelines of current legislation. The investment policy will enable the County to work within these guidelines to formulate investment objectives. The County Treasurer will be guided by the investment policy in managing the short and long term investments of the County's available cash.

OBJECTIVES

The County's three primary objectives are the primary objectives are the preservation of principal (**safety**), the timely maturity of investments [and earnings] (**liquidity**) and competitive interest rates on investments (**yield**). In order of priority, the investment objectives as previously mentioned are as follows:

SAFETY: Investing in money market instruments is generally considered to be extremely safe, whether it is short term or long term in nature. Nonetheless, there are differences in safety associated with various securities. Therefore, consideration must be given to safeguard the investment of available funds. Such considerations would include:

1. FDIC coverage
2. Written third party collateral agreements with local Banking Depositories and Primary Dealers
3. Statutory guidelines which govern the types of investments allowed by local municipalities

LIQUIDITY: A major concern to the County Treasure is the ability to convert securities into cash to meet all operating requirements that may be reasonably anticipated. Cash flow projections developed for both capital and operational commitments is a basic tool used in the planning and timing of maturing investments to meet anticipated demands.

YIELD: Selecting investments that will return to the County the highest possible yield (interest rate) while conforming to the requirements of safety and yield.

SULLIVAN COUNTY INVESTMENT POLICY

II – SCOPE

The Investment Policy encompasses all moneys that become available for investment and or deposit by the County. The sources of available funds include proceeds from local tax receipts, revenues from State and Federal agencies, sales tax receipts, proceeds from certain bond and note issues, revenues from fiduciary accounts (trust and agency), and other miscellaneous revenues.

DELEGATION OF AUTHORITY

The authority to manage the investment program is granted to the County Treasurer who is the Chief Fiscal Officer of the County; as provided in the Sullivan County Charter. The County Treasurer shall carry out the established written procedures and controls for the operation of the investment program consistent with the County Investment Policy. No person shall engage in an investment transaction except as provided under the terms and conditions of this policy and the procedures established by the Chief Fiscal Officer. The Chief Fiscal Officer shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials.

III STANDARDS OF CARE - PRUDENCE & ETHICS

Prudence: in the investment process the Chief Fiscal Officer shall act as a responsible custodian of the public trust and shall avoid any transaction that might impair public confidence to govern effectively. The Chief Fiscal Officer shall act in accordance with written procedures as outlined in the County Investment Policy and exercise due diligence as an investment official. Investments shall be made with judgment and care, under prevailing circumstances, considering the probable safety of County revenues as well as the anticipated income to be derived from investments.

SULLIVAN COUNTY INVESTMENT POLICY

Ethics: The Chief Fiscal Officer shall refrain from any personal business activity that could conflict with proper execution of the investment program, or which could impair the ability to make impartial investment decisions.

INTERNAL CONTROLS

The County Treasurer is responsible for establishing and maintaining an internal control structure to provide reasonable assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with appropriate discretion and recorded properly, and are managed in compliance with applicable laws and regulations governing public funds.

IV – DESIGNATION OF DEPOSITORIES

Authorized Financial Dealer and Institution: Section 10 of New York State General Municipal Law requires the Sullivan County Legislature to designate one or more banks to secure the deposits of County funds and investments.

SULLIVAN COUNTY INVESTMENT POLICY

Exhibit A

Section 212 (3) of the County Law provides that the County Legislature shall designate one or more depositories within the County or in another county within the State, for the deposit of all monies received by the County Treasurer, and specify the maximum dollar limit which may be kept on deposit at any one time in each depository.

DEPOSITORY NAME	MAXIMUM
Provident Bank	\$25,000,000.
First National Bank of Jeffersonville	25,000,000. 50,000,000
Key Bank	50,000,000. 100,000,000
Wayne Bank	25,000,000. 50,000,000
Catskill Hudson Bank	25,000,000. 50,000,000
M&T Bank	50,000,000. 100,000,000
TD Bank	25,000,000. 100,000,000
Chase Bank	50,000,000. 75,000,000
Citizens Bank	25,000,000.
NY CLASS	30,000,000.

SULLIVAN COUNTY INVESTMENT POLICY

V- COLLATERALIZING DEPOSITS

In accordance with the provisions of General Municipal Law, Section 10, all deposits of Sullivan County including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured by the following alternatives:

1. By a pledge of “eligible securities” with an aggregate “market value”, equal to the aggregate amount of deposits from the categories designated to the policy.
2. An irrevocable **letter of credit** issued in favor of the County for a term not to exceed ninety days by a bank (other than the bank with which the money is being deposited or invested) whose commercial paper and other unsecured short-term debt obligations (or, in the case of a bank which is the principal subsidiary of a holding company, whose holding company’s commercial paper and other unsecured short-term debt obligations) are rated in one of the three highest rating categories (based on the credit of such bank or holding company) by at least one nationally recognized statistical rating organization or by a bank (other than the bank with which the money is being deposited or invested) that is in compliance with applicable federal minimum risk-based capital requirements. A letter of credit must be 102% of deposit plus interest.
3. A **Surety Bond** payable to the County for an amount at least equal to 100% of the aggregate amount of deposits and the agreed upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims-paying ability is rated in the highest category by at least two nationally recognized statistical rating organizations.

SULLIVAN COUNTY INVESTMENT POLICY

VI – PERMITTED INVESTMENTS

Section 11 of General Municipal Law expressly authorizes the Chief Fiscal Officer to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow requirements in the following types of investments:

1. Special time deposit accounts in an authorized banking depository or trust company secured in the same manner prescribed by General Municipal Law, Section 10.
2. Obligations of the United States of America
3. Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United States of America.
4. Obligations of the State of New York
5. Obligations issued pursuant to Local Finance Law Section 24 or 25 (RANS & TANS) of other municipalities, school districts or district corporation other than the County of Sullivan (with approval of the State Comptroller's Office).
6. Obligations of public benefit corporations; public housing authorities, urban renewal agencies and industrial development agencies.
7. Certificates of Deposit.

Two other types of investments are also permitted:

1. **Repurchase Agreements** are authorized subject to the following restrictions:
 - A. Repurchase Agreements must be entered into subject to a master repurchase agreement. (aka – PSA agreement)
 - B. No substitution of securities will be allowed
 - C. Securities owned by the County must be held by a third party bank or trust company, acting as a custodian for the securities.
 - D. The custodian shall be a party other than the trading partner.
 - E. Obligations shall be limited to obligations of the USA and obligations guaranteed by agencies of the United States of America.
2. **Cooperative investments (CLASS and Public Financial Management/NYLAF)**, subject to a written agreement

All investment obligations shall be redeemable on respective maturity dates as determined by the County Treasurer to meet expenditures for purposes for which the moneys were provided.

SULLIVAN COUNTY INVESTMENT POLICY

3. New York General Municipal Law Article 3-A authorizes Cooperative investment agreements by and between local governments; and New York Municipal Law Article 5-G authorizes cooperative investment agreements through the enactment of municipal cooperation agreements by and between local governments; and New York General Municipal Law Article 2 authorizes the county/municipal chief fiscal officer having custody of municipal funds to temporarily invest moneys not required for immediate expenditure in investment funds, including cooperative investment agreements.

VII – SAFEKEEPING AND COLLATERALIZATION

General Municipal Law, Section 10, requires that all securities pledged to secure deposits be held by a Third Party Bank or Trust Company and be held pursuant to a written Custodial Agreement. The custodial agreement must acknowledge all the necessary provisions in order to provide the County with a perfected security interest, which includes the following:

1. The custodial agreement shall contain a security provision, which would provide that the collateral is being pledged by the bank or trust company as security for the public deposits. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events that will enable the local government to exercise its rights against the pledged securities.
2. The securities held by the authorized bank or trust company as agent of and custodian for the County, will be placed separate and apart from the general assets of the custodial bank or trust company, and will not, in any circumstances, be commingled with or become part of the security for any other deposits or obligations.
3. The custodian shall confirm the receipt, substitution or release of the securities held on behalf of the County.
4. The types of collateral used to secure County deposits must be in accordance with the most current legislation authorizing various types of collateral, and approved by the County
5. The County requires a margin of maintenance of 102% of the uninsured portion of deposits collateralized.
6. The County prefers written consent on part of the County Treasurer for release and substitution of securities affecting the County's custodial account.
7. The County requires a monthly update on third party collateral security.
8. The County requires that there be no sub-custodian.
9. The Custodian Bank must be a member of the Federal Reserve Bank.

Sullivan County

Legislative Memorandum

File #: ID-4982

Agenda Date: 10/13/2022

Agenda #: 2.

Narrative of Resolution:

**RESOLUTION INTRODUCED BY THE MANAGEMENT & BUDGET COMMITTEE TO
AUTHORIZE AN AGREEMENT WITH ABILITY FOR THREE DEPARTMENTS IN THE DIVISION
OF HEALTH AND HUMAN SERVICES**

WHEREAS, a single umbrella acquisition of Ability services, previously procured by purchase order (PO), existed for automating Medicare billing management, audit and Level 1 and 2 appeal processes, secure electronic delivery of additional document requests, Recovery Audit Contractor audits, appeals and medical documentation, and tracks status of all appeals with a single online dashboard.; and

WHEREAS, Ability, instead of continued procurement via PO only, now requires agreements be in place; and

WHEREAS, splitting the former single instance into (3) separate agreements specific to each department's individual needs and claim volume will provide more accurate software reimbursement submissions to Federal and State sources, offsetting overall service cost; and

WHEREAS, the County is satisfied with the Ability web-based product for Medicare claims processing and wishes to continue to utilize the product.

NOW THEREFORE BE IT RESOLVED, the County Manager is hereby authorized to enter into (3) agreements with Ability for a period of 1-year for amounts not to exceed \$7,101.00 for DCS; \$4,917.00 for CC@L; and \$12,690 for PHS; and

BE IT FURTHER RESOLVED, that said agreement to be in such form as the County Attorney shall approve.

If Resolution requires expenditure of County Funds, provide the following information:

Amount to be authorized by Resolution: \$24,708.00 for 1-year in 3 separate agreements for each of the (3) departments utilizing Ability products and services for Medicare claims processing. \$7,101.00 for Community Services; \$4,917.00 for CC@SL; and \$12,690.00 for Public Health

Are funds already budgeted? Yes

Specify Compliance with Procurement Procedures:

Existing solution in use - previously procured by PO, vendor now requires an agreement quotes received.

Sullivan County

Legislative Memorandum

File #: ID-4973

Agenda Date: 10/13/2022

Agenda #: 3.

Narrative of Resolution:

To authorize a stipend for the Administrator of Assigned Counsel to participate on the Counsel for First Appearance Attorney Panel.

If Resolution requires expenditure of County Funds, provide the following information:

Amount to be authorized by Resolution: \$2500.00 each participation

Are funds already budgeted? Yes

Specify Compliance with Procurement Procedures:

I do not believe that this is applicable. This is a grant funded stipend. There is an established CAFA Panel of attorneys. As a result of resignations; illness and other attorney unavailability, there are times when coverage is necessary to ensure constitutional rights of individuals accused of crimes. Administrator is a licensed attorney admitted to practice in the Courts of the State of New York and is willing to cover although considered a part of the Administrators job duties.

WHEREAS, Resolution No. 160-19 adopted by the Sullivan County Legislature on April 18, 2019 authorized the County to enter into a five year agreement with the State of New York Office of Indigent Legal Services (hereinafter "NYSOILS") to develop a plan to improve mandated indigent legal defense services in accordance with the statewide expansion of the Hurrell-Harring Settlement and Section 832(4) of the Executive Law of the State of New York; Contract Number CSTWIDEHH45 (hereinafter "Agreement") for the contract term from April 1, 2018 through March 31, 2023; and

WHEREAS, one area of reform required the County to develop a program to ensure that that all persons arrested for a crime would be provided with an attorney at first appearance/arraignment effective January 1, 2020; and

WHEREAS, the Agreement with NYSOILS provides funding for the Counsel at First Appearance (hereinafter "CAFA") program which is anticipated to continue through the duration of the agreement; and

WHEREAS, Resolution No. 471-19 adopted by the Sullivan County Legislature on December 19, 2019 created the CAFA program and authorized the County Manager to enter into agreements with qualified attorneys to be "primary on call" for one week and "back up" for a second week at a cost of \$2,500.00 (Two Thousand Five Hundred Dollars) for that two week period; and

WHEREAS, while this program has been very successful, several attorneys have left the CAFA Panel and the County has had difficulty attracting new attorneys; and

WHEREAS, the reduction of Panel members has led to challenges to cover the schedule in the event of illness or other attorney unavailability when other coverage cannot be found or when there are holes in the

schedule; and

WHEREAS, the Administrator of Assigned Counsel has agreed to cover in the event of emergency or holes in the schedule; and

WHEREAS, the State has agreed that the Administrator of Assigned Counsel is eligible to receive the stipend in the same amount and under the same terms and conditions as the aforementioned panel attorneys through the term of the agreement.

NOW, THEREFORE BE IT RESOLVED, that the Sullivan County Legislature hereby authorizes the Administrator of Assigned Counsel to receive a stipend in the amount of \$2,500.00 (Two Thousand Five Hundred Dollars) for covering as “primary on call” attorney for the CAFA Panel in the event of an emergency or to cover holes in the schedule in accordance with the workplan contained in Contract No. CSTWIDEHH45;

BE IT FURTHERED RESOLVED, that the effective date for this resolution shall be retroactive to October 1, 2022 and shall run through the termination of Contract No. CSTWIDEHH45.