

RESOLUTION NO. 2015203

RE: AUTHORIZING PAYMENT OF 2014 UNENCUMBERED
VOUCHERS FROM 2015 FUNDS – HUMAN RESOURCES/
RISK MANAGEMENT (A.1910.12)

Legislators BORCHERT, MAC AVERY, JETER-JACKSON, and FARLEY
offer the following and move its adoption:

WHEREAS, the submission of vouchers following the close of the 2014 budget
year has shown that there are outstanding 2014 payment invoices in the Department of Human
Resources/Risk Management in the sum of \$110,300 for services to said department which were
not billed until 2015 and there were no 2014 encumbered funds remaining to pay this bill, and

WHEREAS, said charges were proper except that appropriations that were made
were left unencumbered at the end of the close out date for submission for 2014, and

WHEREAS, the charges reflected by said vouchers remain unpaid, and

WHEREAS, the State Comptroller has, pursuant to County Law Section 362,
expressed the opinion that claims for services rendered to a county in an earlier year may be paid
in a later year if the contracts were valid when made and if there are moneys legally available to
be used for such purposes (Opinion 69-686), now, therefore, be it

RESOLVED, that payment from 2015 funds is hereby approved from the
following account in the amount indicated:

<u>Line Item No.</u>		<u>Amount</u>
A.1910.12.4444	Attys/Assgnd Counsel	\$110,300
CA-121-15		
kh/G-0749		
7/10/15		

Fiscal Impact attached: Reduction of 2015 appropriations in amounts indicated.

STATE OF NEW YORK
COUNTY OF DUTCHESS

ss:

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution
with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 10th day of August 2015, and
that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of August 2015.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS
(To be completed by requesting department)

Total Current Year Cost \$ 110,300 _____

Total Current Year Revenue \$ _____
and Source

Source of County Funds (check one): Existing Appropriations, Contingency,
 Transfer of Existing Appropriations, Additional Appropriations, Other (explain).

Identify Line Items(s):

Related Expenses: Amount \$ _____

Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): \$110,300 _____

Over Five Years: _____

Additional Comments/Explanation:

This resolution authorizes necessary payment of prior year bill with existing funds to cover outstanding assigned counsel invoices related to the defense of Bozella vs. County of Dutchess.

Prepared by: Rachel Kashimer, Budget Office _____

Prepared On: 7/9/2015 _____

McKinney's Consolidated Laws of New York Annotated
County Law (Refs & Annos)
Chapter 11. Of the Consolidated Laws
Article 7. Finance (Refs & Annos)

McKinney's County Law § 362

§ 362. General budgetary controls

Currentness

1. A separate account shall be kept of each appropriation by the chief fiscal officer. Each such account shall show the amount appropriated, the amount encumbered but remaining unexpended, the several amounts expended therefrom and the unencumbered balance.

2. Whenever any liability of any nature shall be incurred for or by an administrative unit, the head of such unit shall file in the office of the chief fiscal officer a written statement signed by him or his authorized agent setting forth the nature and amount of the liability, or an estimate thereof if the exact amount is unknown, and the appropriation against which it is chargeable; provided that the state comptroller may prescribe, as a part of a uniform system of keeping accounts for counties, that such written statements need not be filed in those cases where he shall determine that compliance with the requirements of this subdivision would be impractical.

3. No expenditure, or contract which in any manner involves the expenditure of money or the incurring of any pecuniary liability, shall be made or entered into by any administrative unit, officer or employee, unless an amount has been appropriated and is available therefor or has been authorized to be borrowed pursuant to the local finance law. No fund or appropriation account shall be overdrawn at any time; nor shall one fund or appropriation account be drawn upon to pay any claim chargeable to another. Nothing in this subdivision shall prevent the making of a contract or lease for a term exceeding one year when authorized by law; nor shall anything in this subdivision require a county which has entered into a contract or lease for a term exceeding one year to pay during the current fiscal year any amounts larger than those which become due and owing during that year under the terms of such lease or contract.

4. Whenever during a fiscal year it shall appear probable to the budget officer that the moneys available for such year will be insufficient to meet the amounts appropriated, he shall forthwith notify the board of supervisors of this fact, stating the probable amount of such deficiency in funds. The budget officer may include his recommendations as to the action which should be taken. The board of supervisors after such investigation as is deemed necessary may reduce any appropriation or appropriations by resolution so as to prevent the making of expenditures in excess of moneys available. Nothing in this subdivision shall permit the reduction of an appropriation below the minimum amount required by law to be appropriated, nor shall any appropriation be reduced by more than the unencumbered balance therein. This subdivision shall not apply to counties adopting the provisions of section three hundred seventy-five.

Credits

(L.1950, c. 691. Amended L.1951, c. 686; L.1951, c. 687; L.1952, c. 509, § 6.)

Notes of Decisions (8)