

Requesting The Ulster County Legislature's Future Budgets (2011 And Beyond) Be Funded To Provide For Annual Audits Of The Books And Records Of The County By Independent Auditors

The Budget and Finance Committee (Chairman Gerentine and Legislators Bernardo, Frey, Hansut, Harris, Maio, Maloney, Gregorius, Lomita, Provenzano and Sheeley) offers the following:

WHEREAS, the Ulster County Charter was passed by referendum in November 2006, and Local Law No. 10 of 2008, the Administrative Code for the County of Ulster, was adopted by Resolution No. 330 dated November 12, 2008, and

WHEREAS, the Ulster County Charter Section C11(P) states that the Legislature *shall provide for the annual audit of the books and records of the County by independent auditors*, and

WHEREAS, the Administrative Code §A2-5 (16) states that the Legislature shall have the power: *"To provide for the annual audit of the books and records of the County by independent auditors,"* and

WHEREAS, such power is not given to the Comptroller in either the Ulster County Charter, the Administrative Code or County Law and it would be an inherent conflict of interest for the Comptroller to select the independent auditor for the County audit, and,

WHEREAS, the funding was inadvertently placed in the 2010 Comptroller's Budget, and

WHEREAS, the Ulster County Legislature's accounting/auditing line should be appropriately funded to provide for future annual audits of the books and records of the County by independent auditors, and

WHEREAS, the Budget and Finance Committee has met and reviewed said request with a majority of the members voting approval, now, therefore, be it

RESOLVED, that the Ulster County Legislature pursuant to the Ulster County Charter and the Administrative Code shall have the power: *"To provide for the annual audit of the books and records of the County by independent auditors,"* and, be it further

RESOLVED, in order to be Charter complaint, the Ulster County Legislature's future budgets (2011 and beyond) be appropriately funded to provide for annual audits of the books and records of the County by independent auditors,

Resolution No. 245 September 21, 2010

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and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 26 NOES: 5
(NOES: Legislators Hochberg, Richard Parete,
Robert Parete, Petit and Shapiro)
(Absent: Legislators Briggs and Richard Parete)
(Legislator Fabiano left at 7:44 PM)
(Legislator Richard Parete arrived at 8:43 PM)

Legislator Hansut motioned, seconded by Legislator Loughran to suspend the Rules of Order to add Resolution No. 245 to the agenda.

MOTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 27 NOES: 4
(NOES: Legislators Donaldson, Richard Parete,
Robert Parete and Shapiro)
(Absent: Legislators Briggs and Richard Parete)
(Legislator Fabiano left at 7:44 PM)
(Legislator Richard Parete arrived at 8:43 PM)

FINANCIAL IMPACT:

\$92,000.00 – 2011 COUNTY APPROPRIATION DOLLARS

0927

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STATE OF NEW YORK

ss:

COUNTY OF ULSTER

This is to certify that I, the undersigned Clerk of the Legislature of the County of Ulster 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 21st day of September, 2010, and that the same is a true and correct transcript of said resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 23rd Day of September in the year Two Thousand and Ten.

/s/ Karen L. Binder
Karen L. Binder, Clerk
Ulster County Legislature

Submitted to the County Executive this

23rd Day of September, 2010.

Approved by the County Executive this

_____ Day of September, 2010.

/s/ Karen L. Binder
Karen L. Binder, Clerk
Ulster County Legislature

Michael P. Hein, County Executive