

Budget Capital and Finance Committee
March 23, 2009
3:30 p.m.
Scott Heyman Conference Room

APPROVED

Present: J. Dennis, P. Mackesey, K. Herrera, M. Hattery
Excused: N. Shinagawa
Legislators: M.Koplinka-Loehr, C. Chock
Staff: J. Mareane, P. Younger, M. Lynch, N. Jayne, County Administration; P. Carey, DSS; D. Squires, Finance Department; N. Zahler, Youth Services Department M. Pottorff, Legislature Office
Guests: S. Stein, B. Blanchard, Municipal Electric and Gas Alliance; T. Ashmore, Ithaca Journal; K. Schlather, Human Services Coalition; C. Haynes, Tompkins Cortland Community College

Call to Order

Mr. Dennis called the meeting to order at 3:30 p.m.

Changes to the Agenda

Mr. Dennis, with consensus from the Committee, added a resolution to the agenda entitled Approval of TC3 Master Plan Amendment.

Approval of Minutes of February 23, 2009

It was MOVED by Ms. Herrera, seconded by Mr. Dennis, and unanimously adopted by voice vote by members present, to approve the minutes of February 23, 2009, with the corrections submitted by Ms. Herrera. MINUTES APPROVED.

Approval of Minutes of March 9, 2009

It was MOVED by Ms. Ms. Mackesey, seconded by Mr. Hattery, and unanimously adopted by voice vote by members present, to approve the minutes of March 9, 2009, with the corrections submitted by Mr. Hattery. MINUTES APPROVED.

Comments from the Public

No member of the public was in attendance.

Chair's Report

Mr. Dennis had no report.

Report from the Finance Director

Mr. Squires distributed a sales tax distribution summary and stated unfortunately, things have not improved since his last report and receipts are now \$1 million below the budget estimate. He also reported he is working on closing out the books for 2008 and should be finished in a week. He said a successful result would be if the County were to close 2008 equal to 2007 with a \$12 million unreserved Fund Balance. The auditors will be here next week and he will have more to report at the next meeting. He reported the Audit Subcommittee will meet immediately after this meeting.

County Administrator's Report

Mr. Mareane said County Administration is very close to being able to provide the Legislature with a quarterly document that will give a sense of what is going on in the economy that can impact the County's budget. Some items that report will include are gas prices; DSS caseloads, and the Consumer Price Index. Mr. Mareane said he expects to bring a working draft of this document to the next meeting of this Committee.

Ms. Jayne reported the Budget Retreat will be held on April 29; a location has not been set at this time.

Public Information Officer's Report

Ms. Lynch reported she was contacted by a representative of the Legislative Gazette in Albany and they have invited Tompkins County to do a supplement again this year. Ms. Lynch said she will be sending out an e-mail to Legislators and department heads for suggestions on ideas.

She also reported the Public Information Advisory Board will be meeting this week and will begin planning for the community budget forum that will be held in the Fall.

MEGA (Municipal Electric and Gas Alliance)

RESOLUTION NO. – AUTHORIZING MUNICIPAL ELECTRIC AND GAS ALLIANCE (MEGA) TO BID FOR OUTDOOR SOLAR LIGHTING PRODUCTS ON BEHALF OF THE COUNTY AND AUTHORIZING THE INCLUSION OF ALL POLITICAL SUBDIVISIONS AND DISTRICTS WITHIN THE STATE TO PARTICIPATE

It was MOVED by Ms. Mackesey, seconded by Ms. Herrera.

Ms. Blanchard said MEGA's business model is predicated on a business process that covers all municipalities in the State. The Tompkins County Legislature acts as an approver of that bid. Ms. Blanchard said this bid process requires approval every couple of years and usually it is for electricity and natural gas. This bid, however, is different because it addresses two years energy efficiency and renewable energy projects that are a part of the federal economic stimulus funding package. Ms. Blanchard distributed two documents: a NYSERDA (New York State Energy Research and Development Authority) update and a NYSAC county map outlining which counties in New York State participate in the MEGA.

Ms. Blanchard explained a year ago MEGA and NYSAC entered into a partnership which was designed to expand the reach of the MEGA program to all of the towns and affiliate organizations that participate in NYSAC. Since January, 2008 MEGA had enrolled 13 counties, most located within the Southern Tier area, approximately five cities and 100 towns and villages in addition to a lot of not-for profits. Since the time that partnership became effective during the last year 13 counties have been added. As of last week there are 26 counties in the MEGA Alliance and a number of others who have submitted paperwork. She said the NYSAC partnership has resulted in a tremendous expansion of the program and brought some other very interesting things to the table. One of the special projects Mr. Stein works with in MEGA is to Shepard special projects including one project that is focused on increasing the use of renewable energy products and to make people more aware of the kinds of things that need to be done in terms of sustainability for energy efficiency.

Ms. Blanchard said the Stimulus package has a large amount of money that is available for energy efficiency and renewable energy projects. In discussions with NYSAC it was decided that one of the things that could be done that would be helpful to counties particularly would be to put out a bid for renewable energy products, such as for outdoor lighting that might be installed on county or other municipal facilities. She said they propose to put out a bid for those type of projects and see what is out there and to get some products in that participants can access if they choose to. She said this will provide many opportunities, including allowing municipalities that choose to access NYSERDA funds to be able to do so without having to issue their own bids.

Mr. Stein emphasized that because of this growth and business model this is basically aggregating the marketplace and putting out a fairly sizable amount of business that potential bidders can compete for and this will result in the lowering of prices. He said the more municipalities and counties that become involved the more the prices will be brought down. MEGA is a non-profit organization and all of the savings are passed along to municipalities.

Ms. Herrera questioned language in the first Resolved “other renewable energy generation systems” and asked what this means. Ms. Blanchard although she doesn’t know what people might respond with, said she expects this to be solar products. Ms. Herrera said she has been impressed that the Stimulus package encourages manufacturing in this country and asked if any responsible bidder, regardless of country, could respond to this bid. Ms. Blanchard said whatever results come from this will have to comply with the Stimulus legislation requirements. Ms. Blanchard explained the definition of “municipality” under this section of law includes a lot of things, such as the authorities. Municipalities are defined as counties, cities, towns, villages, fire districts and school districts.

Mr. Hattery questioned if this is the kind of thing that might end up on the State bid. Ms. Blanchard said they have observed that some of the State bids for commodities such as natural gas and electricity, do not seem to get the most advantageous prices. Mr. Stein said if the State were to bid this and receive better bids than MEGA they would be happy with that result because the ultimate goal is to make sure MEGA participants have the advantage of the bid process price.

A voice vote on approving the resolution and submitting to the full Legislature resulted as follows: Ayes – 4, Noes – 0, Excused – 1 (Legislator Shinagawa). MOTION CARRIED.

Mr. Dennis thanked Ms. Blanchard and Mr. Stein for all of the work they have done on this over the many years since MEGA first began.

WHEREAS, the County previously authorized Municipal Electric and Gas Alliance (“MEGA”) to bid for both gas and electric power on its behalf and the bids resulted in contracts, and

WHEREAS, the American Recovery and Reinvestment Act of 2009 contains funding opportunities for counties to further reduce expenditures for electricity through the use of renewable and sustainable energy products in furtherance of MEGA’s mission, and

WHEREAS, MEGA has entered into a partnership with the New York State Association of Counties to provide assistance to counties in accessing funds and developing projects that support the goal of increasing the use of renewable and sustainable energy products, and

WHEREAS, Section 408-a of the County Law authorizes the County to include in any purchase contract awarded to the lowest responsible bidder, authorization permitting all political subdivisions and districts in the State to participate, and

WHEREAS, the County desires the continued participation of other political subdivisions and districts in the contracts, and

WHEREAS, rules regarding the terms by which other political subdivisions and districts participate have been established and will be reflected in contracts with the lowest responsible bidders, and

RESOLVED, on recommendation of the Budget, Capital and Finance Committee, that MEGA is hereby authorized to release bids for solar or other renewable energy generation systems that can be installed or otherwise deployed on municipal or government property to produce energy that can be consumed by such municipality and/or sold back to the local utility,

RESOLVED, further, that all political subdivisions and districts within the State are authorized to participate in the contracts awarded as a result of the bids.

SEQR ACTION: TYPE II-20

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Discussion – Municipal Sales Tax Agreement

Ms. Jayne reported the Legislature must pass a resolution to continue the municipal sales tax agreement and she will present a resolution at the next meeting. She reported on the one percent municipal sale tax that is distributed between the human services agencies, recreation mainstream, transit, dispatch center, went up by 6.93 percent from last year. However, based on the sales tax report given by Mr. Squires earlier in the meeting that trend will not continue. She said agencies will see a slight increase in 2009 and 2010 budgets but need to be aware that will likely not continue beyond that time. At this time human service agencies are looking at an increase of \$20,500.

RESOLUTION NO. – CREATION OF PROGRAM ANALYST POSITION FOR TOMPKINS COUNTY DEPARTMENT OF ADMINISTRATION

MOVED by Mr. Hattery, seconded by Ms. Mackesey.

Mr. Mareane provided a brief background to this request. He stated as part of the 2009 budget, money was put into the Department of County Administration budget with the expectation that Mr. Mareane would need time to decide how to best utilize the funds and would come back with a plan at a later date. Mr. Mareane said after a thoughtful review, it his recommendation that the best use of those funds would be directed towards the creation of a position of Program Analyst. It is his expectation that this position would be an asset to the County that will help answer some of the questions particularly in the area of performance management. He said he is hopeful that this position will work out well and will prove to be an asset to the County and if it does he will come back to the Legislature with a request during the 2010 budget process for permanent funding.

Mr. Mareane reminded the Committee that he had asked Ms. Martel Moore to continue through the first half of year; this transfer will also support the additional \$4,000 necessary to cover that request.

Ms. Mackesey said although this is something she has wanted to see happen she has concern with adding additional positions to the County’s workforce during these difficult economic times. While she can support one-time funding, she said she cannot commit to permanent funding at this time.

Ms. Herrera said she, too, has been interested in this data analysis work being done for some time. She said she is willing to support the request at the committee level but will need to have more discussion.

Mr. Mareane said while he is hopeful this would be a long-term position, he would present this to any candidate in an honest manner with all information known about permanent funding possibilities disclosed from the start. He believes quality candidates could be attracted for the position and someone who produce a quality data analysis even on a temporary basis given the condition of the economy. He would also expect the individual to possess excellent interpersonal skills. He said primary supervision

Budget, Capital and Finance Committee
March 23, 2009

would be provided by Paula Younger, however, he would likely be involved. He also said he expects this position to be able to provide resources to other County departments.

Mr. Dennis said as the County moves forward into the 2010 budget process he expects many departments to be looking for additional positions or funding.

Ms. Herrera said she hopes there is a way that County Departments and programs will be able to utilize this resource and believes that if the position is successful it can alleviate some of the pressure currently experienced by other County departments.

A voice vote on approving the resolution and submitting to the full Legislature resulted as follows: Ayes – 4, Noes – 0, Excused – 1 (Shinagawa). MOTION CARRIED.

WHEREAS, the adopted 2009 Tompkins County Budget earmarked contingent funding for a position for the Department of County Administration for its transition to a new County Administrator, and

WHEREAS, the Program Analyst position would assist with special projects, research, analysis, and other County Administration tasks, and

WHEREAS, recognizing current and future demands for additional professional-level support, the County Legislature included \$57,000.00 in one-time contingency funding to support a position to be defined by the County Administrator, now therefore be it

RESOLVED, on recommendation of the Government Performance and Workforce Relations Committee and the Budget, Capital and Finance Committee, that the following position be created effective April 1, 2009:

Program Analyst Position (62/359) labor grade L, 40 hours per week

RESOLVED, further, that the Director of Finance is authorized to make the following appropriation from the Contingent Fund to reflect the additional spending authority:

From Contingent Fund:	1990.54400	Program Expense	54,116
To County Administration:	1230.51000359	Program Analyst Position	39,791
	9101.58800	Fringe	14,325

SEQR ACTION: TYPE II-20

Intended Outcomes: The position will be expected to take a lead role in the effort to expand performance measurement activities in the County, which will ultimately result in a systematic countywide process of performance measurement; undertake evaluations of the efficiency and effectiveness of specific programs as directed by the County Administrator, including studies that may be requested by the County Legislature; maintain an ongoing fiscal and economic indicators tracking system; and coordinate the development of a community report card that will track and annually report on community indicators of the County's performance, including working with legislators and department heads to establish the set of indicators to be tracked.

In the past, Department of County Administration staffing has included positions similar to the requested program analyst, although skill sets and job responsibilities have varied. It is anticipated the County Administrator will request continued funding for this position as a part of the 2010 budget. A full Job Description attached.

2009 Budget Framework

Mr. Mareane presented this as an opportunity for reaction to the "2009 Budget Framework" document that was presented at the last meeting. He noted the situation is fluid because State budget information is not known yet.

Budget, Capital and Finance Committee
March 23, 2009

Ms. Mackesey said she appreciates the Framework but would like to begin looking past two years because the further out one can plan the better.

Mr. Dennis said the Framework is a Plan that could get diverted from quickly as things change with the State budget. He appreciates having the document but he does not view it as being "solid".

Ms. Herrera said the Framework gives the Legislature a basis on which to come together and she appreciates that. Although there are many unknowns, people want to know what to expect.

Ms. Carey said she received information that shows there may be some Stimulus funds coming to child welfare and childcare. She expects to learn more over the next couple of weeks.

Mr. Koplinka-Loehr said what is not in the document is as meaningful as what is included, such as there is no planned layoffs or hiring freeze or pause in services. He said the Framework is a good idea because it provides employees, human service agencies, and departments, with the Legislature's general approach.

Ms. Zahler asked if it is the Committee's intention to vote on the Framework once the information on the State Budget is known because there are real implications for human services agencies.

Mr. Dennis said there are parts of the Framework that could be brought to the Legislature's attention as needs arise but he sees the Framework as a guide to give Legislators an idea of what could potentially happen.

Mr. Mareane said he would come back to the Legislature with a clear plan and request for an endorsement of the approach once the State Budget is known. As the year goes on the budget will need to be amended and this will require action by the Legislature.

Ms. Herrera said she thinks it will be important for the various impacted departments to have an opportunity to provide their perspective to the Legislature.

Mr. Mareane agreed there should be an opportunity for departments to present concerns to the Legislature. He said this document has been circulated to department heads with a request for input. *Ms. Herrera requested a summary of the comments received.*

Ms. Jayne noted there is a process in place as the Fiscal Policy states that by June 30 the County Legislature is to review the budget for any State Budget adjustments.

Mr. Hattery said he would like the Legislature to have something to react to. While there could be some disagreement as to the priorities the document leads to, he believes it provides an approach to how things will be handled. He would like the full Legislature to adopt the document as a general policy framework once information on the State Budget is available with the understanding that there is a way to make adjustments if the Legislature does not like the priorities the framework leads to.

Ms. Chock said there should be a process that allows the public comment on any mid-year budget changes.

Mr. Hattery said concerns were raised at the meeting of the Government Performance and Workforce Relations Committee with regard to Rollover funds. Mr. Mareane said concerns were also raised by the Human Services Cabinet and there changes that may be made to the document based on feedback he has received.

Mr. Mareane said once the document is in a final form it will move through the process to the full Legislature.

TC3 Master Plan Resolution

**RESOLUTION NO. - APPROVAL OF TOMPKINS CORTLAND COMMUNITY
COLLEGE CAMPUS MASTER PLAN AMENDMENT**

MOVED by Ms. Mackesey, seconded by Ms. Herrera.

Mr. Haynes said the 1993-1994 College Master Plan had \$163,000 left over after work was complete. As a result the funds carried forward from year to year on the College's financial statements. He said they were unable to use them unless used for another project that relates to the original Master Plan. A portion of the Plan included some renovations to the cafeteria and they are again at a time when the cafeteria needs expansion. There have been two other capital projects over the years that have portions of leftover money so they are trying to pull those funds together and put into a place that will allow it to be used. When these funds are added to the Master Plan it provides a total of \$200,000 of State money that can be used towards the cafeteria project. The local match for that will come from the Cafeteria Reserve Fund which comes from the commissions that the food service pays the College for use of the facility. This is non-taxpayer money so it gives us \$400,000 to use towards the \$1 million project; the food vendor will be providing the rest of the funding and will repay that out of the commissions over the next few years.

Mr. Haynes spoke of the cafeteria project and said it's a very crowded and chaotic place to be at noon (serving area). The current set up is crowded and with the increase in residents the College would like to add a meal plan and the current set up doesn't lend to that. The storage, prep, and serving area space will be improved.

Ms. Mackesey requested Mr. Haynes provide an explanation to be included on the resolution when it comes to the full Legislature.

A voice vote on approving the resolution and submitting to the full Legislature resulted as follows: Ayes – 4, Noes – 0, Excused – 1 (Shinagawa). MOTION CARRIED.

WHEREAS, via Resolution No. 85 adopted on May 3, 1994, the Tompkins County Legislature approved Tompkins Cortland Community College's campus master plan in the amount of \$8,689,572, AND

WHEREAS, additional needs have emerged since the adoption of the original master plan; these primarily being the need to expand and update the cafeteria and kitchen areas, AND

WHEREAS, there are unspent State funds in the library expansion project in the amount of \$25,853, AND

WHEREAS, there are also unspent State funds in the HVAC system replacement project in the amount of \$4,130, and

WHEREAS, the College wishes to move the remaining funds from the library expansion and HVAC system replacement projects to help fund the expansion of the cafeteria and kitchen areas, and

WHEREAS, these changes would result in a revised master plan as outlined below \$8,749,538 AND

State Share		\$	29,983.00
Local Share			
Capital Cafeteria Reserve	\$	29,983.00	
Total Local Share			<u>\$ 29,983.00</u>

Total Campus Master Plan \$8,749,538.00

WHEREAS, the College has sought guidance from the State University of New York and has been advised to submit an amendment to the current campus master plan requesting the need to move the state funding available from the library expansion and HVAC system replacement projects, AND

WHEREAS, the local share to match the additional \$29,983 in State capital funds will be supported by the Cafeteria Capital Reserve and will not require additional sponsor funds, NOW, THEREFORE, BE IT

RESOLVED, that the 1993-94 Campus Master Plan with a revised estimated cost of \$8,749,538 be adopted by the Cortland County Legislature, AND BE IT FURTHER

RESOLVED, that this resolution shall become effective upon adoption of a concurrent resolution by the Tompkins County Legislature.

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Fiscal Policy Review

Ms. Jayne said each year the Committee reviews the Fiscal Policy. Mr. Dennis asked if there was any particular section of the Policy members would like to discuss or if staff had recommendations for change.

Ms. Jayne said there has been discussion in the past about Department Entitlements which includes terminal pay reimbursement (costs of terminal pay for employees). The department has to incur the cost for the first two months of absence and a concern has been raised in the past that this was causing an undue burden on a department. Mr. Squires presented a different situation, stating that in some cases departments get reimbursed but end up having rollover funds at year-end. He thinks it is a good policy but doesn't think it should be an entitlement; that a department be held harmless rather than receiving a windfall at year-end because in some cases they are asking for it because they are entitled to it but don't need it.

Ms. Mackesey suggested this go back to a department head meeting. Mr. Mareane said he will work on this as there are different situations that occur in different departments and agreed to bring back to the Committee if a change needs to be made.

Target Fund Balances – Section 2.02

Mr. Hattery spoke of the Solid Waste Fund (10) percent and said there was a decision made to keep it inordinately high to cover because of fluxuations in the price of materials and so that the Solid Waste Annual Fee would not have to be frequently adjusted. He suggested the Fiscal Policy be amended to include an explanation (e.g. volatility of the markets) for keeping the percent at ten percent rather than lowering from year-to-year.

Ms. Herrera asked that Ms. Eckstrom, Solid Waste Manager, be invited to provide input to the committee.

Adjournment

The meeting adjourned at 5:10 p.m.