

Minutes
Budget and Capital Committee
Monday, May 10, 2010 - 3:30 p.m.
Scott Heyman Conference Room

Approved

Attendee Name	Title	Status
James Dennis	Chair	Present
Kathy Luz Herrera	Member	Present
Pamela Mackesey	Member	Present
Brian Robison	Member	Excused
Peter Stein	Member	Excused

Present: A. Fitzpatrick, Personnel Commissioner; J. Mareane, N. Jayne, M. Lynch, County Administration; D. Squires, Finance Director; E. Marx, Commissioner of Planning and Public Works; J. Leccese, Planning Department; C. DeMarco, CSEA Representative; M. Pottorff, Legislature Office

Guests: S. Shackford, Ithaca Journal

Call to Order

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

Changes to the Agenda

An appointment to the TC3 Board of Trustees was deferred to the next meeting as paperwork has not been received. A report pertaining to the Housing Fund was added to the agenda for information purposes only. Ms. Mackesey questioned why the Housing Fund item is coming before this Committee. Mr. Squires said it is his opinion that the Committee should be aware of the item because at some time in the future the County will be appropriating a fund balance from the Community Development Housing Grant and that action will reduce available resources. Ms. Herrera asked what urgency this item has. Ms. Mackesey said this is presented for information only; it was approved by the Planning, Development and Environmental Quality Committee and will come before the full Legislature on May 18th. Ms. Herrera disapproves of items being circulated at meetings because the public hasn't had an opportunity to review the item in advance of the meeting.

Minutes Approval – April 12, 2010

It was MOVED by Ms. Herrera, seconded by Ms. Mackesey, and unanimously adopted by voice vote by members present, to approve the minutes of April 12, 2010, as submitted. MINUTES APPROVED.

Comments from the Public

No member of the public was in attendance.

Committee Chair Report

Mr. Dennis said the Legislature now has a target that the County Administrator will have to deal with over the next six months. He said it was learned the other night that people want to be apprised along the way of the budget process rather than be taken by surprise near the end and it would make sense for County Administration to provide regular updates during the process.

Director of Finance Report

Mr. Squires updated the Committee on the status of the bankruptcy case for Lakeside Nursing Home. He stated he received a notice that the motion to approve a settlement agreement is going to be heard on May 20 at the Bankruptcy Court and the County's claim is proposed to be paid in the amount of \$700,000. Mr. Squires is hopeful that he will be able to report at the next meeting that the matter has been resolved.

Mr. Squires reported on sales tax receipts for the first quarter of 2010 and said sales tax receipts for the first payment of April are up by 10% from April 2009. At the end of the first quarter, sales tax receipts were up slightly, but still projected to fall \$500,000 short of the 2010 budget target that had projected revenue growth of 3%.

Mr. Squires reported the Auditors have concluded their field work. He distributed information showing a comparison of fund balances and cash balances. He said Tompkins County has a reputation of being relatively stable and not having a lot of variation from year-to-year. Mr. Squires said this year the General Fund is down a little. Last year the County ended with \$12.2 in unreserved funds and is at \$11 million now. He said although this is a decline it did not decline to the level he had expected.

County Administrator Report

Ms. Jayne reported there will be a delay in the Rollover process because they are waiting for information from the auditors.

Mr. Mareane said the Legislature has asked the State to grant authority to increase the Mortgage Recording Tax by .25% (currently $\frac{3}{4}\%$) to 1%. He said now that there are sponsors in both the Senate and Assembly and he will bring forward Home Rule resolution to the Committee at the next meeting asking the State to approve the legislation. Mr. Mareane reported the County will need to request a renewal of this every two years. It was also noted the revenue is anticipated to be approximately \$900,000 to \$1 million per year. Mr. Mareane said scenarios he has presented on the 2011 budget includes this revenue.

Mr. Mareane, Mr. Dennis and Ms. Robertson will be speaking to the Human Services Coalition on May 12th about the 2011 budget. The TC3 budget presentation will take place on May 14th.

Mr. Mareane provided an update on the Retreat Workgroup and provided copies of an electronic form that has been circulated to departments. Through the form departments will be describing the purpose of programs in a concise manner, provide information on program costs as well as reimbursement information. Departments are asked to provide a concise narrative on the impact programs have on the community with the text box limiting responses to 200 words. Forms are due at the end of the month.

Housing Trust Fund

Ms. Leccese provided an update on the Housing Fund that was established last year through a Memorandum of Understanding with Tompkins County, the City of Ithaca and Cornell University. She said they have completed the first funding round and have received six applications. Through the application review committee and the Program Oversight Committee there are three projects being recommended for funding. Those projects are Holly Creek Townhomes, Women's Community Building, and Magnolia House. Ms. Leccese said a recommendation of the Program Oversight Committee is that the County serve as fiscal agent for the funds and that an agreement be made with the City and Cornell to receive funds and to also disperse funds.

Ms. Herrera said the three choices are good but she expressed concern over the utilization of local labor in contracts. Ms. Leccese said these funds do not deal with construction; funds are for pre-development costs or to underwrite the cost of land. Ms. Herrera said she believes it is important that we reinvest our funding in the local economy and suggested the oversight committee discuss these concerns. Mr. Marx said these projects are likely being tied to either State or Federal funding and will have some construction rules to follow.

Personnel Commissioner’s Report

Ms. Fitzpatrick spoke of the Workforce Utilization Report and said her staff is working with Information Technology Services on capturing additional information that was requested by Ms. Herrera at the last meeting. She distributed a spreadsheet showing the number of employees that reside outside of Tompkins County. As of April 21, 2010, 29% of employees live outside the County.

Ms. Herrera referred to the utilization report and said she would like to see further refinement of employment status on the list, including a breakdown of full- and part-time employees and wages. If possible she would also like to be able to tell how many men or women there are in craft/labor positions.

Public Information Officer’s Report

Ms. Lynch had no report.

Sheriff

Resolution (DOC ID: 1963): Authorization for the Sheriff to Enter into an Agreement with GTL for Inmate Telephone Calls

RESULT:	RECOMMENDED [UNANIMOUS]
MOVER:	Pamela Mackesey, Member
SECONDER:	Kathy Luz Herrera, Member
AYES:	James Dennis, Kathy Luz Herrera, Pamela Mackesey
EXCUSED:	Brian Robison, Peter Stein

Ms. Herrera asked what has changed in the “dynamics of inmate telephone calls”. No answer was available. Mr. Dennis noted inmates are always allowed to call lawyers, OAR, etc., at no charge. He said the anticipated increase in revenue is approximately \$1,000. Ms. Herrera said she has a lot of questions and would like to have a conversation about the dynamic of using credit cards as well as what is the overall increase. A voice vote resulted as follows: Ayes – 3, Noes – 0, Excused –2 (Legislators Robison and Stein). MOTION CARRIED.

WHEREAS, for last past ten years, GTL (Global Tel Link) has kept the calling rates on inmate telephone calls at a level that is 10% below the Verizon rate on public coin phones at the Jail, and

WHEREAS, the current rate for local calls is \$1.58 plus \$.09/minute, and the rate for intra-lata calls is \$1.58 plus \$.18/minute, and

WHEREAS, this rate is based on a request of the New York State Sheriff’s Association and is contained in a contract between the Association and GTL, and

WHEREAS, Verizon left the inmate telephone market several years ago and the dynamics of inmate telephone service has changed considerably in recent years, and

WHEREAS, the Sheriff’s Association has granted permission to GTL to use calling rates which are the equivalent to Verizon rates on local and intra-lata calls rates on inmate telephone calls, and

WHEREAS, the GTL has been granted permission by the Association to use calling rates which are equivalent to Verizon rates on local and intra-lata calls.

WHEREAS, this change will not affect the actual commission percentage given to counties but

will increase the county commissions by 3-5% each month, and

WHEREAS, GTL will not change rates in a county without an agreement to do so, now therefore be it

RESOLVED, on recommendation of the Public Safety and the Budget and Capital Committees, That the Sheriff is hereby authorized to enter into an agreement with GTL for the following rate for inmate telephone calls:

Local Calls: \$1.75 plus \$.10/minute (currently \$1.58 plus \$.09//minute)

Intra-lata Calls: \$1.75 plus \$.20minute (currently \$1.58 plus \$.18/minute)

SEQR ACTION: TYPE II-20

* * * * *

Resolution (DOC ID: 1960): Establishing Annual Salary for the Position of Sheriff for the Years 2011, 2012, 2013, and 2014

RESULT:	RECOMMENDED [UNANIMOUS]
MOVER:	James Dennis, Chair
SECONDER:	Kathy Luz Herrera, Member
AYES:	James Dennis, Kathy Luz Herrera, Pamela Mackesey
EXCUSED:	Brian Robison, Peter Stein

Mr. Mareane distributed information on management salary scales and past salary increases for the Sheriff and County Clerk. He said he asked Ms. Fitzpatrick to rate these positions in the point-factor rating system. The results of that rating were that the Clerk would be rated at a labor grade Q and the Sheriff at a labor grade T.

Mr. Dennis said there has been discussion in the past about these two positions being changed to appointed positions, however, that has not happened. He said he does not believe the Sheriff should make less than the Undersheriff and that this only happens in one other county. Mr. Dennis proposed the Sheriff's salary be increased to \$1,000 more than the Undersheriff's salary and the County Clerk's salary to the equivalent of the Clerk of the Legislature.

Ms. Mackesey spoke against raising the salaries of these positions at a time when the County may be in a position where it has to lay employees off.

Ms. Herrera said she would like this discussion to take place on the floor of the Legislature and thinks this is the type of discussion that will show the public some of the difficult decisions the Legislature has to make during the upcoming budget process. She said some discussion and movement on the salaries should take place because at least one of these individuals are supervising employees who is earning more than them.

Mr. Dennis agreed this is an issue that should be discussed by the full Legislature. Ms. Mackesey said although she could not support the increase proposed she would support moving the resolution out of Committee.

Members spoke of the work each of the individuals do in these positions and complimented each of them.

Various salary scenarios were suggested for the purpose of moving the resolution to the floor of the Legislature.

The Committee recommended salary figures; however, it was made clear that the primary goal was to move the salary question to the full Legislature for discussion and action because both positions

are up for election this November and the Legislature needs to establish the salaries before the new term begins.

Mr. Mareane suggested the following:

For the Sheriff, a labor grade S plus \$1,000 (for a 2011 salary of \$87,229);
For the County Clerk, a labor grade Q (for a 2011 salary of \$71,265).

In addition, salaries of both positions will be tied to the schedule of salary increases for the management group. The recommendation would increase the base salary for the County Clerk by \$1,574, from \$69,691 in 2010 to \$71,265 in 2011. An argument to do so was to bring parity with what the Clerk of the Legislature is earning. The resolution would also increase the salary for the Sheriff by \$1,406, from \$85,823 to \$87,229. Ms. Fitzpatrick said the Committee is talking about parity when it comes to only one of the two of these elected department heads. Ms. Fitzpatrick said a different standard is being applied to the other position. She spoke of the history of increases for these positions and said the Legislature has always established four-year salaries that were not based on its own criteria.

A voice vote resulted as follows: Ayes – 3, Noes – 0, Excused –2 (Legislators Robison and Stein). MOTION CARRIED.

WHEREAS, State law requires this Board to establish salary for the position of Sheriff, and County Administrative Manual Policy 04-06 states that this action occur prior to the time when candidate petitions may lawfully be passed, and the County Attorney has advised that it is sufficient to establish such salaries prior to the start of the term of office, consistent with State Law, and

WHEREAS, during 2007- 2010 the Sheriff's salary increased 3.3% percent annually, resulting in 2010 salary as follows:

Sheriff \$85,823, now therefore be it

RESOLVED, on recommendation of the Budget and Capital Committee, That the salary for the position of Sheriff for the years 2011-2014 shall be \$87,229 (Labor Grade S + \$1,000) and shall be tied to the schedule of increases for the management group during this four-year period.

Resolution (DOC ID: 1959): Resolution No. - Establishing Annual Salary for the Position of County Clerk for the Years 2011, 2012, 2013, and 2014

RESULT:	RECOMMENDED [UNANIMOUS]
MOVER:	James Dennis, Chair
SECONDER:	Kathy Luz Herrera, Member
AYES:	James Dennis, Kathy Luz Herrera, Pamela Mackesey
EXCUSED:	Brian Robison, Peter Stein

- See discussion above as it relates to ID 1959 and 1960.

A voice vote resulted as follows: Ayes – 3, Noes – 0, Excused –2 (Legislators Robison and Stein). MOTION CARRIED.

WHEREAS, State law requires this Legislature to establish the salary for the position of County Clerk, and County Administrative Manual Policy 04-06 states that this action occur prior to the time when candidate petitions may lawfully be passed, and the County Attorney has advised that it is sufficient to establish such salary prior to the start of the term of office, consistent with State Law, and

Budget and Capital Committee
May 10, 2010

WHEREAS, during 2007- 2010 the County Clerk's salary increased 3.3% percent annually, resulting in 2010 salary as follows:

County Clerk - \$ 69,691,

RESOLVED, on recommendation of the Budget and Capital Committee, That the salary for the position of County Clerk for the years 2011-2014 shall be \$71,265 (Labor Grade Q) and shall be tied to the schedule of increases for the management group during this four-year period.

SEQR ACTION: TYPE II-20

* * * * *

Adjournment

The meeting adjourned at 5:21 p.m.

Respectfully submitted by Michelle Pottorff, TC Legislature Office