

Budget, Capital and Finance Committee
July 27, 2009
3:30 p.m.
Scott Heyman Conference Room

APPROVED

Call to Order

The meeting was called to order at 3:30 p.m. by Mr. Dennis, Chair.

Attendance

Attendee Name	Title	Status	Arrived
James Dennis	Chair	Present	
Michael Hattery	Vice Chair	Present	
Kathy Luz Herrera	Member	Present	
Pamela Mackesey	Member	Present	
Nathan Shinagawa	Member	Present	3:45 PM

Staff: N. Jayne, J. Mareane, M. Lynch, County Administration; B. Grinnell-Crosby, Health Department; L. Shurtleff, Department of Emergency Response; M. Pottorff, Legislature Office; P. Carey, DSS

Legislators: M. Robertson

Guests: P. Pryor, V. Kacapyr, S. Shakford, Media

Minutes Approval (ID # 1258): June 22, July 7, July 13, 2009

June 22, 2009 Minutes: Mr. Hattery said the minutes reference his statement of interest in taking a look at the Mortgage Recording Tax and hopes there is interest by other members as well. There was consensus by other members to explore this as well.

RESULT:	ADOPTED [UNANIMOUS] as amended.
MOVER:	Pamela Mackesey, Member
SECONDER:	Michael Hattery, Vice Chair
AYES:	Dennis, Hattery, Luz Herrera, Mackesey
EXCUSED:	Shinagawa

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Comments from the Public

No member of the public wished to speak.

Chair's Report

Mr. Dennis reported as a member of the Negotiating Committee for the road patrol unit. He said they are planning a meeting with the negotiator to get a progress report and will update the Committee when information is received.

Finance Director's Report

Mr. Squires was not in attendance.

Public Information Officer's Report

Ms. Lynch reported the Public Information Advisory Board will meet on July 30th and will discuss outreach for the 2010 budget process, in addition to a public forum that may have a slightly

modified format. She said they have been talking about new ways to do public outreach using new technologies. Greg Potter, Director of ITS, has been invited to that meeting.

County Administrator's Report

Mr. Mareane reported his Office continues to work on the 2010 budget process with departmental budgets due on August 1st. Many departments have been reporting to program committees on the anticipated impact of the budget.

Mr. Mareane reported the 911 surcharge has been approved by the State Legislature and the Governor and it is now time for the County to consider enactment. He said Tompkins County now has the authority to raise the monthly rate from \$.35 to a maximum of \$1 per month. This will come to this Committee if approved by the Public Safety Committee next month. Mr. Mareane said it is estimated that the first full year of revenue would be approximately \$250,000.

Mr. Mareane said there are still efforts in place to try to secure some of the original \$1.20 wireless charge to support local communications systems and stated Lee Shurtleff is very involved at the State level in this effort. Ms. Herrera asked if that does happen, if there is any chance the County would have an opportunity to reconsider this fee. Mr. Mareane said the expectation was that the State would come up with funding to support cell towers. He said the fee will sunset in ten years; he doesn't believe there is anything that would preclude the County from reducing or eliminating this fee during the ten-year period.

Mr. Shinagawa arrived at this time.

Airport Budget Transfer (ID # 1260):

Mr. Hattery said although this isn't a large amount of money, he doesn't understand why Tompkins County is seeing an increase in enplanements given all that is happening with other areas of the budget during this economic downturn. He questioned if this is a discretionary increase and whether it would be a good idea to hold off on this expenditure. Ms. Herrera requested a detailed explanation of the "Education and Promotion" account and what funds are being used for. Mr. Mareane said the increase appears to be related to Tompkins County now serving three airlines and is now getting more of the market share. Ms. Mackesey said another boost in revenues is related to the New York Jets coming to Cortland for training.

RESULT:	RECOMMENDED [4 TO 1]
MOVER:	Pamela Mackesey, Member
SECONDER:	Nathan Shinagawa, Member
AYES:	James Dennis, Kathy Luz Herrera, Pamela Mackesey, Nathan Shinagawa
NAYS:	Michael Hattery
ADDITIONAL INFORMATION REQUESTED.	

REVENUE:	Commissioner	5610.41774	\$25,000
APPROPRIATION:	Education & Promotion	56100.54333	\$25,000

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RESOLUTION (ID # 1261): BUDGET ADJUSTMENT AND APPROPRIATION OF UNSPENT FUNDS FROM 2008 TO VARIOUS ACCOUNTS

Mr. Mareane spoke of the Assigned Counsel request and said a position reclassification request had been granted after the due date for rollover requests. The reclassification was approved and he is now recommending the funds be used to support the Department's request for usage in the 2009 budget.

RESULT:	RECOMMENDED [UNANIMOUS]
MOVER:	Nathan Shinagawa, Member
SECONDER:	Michael Hattery, Vice Chair
AYES:	Dennis, Hattery, Luz Herrera, Mackesey, Shinagawa

WHEREAS, various departments have been certified by the Director of Finance to have unspent appropriations and excess revenues from 2008 resulting in a surplus of \$1,207,714 on the County's books as of December 31, 2008, and

WHEREAS, pursuant to County Fiscal Policy, surplus funds have been requested for use in the amount of \$329,185 current year budget, now therefore be it

RESOLVED, on recommendation of the Health and Human Services, Planning, Development and Environmental Quality, Public Safety, Government Operations, Facilities and Infrastructure, and Budget and Capital Committees, That the following transactions are approved:

BUDGET APPROPRIATION:

FROM: General Fund Balance \$48,763
TO:

DEPT Use of funds Account Requested Rollover		
Assigned Counsel Salary Adjustment	117051.	4,042
Emergency Response Service Contracts	3411. 54425	20,000
Communications Equipment	3410. 52222	24,721

SEQR ACTION: TYPE II-20

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RESOLUTION (ID # 1262): CONTINGENT FUND APPROPRIATION FOR THE LEASE AGREEMENT BETWEEN THE COUNTY AND THE TOMPKINS COUNTY SOIL AND WATER CONSERVATION DISTRICT

Ms. Herrera asked for an explanation of the history of the rent for the Soil and Water Conservation District. Mr. Mareane briefly explained that the federal agency (USDA) that rented space to the SWCD has historically been very generous in what they have charged for rent. They received an order that they would have to charge market rent that is based on our share of their overall cost. That is when the County began searching for space because of the high cost of rent at that 903 Hanshaw Road location. He said what the County is being asked to pay is higher than what it paid for the former rent amount, but lower than it would have been if the SWCD stayed at the Hanshaw Road location.

RESULT:	RECOMMENDED [UNANIMOUS]
MOVER:	Nathan Shinagawa, Member
SECONDER:	Pamela Mackesey, Member
AYES:	Dennis, Hattery, Luz Herrera, Mackesey, Shinagawa
ADDITIONAL INFORMATION REQUESTED.	

WHEREAS, the Tompkins County Legislature passed Resolution No. 269 “AUTHORIZING A LEASE AGREEMENT BETWEEN THE COUNTY AND THE TOMPKINS COUNTY SOIL AND WATER CONSERVATION DISTRICT” on December 16, 2008, and

WHEREAS, on November 10, 2008, the Tompkins County Soil and Water Conservation District Board of Directors passed a resolution in support of entering into a lease agreement with Tompkins County, and

WHEREAS, the rental cost at the previous location 903 Hanshaw Road Soil and Water Conservation District/National Resource Conservation Service (SWCD/NRCS) office location is prohibitive to both the SWCD and Tompkins County, and

WHEREAS the ICS Press site on Hanshaw Road in the Town of Dryden was identified was the best fit for this purpose, and

WHEREAS, \$35,000 was earmarked in the 2009 Contingent Fund for the Soil and Water Conservation District, specific to rental payment, now therefore be it

RESOLVED, on recommendation of the Budget and Capital Committee, That the Director of Finance is hereby authorized and directed to make the following budget appropriation for the lease agreement with the landlord, Schug Realty, LLC, for the period of July 2008, through July 2013:

FROM:	A1990.54440	Contingent Fund	\$31,585.13
TO:	8730.54432	Program Expense	\$31,585.13

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Report (ID # 1263): 2009 Budget Update

Mr. Mareane said over recent weeks staff has been considering ways to address the sales tax shortfall and pressures on the DSS budget. He said they have looking at ways to direct resources to areas of needs and preparing policy actions that need to be taken to get the fiscal situation under control.

He said one area they are trying to look at is the full picture of the County’s 2009 finances to make sure the big swings have been captured. One area that needs attention is the Assigned Counsel Program and the requirement of a maintenance of effort to be eligible for State grant monies. He explained the State gives the County \$416,000 in aid to support the indigent defense programs that are administered by the Assigned Counsel Program. To be eligible for this aid, counties must cannot spend any less amount of money than in the previous year. He said if a County saves any money it will be penalized and will lose all State aid. He said over the last couple of years the County has had some expensive cases and this year things are coming back to a normal level, but the County is in jeopardy of losing a substantial amount of aid.

Over the next couple of weeks the Departments of Finance and Administration will develop a plan that makes recommendations on accounting actions that will balance as much of the budget as needed with ongoing operating savings. The amount that can’t be covered with operating savings will have to be looked at in terms of expenditure reductions, Stimulus funding, or possibly applying some of the reserves but never less than the Fiscal Policy requires to be in reserve. Mr. Mareane expects to have a plan to present at the next meeting with specific transfer requests.

The second area will be a policy schedule that will include recommendations to enact things such as a flexible hiring freeze and tight spending policies. In terms of Rollover, Mr. Mareane said the County

is going to need whatever personnel savings can be achieved this year and a recommendation will be made for a one-year suspension of the Rollover policy as it relates to personnel. They may also ask that the Contingent Fund be used as a last resort as opposed to a first-resort of items such as terminal pay.

Ms. Mackesey asked if anyone was talking to the State about the Assigned Counsel aid. Mr. Mareane said NYSAC has tried to address this but at this time the New York State Legislature is dealing with it on a case-by-case basis. In many cases it has been dealt with on a waiver; however, four of the nine counties that received waivers did not receive their State aid. He stressed the importance of the County lobbying the State Legislature about the need for structural changes in the State aid requirement.

Mr. Shinagawa said he read a New York Times article about furloughs and asked if furloughs are a possibility in Tompkins County. Mr. Mareane said it would only be possible if agreed to by a bargaining unit. Management and Confidential employees do not belong to a bargaining unit. Mr. Mareane noted the number of positions on payroll has declined from 748 to 736. He said departments are very attuned to the situation and are only making requests for essential positions.

Ms. Mackesey asked what message departments are receiving with regard to whether or not to bring forward over-target requests. Mr. Mareane said this came up at the last department head meeting and believes the Legislature will see a full spectrum of departments have no OTR's to some with many in order to demonstrate what services will not be delivered. Mr. Dennis said he wants to hear what the impact is for 2010. Ms. Mackesey said it will be important that department heads not submitting OTR's inform the Legislature of the impacts of the budget on the department. Ms. Robertson noted that a department that comes in with no OTRs is not guaranteed there will not be cuts made to the base budget.

Adjournment

The meeting adjourned at 4:30 p.m.

Respectfully submitted by Michelle Pottorff, TC Legislature Office