

**BUDGET AND CAPITAL COMMITTEE****JULY 7, 2008 3:30 P.M. SCOTT HEYMAN CONFERENCE ROOM**

Present: N. Shinagawa, Chair; J. Dennis; P. Mackesey; M. Hattery (arrived at 3:40 p.m.)

Excused: K. Herrera

Staff: C. Covert, Clerk of the Legislature; S. Whicher, County Administrator; U. Mukherjee, Probation and Community Justice Department; N. Jayne, County Administration; P. Carey, Social Services Commissioner

Guest: T. Ashmore, Ithaca Journal Reporter

**Call to Order**

The meeting was called to order at 3:30 p.m.

**Changes to Agenda**

The following items were added to the agenda:

- Resolution – Authorization to Pay Road Patrol Contract Negotiator Costs from the Contingent Fund
- Approval of Minutes – June 17, 2008

**Approval of Minutes**

It was MOVED by Ms. Mackesey, seconded by Mr. Dennis, and unanimously adopted by voice vote by members present, to approve the minutes of the June 17 and 23, 2008, meetings.

**Chair's Report**

Mr. Shinagawa did not have a report.

**Report from the Finance Director**

Mr. Squires was not present.

**County Administrator's Report**

Mr. Whicher brought to the Committee's attention that his Department's budget may be under budget this year depending on the transition of a new County Administrator. There were a few unanticipated expenses including using some of the Department's funds on the SMSI (Shared Municipal Services Initiative) grants.

**Statewide Local Option Recording Fee and Codification**

Ms. Jayne informed the Committee of a law recently passed by the Assembly and Senate enabling counties to authorize a local option to increase recording fees at the County Clerk's office. The Governor needs to make a decision on this by mid-July. At the appropriate time, a resolution and analysis will be presented to the Committee for consideration. The estimated revenues from this action is approximately \$200,000.

**Probation and Community Justice Department****Resolutions**

It was MOVED by Ms. Mackesey, seconded by Mr. Dennis, and unanimously adopted by voice vote by members present, to approve and submit the following resolutions to the full Legislature for approval:

**RESOLUTION NO. – APPROPRIATION FROM CONTINGENT FUND – TERMINAL PAY – DEPARTMENT OF PROBATION AND COMMUNITY JUSTICE**

WHEREAS, the Department of Probation and Community Justice had a Probation Officer resign effective March 4, 2008, and

WHEREAS, the Fiscal Policy of Tompkins County allows for terminal pay from the Contingent Fund, now therefore be it

RESOLVED, on recommendation of the Public Safety and Budget and Capital Committees, That the Director of Finance is hereby authorized and directed to make the following budget appropriation for 2008:

FROM:	A1990.54400	Contingent Fund	2,472
TO:	A3142.51000585	Probation Officer	1,791
	A3142.58800	Fringes	681

**SEQR ACTION: TYPE II-20**

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**RESOLUTION NO. - APPROPRIATION FROM CONTINGENT FUND - REPLACEMENT PAY – DEPARTMENT OF PROBATION AND COMMUNITY JUSTICE**

WHEREAS, the Department of Probation and Community Justice had an employee out on disability for greater than two months in the Core Probation Services Program, and

WHEREAS, the Fiscal Policy of Tompkins County allows for replacement pay from the Contingent Fund, now therefore be it

RESOLVED, on recommendation of the Public Safety and Budget and Capital Committees, That the Director of Finance is hereby authorized to make the following adjustment to his books for 2008:

FROM:	A1990.54400	Contingent Fund	\$3,600
TO:	A3142.51000585	Probation Officer	\$2,609
	A3142.58800	Fringes	\$991

**SEQR ACTION: TYPE II-20**

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**RESOLUTION NO. - APPROPRIATION FROM CONTINGENT FUND - REPLACEMENT PAY – DEPARTMENT OF PROBATION AND COMMUNITY JUSTICE**

WHEREAS, the Department of Probation and Community Justice had an employee out on disability for greater than two months in the Core Probation Services Program, and

WHEREAS, the Fiscal Policy of Tompkins County allows for replacement pay from the Contingent Fund, now therefore be it

RESOLVED, on recommendation of the Public Safety and Budget and Capital Committees, That the Director of Finance is hereby authorized to make the following adjustment to his books for 2008:

FROM:	A1990.54400	Contingent Fund	\$6,665
TO:	A3142.51000585	Probation Officer	\$4,830
	A3142.58800	Fringes	\$1,835

**SEQR ACTION: TYPE II-20**

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Mr. Hattery arrived at this time.

**Sales Tax Exemption – Solar Energy**

It was MOVED by Mr. Dennis, seconded by Ms. Mackesey, and unanimously adopted by voice vote by members present, to approve and submit the following resolution to the full Legislature for approval:

**RESOLUTION NO – TO MAKE PERMANENT THE EXEMPTIONS FROM SALES AND COMPENSATING USE TAXES FOR RECEIPTS FROM SALES OF, AND CONSIDERATION GIVEN OR CONTRACTED TO BE GIVEN FOR, OR FOR THE USE OF, PROPERTY AND SERVICES EXEMPT FROM STATE SALES AND COMPENSATING USE TAXES PURSUANT TO SUBDIVISION (ee) OF SECTION 1115 OF THE NEW YORK STATE TAX LAW, PURSUANT TO THE AUTHORITY OF ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK**

WHEREAS, in 2005 the County Legislature approved Resolution Nos. 196 and 214 to exempt residential solar energy systems equipment and the service of installing the systems from local sales and compensating use taxes, and

WHEREAS, said exemptions were approved with a sunset clause of November 30, 2008, and

WHEREAS, the County Legislature wishes to extend and make permanent the exemptions, now therefore be it

RESOLVED, on recommendation of the Budget and Capital Committee, That it be enacted by the Legislature of the County of Tompkins as follows:

SECTION 1. Section two of Resolution No. 196 of 2005 is amended to read as follows:

SECTION 2. This resolution shall take effect December 1, 2005, and shall apply to sales made, services rendered and uses occurring on or after that date in accordance with the applicable transitional provisions in sections 1106, 1216, and 1217 of the New York Tax Law.

SECTION 2. This resolution shall take effect December 1, 2008.

**SEQR ACTION: TYPE II-20**

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**2009 Budget – Report**

Mr. Whicher briefly explained how the 2009 budget process has been going and believes he will be able to present a draft budget within the guidelines established by the Legislature including existing programs being preserved. At this time, Ms. Jayne provided an overview of the General Revenue Summary dated July 7, 2008, and the projections based on various assumptions for the years 2009, 2010, and 2011. The numbers presented include salary increases, fiscal target reductions as agreed to by certain departments, and a estimated increase in funding for the agencies based on last year's request.

Mr. Whicher cautioned the Committee that with the new systems in place more accurate budgets can be produced. He will forward any new or major change in programs or commitments will be directly to the Legislature for consideration.

Ms. Jayne said the mandates continue to be the unknown. Most departments are able to absorb the cuts by the State this year. Ms. Carey also cautioned the Committee that there continue to be many unknowns within her Department's budget and has meetings scheduled with State officials in two weeks to review reports and get a better understanding of what is coming down the pike. Mr. Whicher said another area of concern is in the Highway Division.

Although the Legislature's guideline of three percent will be met this year in the budget to be presented by the County Administrator, any decision made to the 2009 budget will directly impact the 2010 and 2011 budgets.

**Resolution – Authorization to Pay Road Patrol Contract Negotiator Costs**

It was MOVED by Mr. Dennis, seconded by Ms. Mackesey, and unanimously adopted voice vote by members present, to approve and submit the following resolution to the full Legislature for approval. Mr. Dennis provided a brief explanation of the process and said a negotiator was hired for the road patrol negotiations. Mr. Whicher commended the County's team and believes a fair offer was made to the road patrol union.

**RESOLUTION NO. 156 – AUTHORIZATION TO PAY ROAD PATROL CONTRACT NEGOTIATOR COSTS FROM THE CONTINGENT FUND**

WHEREAS, the Employees Union of the Tompkins County Sheriff's Department has been working without a contract since March 1, 2006, and

WHEREAS, by Resolution No. 162 of 2006, the Tompkins County Legislature authorized the negotiating team to hire a professional negotiator, and

WHEREAS, the negotiating team has entered into an agreement with Roemer, Wallens, & Mineaux, LLP, to provide negotiating services in the amount of \$17,000, and

WHEREAS, no funds have been budgeted or allocated for these costs, now therefore be it

RESOLVED, on recommendation of the Human Resources and the Budget and Capital Committees, That negotiator fees in the amount of \$17,000 will be paid from the Contingent Fund,

RESOLVED, further, That the Director of Finance is hereby authorized and directed to make the following budget appropriation:

FROM: A1990.54440	Contingent Fund	\$17,000.00
TO: A1430.54442	Professional Services	\$17,000.00

RESOLVED, further, That the Contingent Fund appropriation will not affect the Personnel Department's 2008 rollover allocation.

**SEQR ACTION: TYPE II-20**

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**Resolution – Departmental Rollover Requests**

It was MOVED by Mr. Dennis, seconded by Mr. Hattery, and unanimously adopted by voice vote by members present, to approve and submit the following resolution to the full Legislature for approval:

**RESOLUTION NO. BUDGET ADJUSTMENT AND APPROPRIATION OF UNSPENT FUNDS FROM 2007 TO VARIOUS ACCOUNTS**

WHEREAS, various departments have been certified by the Director of Finance to have unspent appropriations and excess revenues from 2007 resulting in a surplus of \$3,447,175 on the County's books as of December 31, 2007, and

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WHEREAS, pursuant to County Fiscal Policy, surplus funds have been requested for use in the amount of \$2,995,484 in the 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 \$ 2,995,484  
**TO:**

DEPT	Use of funds	Account	Requested Rollover
Board of Elections	Voting Machine Technicians: Need additional funds to pay techs to setup, acceptance test and train on new voting equipment.	1450 51000075	\$8,200
	Program Expense: Additional funds needed to pay election inspectors to train and operate new voting machines.	1450 54400	\$28,050
	Senior Voting Machine Technicians: Need additional funds to pay Senior Voting Techs to perform duties for new voting machines. Replace pay spent on Special Election.	1450 51000793	\$8,600
			\$44,850
County Administration	Laptop Computer Replacement for Budget Preparation	1230 52206	\$2000
	Additional Printing Expenses for Budget Books & Special Projects	1230 54330	\$1,717
	Office Equipment - Micro cassette Transcriber	1230 52210	\$ 200
	Projector for the Legislative Chamber	1988 52222	\$2,000
			\$5,917
County Attorney	Return to the General Fund		\$22,659
County Clerk	Archives grant completion – indexing backfiled land records into EDMS (Challenge Industries is vendor)	1410 54442	\$78,450
	Microfilming of civil papers - \$4,000 (Challenge), conversion of microfilm to digital images - \$15,000 (Challenge), and microfilm duplication - \$10,000 (Challenge)		
	Inventorying and scanning County Clerk archival records in Records Center		
	Installing shelving and map cabinets for off-site records in Records Center	1410 52210	\$13,000
	Additional public access computer terminals and printer in Clerk's Office	1410 52206	\$12,000
			\$103,450
Department of Assessment	AES Cayuga Appraisal (Resolution #138 Appropriation from Contingent Fund for Appraisal Report - Assessment Department)	1690	50,000
	Cost for printing preliminary hearing informational publications	1355 54425	\$4,433
	Grievance Day Location Rental – Women's Community Building	1355 54442	\$1,500
			\$55,933
District Attorney	Computers	1165 52206	\$35,000
Legislature	County Administrator Search Process	1010 54442	\$7,000
Personnel Department	Professional Services	1430 54442	\$490
Probation	Replacement for worn out video projector in the Sherman Peer Room used for classes for the Day Reporting program	3160 54400	\$1,500
Probation	Cover revenue deficit from accounts (3140 \$3,971; 3141 \$6,757; 3142 \$8,957)		\$19,685
			\$21,185
	The Sheriff's Office – Law Enforcement will pay for the 2007 budget		\$108,232

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DEPT	Use of funds	Account	Requested Rollover
Sheriff's Office	shortfall in the jail. Normally budgeting units are not mixed, but it is my sense this year it would be appropriate since the shortfalls in the jail came from labor, transports and related boarding out costs rather than housing and medical, and because the large and unusual amount of rollover from the law enforcement budget came from temporary vacancies due to major shifts in employment status.		
Sheriff's Office	New software for the civil office and scheduling software for law enforcement: This will enable us to have a more user friendly and safe version of our civil software that should enhance our productivity and communication with our clients and ensure better maintenance and use for our limited staff (eliminated a Civil Permit Clerk position permanently in 2007 at an approximate annual savings of \$40,000.00 plus benefits). This funding will include the purchase of the software, training and some conversion from our current system. Annual maintenance is approx. \$3,000 per year.	3113 52230	\$43,000
Sheriff's Office	New Patrol Car: This will enable us to maintain our fleet expenses and have reliable fuel-efficient patrol vehicles that will do the job, without asking for permanent spending increases in our budget for auto maintenance or cars.	3113 52231	\$25,000
Sheriff's Office	New and improved criminal investigation equipment: This will allow us to purchase a voice stress detector that will enhance our ability to investigate crime; especially sex abuse related crimes. In addition a few thousand dollars will be used to update some of our existing surveillance and photography equipment and provide the associated training for the new equipment.	3113 52220	\$18,000
Sheriff's Office	Law enforcement room renovation and misc. associated office furniture: This will allow us to better use our cramped quarters and provide a safer and better working environment for deputies. The plan for renovations was designed by staff after much thought to do the best we can with our limited space allocation in a safe and productive manner.	3113 52214	\$15,000
Sheriff's Office	Additional AED's and first aid equipment: This will allow us to insure we have an AED available for every marked unit in our fleet. We upgraded our current equipment earlier this year to insure we have the ability to serve the public and this purchase will allow us to insure basic first aid kits and AED'S for every patrol vehicle.	3113 52220	\$15,000
Sheriff's Office	Automotive Fuel: By my calculations we will be approximately \$22,000 short in our 2008 fuel budget. This will insure, unless gas prices continue to soar, that we can be close to budget on this expenditure.	3113 52310	\$22,000
			\$246,232
Sheriff's Office – Jail	Budget Deficit		-\$108,232
Social Services, Department of	The department will return all rollover to the general fund.		\$2,553,102
Weights and Measures	I would like to purchase a new GM van. It will be smaller and hopefully more economical than my present one-ton van.	3630 52231	\$27,185

**SEQR ACTION: TYPE II-20**

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**2009 Budget (continued)**

Mr. Shinagawa announced that he would be meeting this Thursday at 4:00 p.m. with the County Administrator, Chair of the Legislature, and Deputy County Administrator Younger to discuss the Legislative Retreat scheduled for August 5<sup>th</sup>. He said Committee members were welcome to attend.

Mr. Hattery referenced the minutes from the last Committee meeting concerning different approaches for addressing the issue of reducing overall County personnel and asked for further discussion as he was not present for the meeting. Mr. Whicher said that he was proposing that rather than have the Legislature duplicate what has been done in the past, he suggested charging him and the Personnel

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Commissioner to review all positions by working with the departments with the end goal of reducing a certain number of positions. Mr. Shinagawa said that was one of the proposals he believed the community advisory group could look at and give some advice on. Ms. Carey spoke of the importance that this type of proposal happens at the department and cabinet levels because of the rippling affects it could have on various departments. Mr. Hattery said he would like to have Administration give the Legislature a proposal.

**Adjournment**

The meeting adjourned at 4:30 p.m.