

**Budget and Capital Committee
March 10, 2008
3:30 p.m.
Scott Heyman Conference Room**

Approved 3/24/08

Present: N. Shinagawa, K. Herrera, P. Mackesey, M. Hattery, J. Dennis
Legislators: C. Chock
Staff: S. Whicher, M. Lynch, County Administration, L. Cameron, Health Department; P. Carey, Social Services, D. Squires, Finance; M. Pottorff, Legislature Office

Call to order

Mr. Shinagawa called the meeting to order at 3:34 p.m.

Changes to the Agenda

There were no changes to the agenda.

Approval of Minutes of February 25, 2008

It was MOVED by Ms. Herrera, seconded by Ms. Mackesey, and unanimously adopted by voice vote, to approve the minutes of February 25, 2008 as submitted. MINUTES APPROVED.

Report from the Finance Director

Mr. Squires circulated a copy of the Governor's Motor Fuel Tax Reform. He said it is a complicated issue that will need a great amount of discussion at a later time. Mr. Hattery noted local governments used to get a portion of the Motor Fuel Tax instead of CHIPS. Mr. Squires reported the County Audit will begin on March 31st so staff is working to close the books before the auditors arrive.

Report from the County Administrator

Mr. Whicher said he has been reviewing overspending in the Jail account with the Sheriff and brought forth an issue that the Committee should look at. He said the 207(c) law states immediate payments are to be made to individuals who are out on long-term disability. This creates a problem for the Jail because the Sheriff is required to abide by mandated staffing requirements and he must provide staffing while also paying the salary of the individual on disability. The Sheriff has used the County's replacement pay policy (Fiscal Policy), however, that policy states that a department does not get reimbursed until after the first 60 days an employee is out and then is entitled to the actual cost of replacement, thus, leaving the Department responsible for covering the initial 60 days. Mr. Whicher said the Sheriff does not have extra staff, therefore, he must pay existing staff time and a half to cover the needed staffing. This has been a significant contributing factor to overspending in the Jail account but there is also cause for concern because of the number of overtime hours being worked by Jail staff. He said the number of hours typically worked in a year is 2,080, and at the present time the Sheriff has a single employee working 1,300 hours of overtime to cover the needed replacement hours.

Mr. Whicher said he will bring a proposal forward at an upcoming meeting to change the Fiscal Policy "to allow for 207(c) additional replacement pay". The change to the policy is intended to allow the Sheriff the ability to claim replacement pay from day one in 207(c) cases.

Report from the Public Information Officer

Ms. Lynch had no report. She called attention to the budget calendar and said the public forum scheduled for September 8, 2008 will need to be moved to a later date as it is presently the Monday after the Friday when tentative budget is scheduled to be released.

**RESOLUTION NO. - AUTHORIZING ESTABLISHMENT AND ASSESSMENT OF
COMMUNITY WATER SYSTEM FEES FOR 2008 - HEALTH
DEPARTMENT**

It was MOVED by Ms. Mackesey, seconded by Mr. Dennis, and unanimously adopted by voice vote, to approve the following resolution and submit to the full Legislature. Ms. Cameron stated the amount of revenue budgeted is \$44,750; the amount of actual revenue as a result of the details outlined in the resolution will be \$13, 520. MOTION CARRIED.

WHEREAS, Tompkins County has received a decision regarding the Community System Water Fees from the State of New York, Supreme Court, Appellate Division, Third Judicial Department, and

WHEREAS, the adopted fees for 2008 (which have not been billed) would not be sustained because of this ruling, and

WHEREAS, it is fair and desirable to collect some fee for the services provided, now therefore be it

RESOLVED, on recommendation of the Tompkins County Board of Health, Health and Human Services and Budget and Capital Committee, That the Tompkins County Health Department implement a fee of one-hundred and thirty dollars (\$130.00) for the year 2008 for each Community Water System.

SEQR ACTION: TYPE II - 20

* * * * *

Explanation:

Reference: Memorandum and Order November 29, 2007, State of New York, Supreme Court, Appellate Division, Third Judicial Department # 502852.

Community water system (CWS) operating fees for 2008 adopted by the Board of Health in 2007 were based on the population served by the water system. The New York State Supreme Court, Appellate Division ruled that fees may not be based on population; therefore, the 2008 CWS fees must be revisited.

The Division of Environmental Health is proposing that the Board of Health adopt a flat fee of \$130 for these systems for 2008. This is the same fee assessed in 2007. Our recommendation considered that:

- Due to the pending court decision, these facilities were invoiced late for their 2007 fees. They were billed \$130 for their 2007 fees in December 2007.
- Community Water Systems will be receiving an additional bill from the Health Department in 2008. Many community water systems are required to conduct radiological sampling this year and recently received a bill from Environmental Health for \$250 to cover the cost of the analyses. This is the first time that these systems have been required to collect these samples. For most systems, radiological sampling will not be required again for 9 years.
- The small water systems (serving populations with less than 50 population) make up 65% of the Community Water Systems and have the smallest financial basis for paying the fees. It would be an economic hardship to impose a large increase in fees on the small systems.
- The additional revenue generated by a small increase does not seem warranted given the compressed billing schedule for 2007 and 2008 fees and the \$250 fee for radiological sampling.

* * * * *

RESOLUTION NO. – APPROPRIATION FROM CONTINGENT FUND – TERMINAL PAY – HEALTH DEPARTMENT

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

WHEREAS, the Health Department had a Senior Clerk resign effective January 25, 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 Health and Human Services and the Budget and Capital Committees, That the Director of Finance is hereby authorized and directed to make the following budget appropriation:

FROM:	A1990.54440	Contingent Fund	\$1,053
TO:	A4016.51000518	Senior Clerk	\$ 763
	A4016.58800	Fringes	\$ 290

SEQR ACTION: TYPE II-20

RESOLUTION NO. - AUTHORIZING THE TRANSFER OF LOCAL FUNDS AND CONTRACTUAL AUTHORITY FOR THE 'RURAL RISK REDUCTION PROGRAM' FROM THE YOUTH SERVICES DEPARTMENT TO THE SOCIAL SERVICES DEPARTMENT, WITH AN ASSOCIATED BUDGET ADJUSTMENT FOR THE LATTER

It was MOVED by Ms. Herrera, seconded by Mr. Hattery, and unanimously adopted by voice vote, to approve the following resolution and submit to the full Legislature:

WHEREAS, Cornell Cooperative Extension of Tompkins County provides youth development programming to 150 middle school-aged youth in Newfield and Enfield to reduce their need for foster care and/or juvenile justice services, and

WHEREAS, the New York State Office of Family and Children's Services has approved the Department of Social Services' application for this Rural Risk Reduction program to receive a COPS (Community Optional Preventive Services) designation, qualifying it for Federal and enhanced State reimbursement as a Preventive Services Program of the local Department of Social Services, and

WHEREAS, the Tompkins County Legislature had previously approved one-hundred percent local funding for this program through the Youth Services Department's budget in 2008, and

WHEREAS, transferring local funding and contractual authority for this program from the Youth Services Department to the Department of Social Services will allow for those local funds to be leveraged and the program expanded at no increase to local cost, now therefore be it

RESOLVED, on recommendation of the Health and Human Services and the Budget and Capital Committees, That the Department of Social Services is authorized to enter into a contract worth \$81,828 to pay for the Rural Risk Reduction program from April through December,

RESOLVED, further, That the Youth Services Department shall redirect \$28,640 of the local funds in its 2008 budget for the Primary School Support Program to Social Services for the local cost of the program for the remaining three quarters of 2008,

RESOLVED, further, That the Director of Finance is authorized to make the following adjustments to the Social Services 2008 budget:

Appropriation:	6070.54400	Purchase of Services	\$81,828
Revenue:	6070.41894	Social Services Charges	\$28,640
	6070.43670	State Reimbursement	\$53,188

SEQR ACTION: TYPE II-20

Explanation: This resolution reflects the continuing efforts of the Youth Services Department and the Department of Social Services to cooperate to maintain or, as in this case, to increase the community's preventive services for youth delivery system without increasing net local cost. This approach has been in use for the past several years with respect to agreements with both Tompkins Community Action and the Advocacy Center. The Youth Services Department and the Department of Social Services agree that the former will continue to provide program monitoring for this program and that the two departments will continue to cooperate in all ways that are needed to ensure its success.

RESOLUTION NO. - AUTHORIZING THE TRANSFER OF LOCAL FUNDS AND CONTRACTUAL AUTHORITY FOR THE BRIDGES PROGRAM FOR YOUTH FROM THE YOUTH SERVICES DEPARTMENT TO THE SOCIAL SERVICES DEPARTMENT, AND AN ASSOCIATED BUDGET ADJUSTMENT FOR THE LATTER

It was MOVED by Ms. Mackesey, seconded by Ms. Herrera, and unanimously adopted by voice vote, to approve the following resolution and submit to the full Legislature:

WHEREAS, through its Bridges program, Berkshire Farms provides Anger Management Training and crisis management support to help prevent 150 youth per year from acting aggressively and/or running away from home, thereby reducing or eliminating their need for foster care and/or juvenile justice services, and

WHEREAS, the New York State Office of Family and Children's Services has approved the Department of Social Services' application for the Bridges program to receive a COPS (Community Optional Preventive Services) designation, qualifying it for Federal and enhanced State reimbursement as a Preventive Services Program of the local Department of Social Services, and

WHEREAS, the Tompkins County Legislature had previously approved one-hundred percent local funding for this program through the Youth Services Department's budget in 2008, and

WHEREAS, transferring local funding and contractual authority for this program from the Youth Services Department to the Department of Social Services will allow for those local funds to be leveraged and the program expanded at no increase to local cost, now therefore be it

RESOLVED, on recommendation of the Health and Human Services and the Budget and Capital Committees, That the Department of Social Services is authorized to enter into a contract worth \$48,000 to pay for the Bridges program from April through December,

RESOLVED, further, That the Youth Services Department shall redirect \$16,800 of the local funds in its 2008 budget for the Primary School Support Program to Social Services for the local cost of the program for the remaining three quarters of 2008,

RESOLVED, further, That the Director of Finance is authorized to make the following adjustments to the Social Services 2008 budget:

Appropriation:	6070.54400	Purchase of Services	\$48,000
Revenue:	6070.41894	Social Services Charges	\$16,800
	6070.43670	State Reimbursement	\$31,200

SEQR ACTION: TYPE II-20

Explanation: This resolution reflects the continuing efforts of the Youth Services Department and the Department of Social Services to cooperate to maintain or, as in this case, to increase the community's preventive services for youth delivery system without increasing net local cost. This approach has been in use for the past several years with respect to agreements with both Tompkins Community Action and the Advocacy Center. The Youth Services Department and the Department of Social Services agree that the former will continue to provide program monitoring for this program and that the two departments will continue to cooperate in all ways that are needed to ensure its success.

RESOLUTION NO. - APPROPRIATION FROM GENERAL FUND – CITY OF ITHACA – MUNICIPAL ` AGREEMENT

It was MOVED by Ms. Mackesey, seconded by Ms. Herrera, and unanimously adopted by voice vote, to approve the following resolution and submit to the full Legislature.

Mr. Whicher asked Legislators to keep in mind when developing the 2009 budget that human service agencies will receive this extra sum of money through the sales tax agreement.

The Committee briefly discussed what the increase in sales tax could be attributed to. Mr. Whicher noted there has been a shift in sales from the Pyramid Mall to downtown, an overall increase in sales that were previously going out of Tompkins County, and there is also an increase in the number of hotel rooms.

WHEREAS, Resolution No. 87 of 1993, gave authorization for the County to enter into an agreement with the City of Ithaca for the distribution of sales tax, and

WHEREAS, the County agreed to pay to the City of Ithaca for selected services provided by the City and further agreed that the City and the County would develop mechanisms for more efficient consolidation of services, and

WHEREAS, in separate amendments to the original agreement, the City has allocated this funding to human services, recreation mainstreaming, youth services, emergency dispatch, and transit services, and

WHEREAS, the 2007 sales tax for this agreement increased by 10.2 percent or \$1,511,269 for use in 2008, now therefore be it

RESOLVED, on recommendation of the Budget and Capital Committee, That the Director of Finance be authorized and directed to make the following budget appropriation:

From:	Unallocated Revenues A9999.41110		\$140,190
To:	2008 Budget	2008 Modified Budget	Difference
<u>Expense</u>			
OAR A6315.54400	6,307	6,952	645
HSC Agencies A6305.54400	267,909	295,302	27,393
Rec Mainstream Youth 7028.54666	125,195	149,256	24,061
Rec Mainstream Adult 4326.54400	78,673	88,673	10,000
County/City Program 6901.54666	381,995	460,086	78,091
<u>Total Expense</u>	<u>860,079</u>	<u>1,000,269</u>	<u>140,190</u>
<u>Revenue</u>			
OAR A6315.41110	6,307	6,952	645
HSC Agencies A6305.41110	267,909	295,302	27,393
Rec Mainstream Youth 7028.41110	125,195	149,256	24,061
Rec Mainstream Adult 4326.41110	78,673	88,673	10,000
County/City Program 6901.41100	381,995	460,086	78,091
<u>Total Revenue</u>	<u>860,079</u>	<u>1,000,269</u>	<u>140,190</u>

RESOLVED, further, That payments to Southside Community Center - *a pass-through payment that the County makes to the City and the City makes to Southside* - as outlined in the agreement, to total \$30,225 for 2008, and

RESOLVED, further, That payments to Tompkins County Public Library - *a pass-through payment that the County makes to the City and the City makes to the Library* - as outlined in the agreement, to total \$12,846 for 2008, and

Budget and Capital Committee
March 10, 2008

RESOLVED, further, That payments to Tompkins County Area Transit, Inc., (TCAT) as outlined in the agreement, is \$364,000 and the Tompkins County Emergency Response is \$147,000 for Emergency Dispatching.

SEQR ACTION: TYPE II-20

* * * * *

2008 Solid Waste Annual Fee Refund List

The 2008 Solid Waste Annual Fee refund list was presented to the Committee for information only.

Adjournment

The meeting adjourned at 4:10 p.m.

Respectfully submitted by Michelle Pottorff, TC Legislature Office