

**October 26, 2015**

The Legislature convened at 9:00a.m. on October 26, 2015 for the purpose of hold the first of two days of budget workshop, Chairman Dennis presided with all present.

Chairman Dennis made the following comment:

Thank you to everyone that has worked so hard to get us prepared for this budget workshop. We will be setting in place the funding for county government for 2016. In doing so, we are making a statement of our values and priorities. We need to keep in mind longer term implications of our decisions.

Yates County property tax makes up about 29% of the total property taxes paid by our residents and businesses. Take into account that school tax, town tax, village tax, special districts and fire protection make up the other 71%. I encourage all of you to review the recent Yates County Demographic Snapshot from NYSAC.

This year there have been some notable changes in our budget process. Early in the year, we decided to have the budget prepared and managed within our "Munis" financial software package. As a result, the document might look a little different. This change was accomplished by a team of our IT Director, County Administrator, and Treasurer. Also, department heads have had a more direct contact with the budget as they were able to work in Munis as they prepared their department budgets.

In August the title of Budget Officer was transferred from the County Administrator to the Treasurer. This was a seamless transfer and I express gratitude to both of these people.

Budget Officer Flynn has directly involved department heads in the steps to this proposed budget. I offer a huge thank you to Nonie Flynn, her staff, and all the management team.

Once again, our Clerk of the Legislature, Connie Hayes, has provided homemade snacks and beverages. This is beyond the call of duty but does exemplify the feeling of "family" within our total organization. There is a cup to make donations to help defray her expenses. Thank you Connie.

Also, thank you to Tim Groth for putting the budget up on the website, I know at this stage it hasn't been done but I want the public to be as fully involved in this as possible. Also, I would mention, we do have WIFI in these chambers and if you would like to access our website and follow the budget along on your mobile device, please feel free to do so.

At the start of each agenda item I invite the manager to briefly point out items of interest or clarify issues that affect the overall budget for that department.

I would like to remind the members of the legislature that each member will speak when recognized. If I fail to see your hand raised, please ask by using your microphone. I expect we will take a ten to fifteen minute break ever 1.5 to 2 hours.

Mr. Paddock moved to suspend the Rules of Procedure for purposes of the workshop. Votes will be determined on majority of those present, seconded by Mrs. Percy.

VOTE: Unanimous

**NOTE: Minutes of budget workshop only reflect motions made, votes taken and discussion pertaining to the motions.**

#### Legislature

Chairman Dennis stated that he sent an email over the weekend regarding joining NACO. Tim suggested that maybe funding could be taken from the mileage line and put into the municipal dues lines.

Mr. Sackett moved to reduce line item 1010/54654 mileage by \$507 and add \$507 to the municipal dues line, seconded by Mrs. Percy.

VOTE: Unanimous

#### County Clerk

Chairman Dennis stated that actual year to date for line item 1410/43005 mortgage tax looks like we are going to do really well and it has only been increased by \$1,000. Julie felt that it could be increased.

Mrs. Percy moved to increase line item 1410/43005 to \$190,000, seconded by Mr. Paddock.

VOTE: Unanimous

#### Elections

Discussion took place on increasing the hourly wage for the Deputy Commissioners.

Mr. Morrison moved to increase line item 1450/51595 to reflect \$15.00 an hour. The motion died for the lack of a second.

#### Buildings & Grounds

Chairman Dennis questioned line item 1620/54453 Buildings & Grounds/COB which had funding in there for carpet in Social Services.

Joe explained in the back part of DSS the carpet seams are starting to come apart. Joe has used colored duct tape to hold the seams together, and it has been this way for a couple of years.

Mr. Banach stated that a couple of years ago a tour of the building was done for the new legislators and it was highly noted by everyone that the carpet was very well worn and is quite dangerous. The thought was to do something last year but we couldn't and it will have to be done this year.

Mr. Morrison questioned if it was one room. Joe explained it is mainly the main corridor where there is foot traffic all day long. The backing on the carpet is 15 years old and it gets heavy traffic every day. Joe plans on using carpet tile thereby allowing for sections to be done at a time. Joe feels that if tile was not used you would be able to hear the sound transfer through the floor and the acoustics will change.

Mr. Montgomery questioned how firm the \$5,000 was. Joe explained the \$5,000 that is in the budget is for typical operating expenses. The additional \$5,000 that was taken out was to address the carpet issues and the \$5,000 will not take care of the entire problem but will allow him to start making the repairs needed.

Mr. Morrison stated there is a similar situation with line item 1621/54453 in public safety. Joe explained the funding there was for carpet and paint in the administration area of the Public Safety Building.

Mrs. Percy questioned if all the tiles were not purchased at the same time would there be an issue later on in not obtaining the same tile. Joe explained there should be no problem as this is a popular tile.

Mr. Morrison moved to restore the \$5,000 to line item 1620/54453 in the County Office Building, seconded by Mr. Banach.

DISCUSSION:

Mr. Paddock questioned where the offsetting revenue is going to come from to do this to keep us under the take cap.

Mr. Morrison stated he felt there were some bigger items coming up and the offsetting revenue could possibly come from public safety. Mr. Morrison stated that if it isn't found by the end of tomorrow, we can come back and remove the funding.

Mr. Morris stated in past years we held any additions until the end of the workshop. Mr. Morris moved to table this motion until the end of the workshop, seconded by Mr. Clark.

VOTE: Unanimous

Discussion will also take place on the funding for carpet and paint at the Public Safety Administration office.

#### Central Mailing

Nonie stated that revenue line A1670/41274 could probably be raised by \$300 to \$1,260.

Mr. Paddock moved to increase line item A1670/41274 by \$300, seconded by Mrs. Church.

DISCUSSION:

Mrs. Dunn questioned why Nonie felt it could be increased.

Nonie explained she reviewed it again last night and looked at the actuals and subtracted out the UPS fees and the actual is trending a little bit higher than what she projected for that line.

VOTE: Unanimous

#### Communications

Ron explained in order to eliminate the use of the Stid Hill Tower the South Hill Tower needs to be raised by 2 sections which the estimated cost is \$35,000. Ron will need to use funds from the reserve account to cover the South Hill Tower.

Mr. Paddock moved to increase line item A3020/54736 by \$35,000 and \$35,000 be taken from the reserve account, seconded by Mrs. Percy.

VOTE: Unanimous

#### Jail

Mr. Morrison questioned the line item 3150/54023 hospital charges. The actual spent in 2014 was \$44,000 and the adopted budget this year was \$65,000 so far we have used \$25,000 and it looks like this line item will end up somewhere near \$40,000 again and we have budgeted \$75,000. Mr. Morrison questioned if there was room there to cut the line item \$20,000 to \$25,000.

Sheriff Spike stated that there may be some room there as great strides have been made with medical scrubbing of the bills. When the budget was put together in August there were some concerns as to what those costs would end up being.

Mrs. Percy moved to lower line item A3150/54023 to \$60,000, seconded by Mrs. Church.

VOTE: Unanimous

#### Court Security

Sheriff Spike stated that line item 3190/43330 state aid needs to be increased by \$25,000.

Mr. Paddock moved to increase line item A3190/43330 state aid by \$25,000, seconded by Mrs. Percy.

VOTE: Unanimous

Mr. Paddock moved to enter executive session to discuss collective negotiations with Council 82, the employment history of particular persons, and the proposed sale of real property, with the Treasurer, County Administrator and Legislature present, seconded by Mr. Multer

The Legislature recessed their meeting at 5:42p.m.

### **October 27, 2015**

The Legislature reconvened in open session at 9:00a.m. with Tim Dennis, Gary Montgomery, Jim Multer, Dan Banach, Lee Sackett, Bob Clark, Doug Paddock, Margaret Dunn, Elden Morrison, Bonnie Percy, Bill Holgate, Leslie Church, Mark Morris, Jim Smith, Sarah Purdy, and Connie Hayes present.

#### Social Services

Mr. Smith questioned the mileage line of \$12,000. Amy was authorized to purchase an additional county vehicle and it looks like this line item will come in at about \$9,000 so Mr. Smith is questioning why the line is increasing when there will be more county vehicles available.

Amy reminded everyone that there is a one month lag on the expenditure figures and explained she anticipates that the old car will not be in use shortly as it continues to have problems so the number of vehicles available will not increase.

Chairman Dennis stated that it is a long way from \$6,000 to \$12,000.

Mr. Montgomery questioned what was spent in 2014 and 2013.

Treasurer Flynn stated \$10,100 was spent in 2014 and 2013 and in 2012 \$9,411 was spent. This year so far on average it should come in at approximately \$9,000.

Mr. Montgomery moved to reduce line item A6010/54654 mileage to \$9,000, seconded by Mr. Morris.

Mrs. Dunn feels taking this line to \$9,000 is too much of a cut and should be at \$10,000 or \$10,500.

Mrs. Percy stated that mileage is paid at the federal rate and that rate has not been established for 2016 yet.

VOTE: Roll Call- Montgomery, Morrison, Holgate, Church, Sackett, Morris, Clark voting "Yes" Paddock, Dunn, Percy, Multer, Banach, Dennis voting "No" motion carried

#### Public Defender

Public Defender Brockman addressed the board explaining that the way the secretarial stipends are now being done because of the IRS audit his secretary will be losing approximately \$8,600. Mr. Brockman urged the legislature to reconsider how the secretarial stipends are handled.

Mr. Banach commented that the IRS stepped in through the fault of no one and all of the sudden because of the IRS we punishing the Public Defender with regards to almost \$9,000. Mr. Banach stated that he looks at this as another unfunded mandate that we are passing down because some government above us made the situation different. We are so against mandates getting passed to us, but yet when we get a chance to throw something down we throw it down. This is hypercritical and Mr. Banach would like to see the \$9,000 restored.

Mr. Banach moved to increase line item A1170/51646, secretary by \$8,609, seconded by Mr. Sackett.

Chairman Dennis stated if we do this, we have to go back and do the other ones, because fair is fair. We imposed this on the rest of our attorney's and their secretarial services. If we go down this track we are going to keep going down this track.

Mr. Montgomery stated it is not just the salary it will be benefits as well so it is a larger number.

Mr. Morris, stated we were very clear when we talked about this before, that we were going to be talking about total compensation. If we are going to make an adjustment, the adjustment should

back out the other income that the individuals are going to be receiving. It is not about this particular one, it's about how we handle all of them. People are currently on contract, and were getting a contract payment. The IRS says they have to be employees, so because we have to make them employees we have to pay, FICA, Medicare health care, and pension and the intention was it was going to be the same. If there is going to be any adjustment, the adjustment should be what is the actual real difference after you net out at the end of the year through your income tax. It isn't because you have less money coming in. This is pretty complex and Mr. Morris feels this is an issue that we have to be careful that we just don't say we are going to pick up and the taxpayer is going to have to pick up the extra.

Mrs. Percy stated that part of this could be alleviated by paying the secretaries directly as employees.

Chairman Dennis stated if we pay them directly, we are still going to have to pay their social security, Medicare and retirement and the net cost to us will go up.

Mr. Morrison stated this is a complex issue. The bottom line at the end of the year, it might be different for different people depending on the level of family income. If we want to look at this again at a little more detail so be it. Mr. Morrison feels the legislature should not jump in with a \$9,000 adjustment.

Mr. Brockman pointed out that this is occurring at a time when the responsibilities in the office have been increased by mandate for both attorneys and secretaries.

Mr. Multer stated there is a lot of information that we need to obtain as far as what the total cost would be for the other's involved.

Mr. Multer moved to table this motion until more information is available, seconded by Mr. Morris.

VOTE: Paddock, Montgomery, Dunn, Morrison, Percy, Multer, Holgate, Church, Sackett, Morris, Clark, Smith, Dennis voting "Yes" Banach voting "No" motion carried.

#### Refuse & Garbage

Connie questioned if the Legislature wanted to keep the \$2,500 in the budget for the Household Hazardous Waste Day as there were only 30 participants this year versus 67 in 2014.

Mr. Montgomery suggested that we do not do this next year.

Mr. Montgomery moved to eliminate the \$2,500 from line item A8160/54521, seconded by Mr. Morrison.

Mr. Banach feels this should be discussed in committee and feels this is not the place to discuss this. Mr. Banach feels there are a lot of issues that should be discussed and he does not feel the time should be taken here. We are going to have a committee meeting in a week or so we can come back to it.

Mr. Montgomery stated the fact that the numbers were down significantly and various towns have their own programs he is not sure it is worth the \$2,500.

Mrs. Church stated that not all the towns have programs.

Mr. Sackett stated the last time we did this it didn't seem to be a huge success at all and he doesn't feel it is worth investing the money.

Mr. Paddock stated the cost per car for this year was \$80, something that could be considered is holding a Household Hazardous Waste Day every other year rather than yearly.

VOTE: Roll Call: Paddock, Montgomery, Dunn, Morrison, Sackett, Morris, Clark, Smith voting "Yes" Percy, Multer, Holgate, Banach, Church, Dennis voting "No" motion carried.

#### Road Fund

Dave explained the next bridge for consideration is the Valley View Bridge and is red flagged right now with a 5 ton limit. There has been no decision as to whether this bridge is to be repaired or not. Dave stated he would hate to see another bridge get closed. We already have a couple of closed bridges. This bridge serves a couple of homes and there is farmland that someone needs to get to. Fire and EMS services out of Middlesex will be inconvenienced and there will be a delay in getting there.

Chairman Dennis questions if the repairs were done would that give the bridge another 20 or 30 years. Dave explained that if repairs are made the bridge will probably last another 50 years.

Chairman Dennis stated this is a pretty good investment for the money.

Mr. Paddock stated in the capital plan there was the West Avenue Bridge at \$217,000. The West Avenue Bridge is currently in the budget at \$225,000.

Mr. Morris questioned Dave as to what his priority would be more highway work or the bridge repair. Dave explained he would rather do more highway work and feels that the bridge could wait another year.

Mr. Paddock moved to increase line item D5112/54602 Bituminous Materials by \$250,000 and take a corresponding amount from Road Machinery Fund, seconded by Mr. Morris.

VOTE: Unanimous

Discussion took place on replacing part of the carpet in Social Services and the Public Safety Building which was tabled from yesterday.

Joe explained if the money was put into Social Services budget they might be able to obtain some state reimbursement.

Mr. Smith moved to increase line item A6010/54470 Office supplies in Social Service by \$5,000 to cover replacing part of the carpet, seconded by Mr. Banach.

VOTE: Unanimous

Mrs. Percy moved to increase line item A1621/54453 supplies in the Public Safety Building by \$4,000 to cover carpet and ceiling tiles in the public safety building.

VOTE: Unanimous

Mrs. Percy moved to restore the \$5,000 funding to the ARC line item A4330, seconded by Mrs. Dunn.

Mr. Paddock stated that the \$5,000 does not affect their ability to access additional funds. It would allow them to provide more services but only at the \$5,000 level. It wasn't like it was going to get them another \$20,000.

Chairman Dennis stated it did not leverage additional money, it did give them an incremental ability to service people a few more hours.

VOTE: Roll Call – Dunn, Percy, Multer, Holgate “Yes” Paddock, Montgomery, Morrison, Banach, Church, Sackett, Morris, Clark, Smith, Dennis voting “No” motion lost.

Mr. Paddock moved to increase line item A6772 ProAction to \$93,661, seconded by Mr. Sackett.

Mr. Paddock stated his reasoning was that \$1 leverages an additional \$3 allowing them to provide services and history has shown that this is much lower cost than putting someone in a nursing home.

VOTE: Paddock, Dunn, Percy, Multer, Holgate, Banach, Church, Sackett, Morris, Dennis voting “Yes” Montgomery, Morrison, Clark, Smith voting “No” motion carried.

Mrs. Percy moved to add funding for a road patrol deputy for traffic control, seconded by Mrs. Church.

Mr. Holgate stated one of things that he heard yesterday was we have sheriff's out there driving cars that basically should just be driven around town. We lost steering on two cars this year, the Sheriff has made requests which were taken out of the capital plan. It seems to me that if we were to get another sheriff we would also need more cars.

Chairman Dennis questioned if that deputy should be added are we going to have to purchase a car for he/she.

Mr. Holgate stated that it appears that would be the case. Regardless of that, Mr. Holgate would also like to discuss the fact that with the current staffing it looks like we need more cars.

Mr. Morrison stated according to Mr. Morris's data, on a per capita basis our public safety department is the fourth most expensive in the state. For a rural county 13% of our population is high. Mr. Morrison does not see adding any further cost in public safety.

Mrs. Percy stated this is a public request. Basically they are complaining to the Sheriff's department that they are not checking for speeding and other infractions. Mrs. Percy feels this is a need for the public.

Mrs. Dunn feels this officer was specifically put in the budget for traffic control so they could be put where it is being requested, she feels the legislature should move forward with it. It is a potential situation that the legislature has already been put on notice that if something happens it will come back on the county.

Mr. Smith questioned if we add another deputy sheriff, how we would fund that as we are up against the tax cap so that is of concern. Mr. Smith stated we have heard the sheriff in discussions on this over the year that one of the main reasons he doesn't put anyone on road patrols is because the county does not share the revenue of those tickets. There is an ability to put someone on road patrol there is a decision not to do that. Mr. Smith questions the concepts of hiring someone dedicated to road patrol. Mr. Smith feels there is a large enough force here, there is enough different types of issues going on that he does not feel it is realistic that we would hire someone and have them exclusively for road patrol. Also, by having one person, people would know when that person's shift was so then, when that person is not on road patrol it would be an opportunity for the speeders to speed. Lastly, if we are really concerned, Mr. Smith questions the incident that occurred this weekend where we had someone who was guilty of a traffic infraction that resulted in a high speed chase of over 100 mph with 4 sheriff's deputies chasing him on a Sunday evening. If the real concern is speeding and the impact that that may have on the people in buggies or on foot or on bicycles, we might want to reconsider high speed chases because instead of the one person who maybe in violation of some traffic infractions now we have him speeding and we have deputies chasing him which seriously increases the risk to our citizens.

Mr. Multer stated he is in favor of doing this but is concerned about the cars and how that is going to be handled.

Mr. Multer moved to table this motion until the Public Safety meeting and have further discussion with the Sheriff as to how he might handle that situation. We can still add it back in later if it is decided to do that, seconded by Mr. Holgate.

VOTE: Roll Call – Paddock, Montgomery, Dunn, Percy, Multer, Holgate, Banach, Church, Sackett, Morris, Clark, Smith, Dennis, voting "Yes" Morrison voting "No" motion carried.

Mr. Montgomery moved to decrease the overtime in the jail, line item A3150/51952 by \$40,000, seconded by Mr. Morrison.

Mr. Montgomery stated we agreed to add the two correction officers and the sheriff told us he would offset that cost by reducing overtime. The fact is he did not by approximately \$40,000.

Mr. Smith stated he believes there is an increase in the part time correction officers which should also be part of the reduction in overtime of \$15,000.

Mr. Holgate suggested that this discussion should take place at public safety when the Sheriff is present.

Chairman Dennis stated there is a motion on the floor and there hasn't been a motion to table that.

Mr. Multer moved to table this motion for discussion at the Public Safety meeting and then come back to the next scheduled meeting of the legislature, seconded by Mr. Holgate.

VOTE: Paddock, Dunn, Percy, Multer Holgate, Banach, Church, Sackett, Dennis voting "Yes" Montgomery, Morrison, Morris, Smith voting "No" motion carried

Mr. Paddock moved to enter executive session to discuss collective negotiations with Council 82, with the Legislature and County Administrator present, seconded by Mrs. Percy.

Meeting adjourned at 1:57p.m.