

SPECIAL SESSION – MONDAY, NOVEMBER 23, 2015

The Legislature convened in special session Monday, November 23, 2015 at 6:30p.m. in the Legislative Chambers. Chairman Dennis presided with Legislator Church absent.

Chairman Dennis made the following comments.

Thank you for joining us for the public hearing on our 2016 tentative budget. We have spent several hours over three days in workshops to get to this point.

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.

I would remind everyone that a budget is a flexible document. It represents the best estimate of revenues and expenditures. The budget is also a statement of our priorities and values. It does represent what the legislature has collectively decided will be our operating plan for 2016.

The plan for this hearing will be Budget Officer Winona Flynn will give a presentation of the tentative budget. After that, finance Chairman Doug Paddock will take comments and or questions from the public. At the conclusion of that, I expect the Legislature will have a discussion and perhaps some amendments to the budget. At the conclusion, I expect we will have a motion to adopt the 2016 budget.

We do have a resolution which will be considered at the end of the budget hearing.

Chairman Dennis turned the meeting over to Budget Officer Flynn who gave the following power point presentation.

Yates County 2016 Budget

November 23, 2015

Winona Flynn

Treasurer/Budget Officer

All Funds Summary

	2015	2016	\$ Change	% Change
Revenue (not property taxes)	\$24,722,317	\$23,980,984	-\$741,333	-3.00%
Expenditures	\$42,740,416	\$41,893,513	-\$846,903	-1.98%
Net	-\$18,018,099	-\$17,912,529	-\$105,570	-0.59%
Reserve to Offset	\$2,207,767	\$1,889,085	-\$318,682	-14.43%
Total Levy	\$15,810,332	\$16,023,444	\$213,112	1.35%
NYS Tax Levy Limit		\$16,033,444		
Under Allowable Cap		\$10,000		

General Fund Summary

	2015	2016	\$ Change	% Change
Total Revenues	\$22,585,838	\$22,726,663	\$140,825	0.62%
Contractual	\$17,466,363	\$16,116,777	-\$1,349,586	-7.73%
Personal Services	\$11,004,504	\$11,498,444	\$493,940	4.49%
Employee Benefits	\$5,271,020	\$5,482,244	\$211,224	4.01%
Debt Payment	\$1,727,988	\$1,673,788	-\$54,200	-3.14%
Transfers	\$305,248	\$358,435	\$53,187	17.42%
Equipment	\$440,732	\$276,120	-\$164,612	-37.35%
Total Expenditures	\$36,215,855	\$35,405,808	-\$810,047	-2.24%
Net	-\$13,630,017	-\$12,679,145	-\$950,872	-6.98%
Reserve to Offset	\$2,106,669	\$926,070	-\$1,180,599	-56.04%
Levy	\$11,523,348	\$11,753,075	\$229,727	1.99%

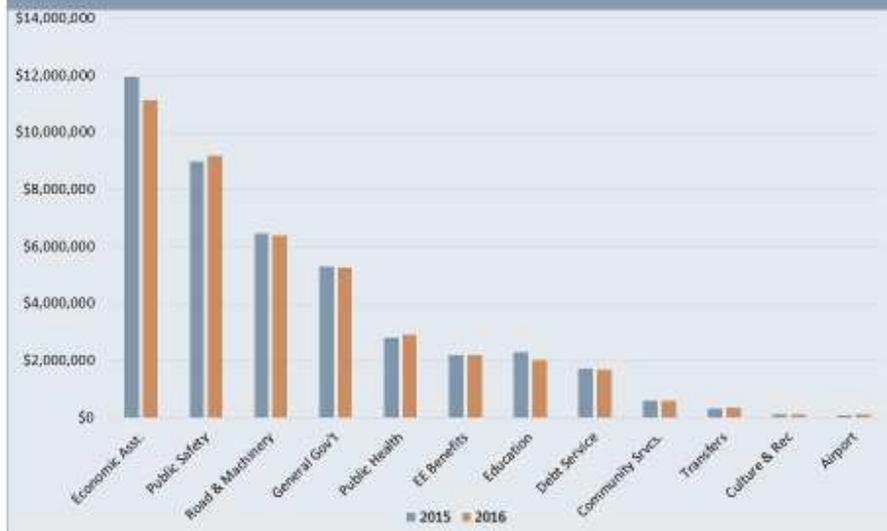
Airport Fund Summary

	2015	2016	\$ Change	% Change
Total Revenues	\$31,339	\$28,501	-\$2,838	-9.06%
Total Expenditures	\$82,437	\$94,101	\$11,664	14.15%
Net	-\$51,098	-\$65,600	\$14,502	28.38%
Reserve to Offset	\$51,098	\$65,600	\$14,502	28.38%
Levy	\$0	\$0	\$0	0%

Road & Road Machinery Funds

	2015	2016	\$ Change	% Change
Total Revenues	\$2,105,140	\$1,225,820	-\$879,320	-41.77%
Contractual	\$4,238,255	\$3,932,325	-\$305,930	-7.22%
Personal Services	\$1,327,466	\$1,356,389	\$28,923	2.18%
Employee Benefits	\$714,606	\$745,972	\$31,366	4.39%
Equipment	\$126,000	\$321,000	\$195,000	154.76%
Transfers	\$35,797	\$37,918	\$2,121	5.93%
Total Expenditures	\$6,442,124	\$6,393,604	-\$48,520	-0.75%
Net	-\$4,336,984	-\$5,167,784	\$830,800	19.16%
Reserve to Offset	\$50,000	\$897,415	\$847,415	1,694.83%
Levy	\$4,286,984	\$4,270,369	-\$16,615	-0.39%

How the Money is Spent



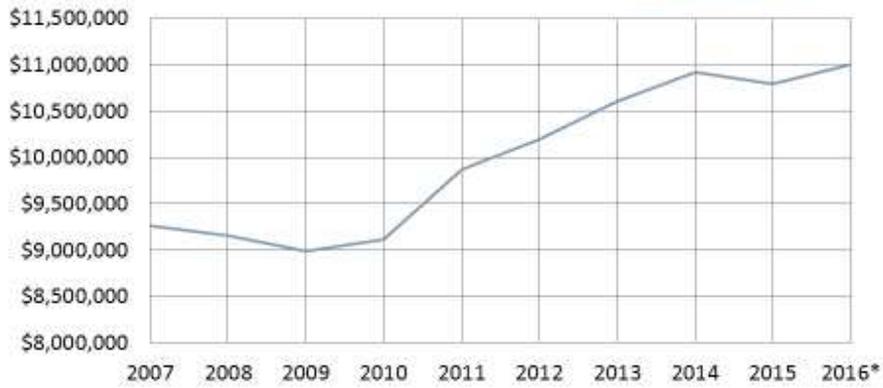
New York State Mandates

	2015	2016	\$ Change	% Change
Medicaid	\$4,284,984	\$4,159,571	-\$125,413	-2.93%
NYS Pension	\$2,280,000	\$2,185,025	-\$94,975	-4.17%
Social Services Programs	\$2,400,683	\$1,009,216	-1,391,467	-57.96%
Community College	\$1,000,000	\$930,000	-\$70,000	-7.00%
Special Ed. Pre-K	\$640,056	\$600,000	-\$40,056	-6.26%
Probation	\$457,170	\$481,696	\$24,526	5.36%
Indigent Defense	\$362,540	\$376,941	\$14,401	3.97%
Workers' Compensation	\$321,045	\$376,353	\$55,308	17.23%
Early Intervention	\$52,891	\$36,720	-\$16,171	-30.57%
Total Net Cost	\$11,799,369	\$10,155,522	-\$1,547,309	-13.11%
Percent of Net Budget	65.49%	56.70%		
Percent of Total Levy	74.63%	63.38%		

Agency Funding

	2015	2016	\$ Change	% Change
Cornell Cooperative Extension	\$240,153	\$240,153	\$0	0%
Tourism Promotion Agency	\$251,000	\$222,716	-\$28,284	-11.27%
ProAction of Steuben & Yates	\$85,284	\$93,661	\$8,377	9.82%
YC Soil & Water	\$92,600	\$92,600	\$0	0%
YC Chapter NYSARC	\$5,000	\$5,000	\$0	0%
YC History Center	\$1,000	\$1,000	\$0	0%
Total	\$675,037	\$655,130	-\$19,907	-2.95%

Historical Sales Tax Revenue



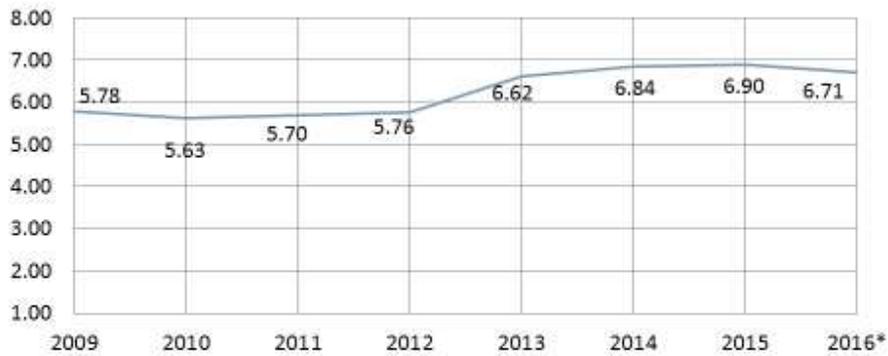
Tax Information

Year	Full Value Rate used for Apportionment	% Change	Tax Levy	Full Value Tax Rate
2009	\$2,097,663,388	-	\$12,131,154	\$5.7832
2010	\$2,154,089,847	2.69%	\$12,131,154	\$5.6317
2011	\$2,179,625,678	1.19%	\$12,424,621	\$5.7003
2012	\$2,220,121,243	1.86%	\$12,784,935	\$5.7587
2013	\$2,215,925,516	-0.19%	\$14,660,231	\$6.6159
2014	\$2,258,024,293	1.90%	\$15,453,192	\$6.8437
2015	\$2,290,352,793	1.43%	\$15,810,332	\$6.9030
2016	\$2,386,419,234	4.19%	\$16,023,444	\$6.7144

2016 Property Tax Levy and Rate

	2015	2016	\$ Change	% Change
Property Tax Levy	\$15,810,332	\$16,023,444	\$213,112	1.35%
Full Value Rate Used for Apportionment	\$2,290,352,793	\$2,386,419,234	\$96,066,441	4.19%
Full Value County Tax Rate	\$6.9030	\$6.7144	\$-0.1886	-2.73%

Tax Rate 2009 - 2016



Town Tax Rate Comparison

Town	2015 Rate	2016 Rate	\$ Change	% Change
Barrington	\$7.106567	\$6.937432	-\$0.169135	-2.38%
Benton	\$7.107802	\$6.940295	-\$0.167507	-2.36%
Italy	\$7.125122	\$6.968844	-\$0.156278	-2.19%
Jerusalem	\$7.332111	\$7.148426	-\$0.183685	-2.51%
Middlesex	\$7.107117	\$6.936052	-\$0.171065	-2.41%
Milo	\$7.253211	\$6.929210	-\$0.324001	-4.47%
Potter	\$7.121089	\$6.929441	-\$0.191648	-2.69%
Starkey	\$7.135246	\$6.976892	-\$0.158354	-2.22%
Torrey	\$7.111437	\$6.928940	-\$0.182497	-2.57%

Property Tax Freeze Credit

Available:

- * Because Yates County stayed within its NYS property tax cap and has a NYS approved government efficiency plan.
- * For homeowners that are eligible for the School Tax Relief (STAR) credit – their property must be their primary residence & their taxable household income must be \$500,000 or less.

The Freeze Credit is equal to the greater of:

- * The actual increase in the homeowner's tax bill or
- * The previous year's tax bill multiplied by the inflation factor provided by NYS of 0.73%.

Looking Ahead

- * 5 year budget planning beginning in 2016.
- * Slowly declining pension costs.
- * Escalating health insurance costs.
- * Two new hotels that we expect will increase sales tax revenue.
- * Cap on the growth of Medicaid costs.
- * Continuation of services to the residents of Yates County.

2016 Tentative County Taxes

Assessed Value	2015 Tax Bill	2016 Tax Bill	2016 Reduction	County Rebate*
\$50,000	\$345.18	\$335.72	-\$9.45	\$2.52
\$100,000	\$690.35	\$671.44	-\$18.91	\$5.04
\$150,000	\$1,035.53	\$1,007.16	-\$28.37	\$7.56
\$200,000	\$1,380.70	\$1,342.88	-\$37.82	\$10.08
\$300,000	\$2,071.05	\$2,014.32	-\$56.73	\$15.12
\$400,000	\$2,761.40	\$2,685.76	-\$75.64	\$20.16
\$500,000	\$3,451.75	\$3,357.20	-\$94.55	\$25.20

Public Comment

Tim Hansen addressed the Legislature and asked that \$200,000 be put into the Public Safety Budget to cover the cost of an investigator, deputy and car to help with the increasing problem with drugs in our area.

Peter Gamba addressed the Legislature with concerns to the pilot program for the Greenidge Power Plant along with environmental concerns.

Mr. Morrison moved to add \$30,000 to the budget to fund a Public Safety Cost Reduction study. Mr. Morrison stated the \$30,000 line item would be A1010.54011, consulting, in the Legislative Budget. The study would focus primarily on jail operations with the understanding that other facets of Public Safety operations might be addressed if opportunities were recognized. Two segments within the Public Safety budget, Law Enforcement and the Jail, together comprise \$6 million per year in spending. One half of one percent of that expenditure is equal to the \$30K that I was requesting to fund the independent cost reduction study. The focus would be in the areas of staffing and scheduling including recommendations as to how to better utilize part-time personnel. Data analysis that Mr. Morris has done shows that Yates County has a very expensive Public Safety function relative to our population and demographics. I strongly believe that this investment would be easily paid back within one year and reductions in future years would be 100% savings. There is a recent Shared Services study by CGR that compared operations in Schuyler and Yates Counties which can be used as base line data. This motion was seconded by Mr. Morris.

Mr. Holgate stated this issue keeps being brought back up. When it comes to public safety, and we have heard tonight some of the concerns from the public, one of the things that I know after sitting on this legislature for 10 years, we have in place one of the best sheriff's in the whole state. He has done a fabulous job of cost reductions and running his department as professionally as possible. We are accredited in all sorts of areas, we look at studies all the time. We just keep coming back to this whole Open Book NY. If you want to take a look at Open Book NY it doesn't make any sense at all. Mrs. Percy has offered to help me try to figure a little more out on Open Book NY. The fact is, when it comes down to it, we just brought in new correction officers for the jail because we needed to. We just brought in a new deputy because we needed to. The Sheriff is worried that we didn't bring in a deputy because he has retirements coming up. But the fact is, we take it issue by issue and we actually lay it out, there it is, do we need this or don't we, and we usually do. Just to say we need a study, once again, is not the answer. If we have money for a study let's just through the money at the problem, the problem is we need people in public safety, we know that.

Mr. Banach stated he agrees with Mr. Holgate especially the part about our Sheriff being the person that he is. We have done studies over the years. The Sheriff had a stack of studies that have been done over the years. We have a tendency on this legislature to do a study and do nothing with it. It happens because all of the sudden we find it might cost us a little more money to take care of the problem than originally thought. I would rather spend the money for more part time people or more deputies, however that breaks down. I feel that we will probably have to get another deputy sometime this coming year. Those are things that we address as they come up, we discuss it as they come up instead of making a carte blanche statement that we have to do something.

Mrs. Percy stated you have to remember what our sheriff has done for us. He found savings like the towers. One of the things everyone wants is part-time correction officers. First of all you have to find enough part-time correction officers to fill those post. If he can't find part-time he is going to have to have either over time or additional correction officers. I commend the Sheriff for the savings that he has found in the various areas.

We have to remember the correction officers come from a state mandate. If we start fooling around with correction officers over there we may be having the state down here telling us we have to hire two or three more.

Mr. Montgomery stated he would support what is being said about the Sheriff being a good Sheriff. I feel the legislature should get this issue behind them. I don't know if \$30,000 is the right number or not. Rather than continuing to talk about it, do something about it. We can dispute that Open Book NY is right or wrong. We have all heard these arguments, let's get this behind us and do it.

Mrs. Dunn agrees with Mr. Montgomery. We have had this discussion over and over again and each time the discussion comes up, it is voted down. It keeps coming up, let's stop bringing it up, because the majority of the board for the last two years that she has been on has felt that we have had the studies done. The Sheriff has brought in a stack of studies and there is a concern that if another study is done it will cost us significantly more once it is out there and we may end up hiring more employees than we have. If we are going to put \$30,000 into public safety for anything she feels it should go toward more protection for our residents, than another study that chances are we won't address because we will find out the cost is too much. Let's stop bringing this up as it gets voted down by the majority.

Mr. Sackett stated it's a two way street. If we do the study are we prepared to hire more employees if the study shows we need more? It's not just a guarantee that we are going to reduce costs, it's a guarantee that someone is going to look at it and perhaps say we need to have more.

Mr. Clark stated he realizes that the Public Safety Department is expense for the residents of Yates County. However, we all know Yates County is not the same today as it was five or ten years ago. Public Safety is a very important part of our future.

Mr. Paddock stated we did a jail study in 2011 and the Sheriff is continuing to implement some of the recommendations that were made in that study. There was a study on law enforcement in 2013. Both done by independents, so the reason we keep bringing up the studies is because some people are not getting the answers they want. Also, if we put \$30,000 into the budget we will go over the cap, our residents will not be eligible for their rebate from the State of New York and we also have not passed a law saying we can go over the cap.

Chairman Dennis stated we can't exceed the cap and we can't adopt the budget until we adopt a law that says we can which would put us in a bind.

Mr. Morrison stated all of the studies that have been done have been done by other law enforcement agencies. I do not feel you can expect one law enforcement agency to be very critical of another law enforcement agency. Many people have referenced the Sheriff and the fine job he has been doing and he has never said otherwise. The question is the cost of that job. I am suggesting a totally independent study, not being done by a law enforcement agency. As with any study you do not have to do what they said. The idea that we would have to add staff, I don't believe is valid.

One of the things that came out of the shared services study with Schuyler County was, you could combine the jail and dispatch, and the reason would be because in Schuyler the dispatchers are guards. Yates is spending 2 times more per capita on that category than Schuyler is. We are spending 35% more per capita on law enforcement. If you look at just the jail and dispatch, instead of spending 2 times what Schuyler is spending and we spend 1.5 times more that would save a \$1 million dollars a year, every year. It is not a question of doing a good job or a bad job, it's a question of how much that job is costing us. There seems to be a feeling that today's criminals are different than yesterday's criminals. This is antidotal and I would like to see as an example how many felony arrests and convictions were made from 1980 to 1985 as compared to how many felony arrests and conviction were made from 2010 to 2015.

Mr. Holgate stated if you are going to go down that path, its fine to go back and look at what has actually changed. Schuyler County keeps being brought up, you could compare them to Yates County as far as convictions and crime and everything else that is going on. I have been trying to work more with Open Book NY so that I could address Mr. Morris's discrepancies. There is one line item in Social Services that shows Schuyler County spends \$4 million dollars more than we do just in one line. There is a whole bunch of lines. I have tried to come up with direct comparisons as far as public safety but everything seems to waiver all over the place. I feel that if the legislature wants to study something, they should study Open Book NY as a Legislature and get it on the table. If this is what everyone is going to keep going back to and saying we have to compare where Schuyler County is, the comparisons are there. I have been comparing Schuyler County and Seneca County to see the comparisons and nothing makes sense. Open Book NY means nothing to me, what really means something is when we sit here and we go through our committee meetings and we are dealing with issues that are in place here in Yates County, what is right for Yates County. Therefore, this whole thing about taking our CO's and turning them to dispatchers so we can become more like Schuyler County doesn't cut it. Let's look at Open Book NY since this is what a bunch of the Legislators are basing everything on.

Mr. Morris stated he has been talking about Open Book NY for a number of years. People seem to be concerned about the concept of comparing ourselves with others. Open Book NY was put together by the Comptroller of the State, Chief Financial Officer and he did it so that Counties, Towns, and Cities could all do comparisons with each other and learn from each other. Everything that I have been talking about has been the Comptroller's data. The Comptroller only uses the county, town or villages data. There are a lot of opportunities the problem is we will not take time to look at those opportunities. What we do is say we don't want to do it, we can't understand it, it's too complex, or certain parts of it don't make sense.

Mr. Holgate stated that since Mr. Morris isn't going to let the Open Book NY die, he has been looking into Open Book NY. We could actual form our own committee and take a look at Open Book NY and do some comparisons, because that is what it is all about. It's all about comparisons and the fact is the numbers are skewed there is no question about it.

Mr. Morris stated if you look at Yates County versus other counties in the state and you look at every department that Yates County has, we are about average for every function except public safety and in public safety we are 70% above average. This is a huge red flag. If you look at our demographic we have Mennonites and retirees. The demographics do not support us having a

more costly public safety system. If we were average or even 20% over, I would not be bringing this up.

Mr. Holgate stated let's move on from Open Book NY and get that behind us. Let's move ahead and take care of Open Book NY. In the meantime let's worry about what is right for Yates County.

Chairman Dennis stated the discussion needs to be brought back to the motion that is on the floor and that motion is to fund a study of the efficiency and the potential for cost savings within the public arena. Chairman Dennis questioned how do we handle that study? If it is done independently if it is funded by the Legislature we have several facets of Public Safety, but it appears we are mostly focusing on jail and law enforcement. There are other facets as well such as Probation and the DA. However, because we as a legislature fund this study and because there may be some recommendations from that study, that does not guarantee that they will be implemented, because the Sheriff has the final say on what and how he implements things.

Mr. Montgomery stated it is true that if we add \$30,000 we will be over the tax cap but we have options. We can take things that are in the budget out or we can take more out of the reserve. I would like to resolve this debate that is going around about the Open Book NY versus this study. Let's compromise and do the Open Book NY thing, put the \$30,000 in the budget but don't spend it until we have convenience ourselves that either the Open Book NY stuff is good/bad or we can't figure it out. Based on that, then go ahead and contract with someone like CGR to do the study.

Chairman Dennis stated that if there were to be a study, we have already talked about the possibility of going for a grant to study the option of a regional jail. Perhaps we should be talking incorporation with the Sheriff and the rest of the law enforcement agencies, putting together a funding application to go out in the next round for an analysis in a corporative manner.

Mrs. Percy stated that the Sheriff has told us all along that he could save a lot of money if we had a new jail. Because it would be on a pod system rather than a liner system. Maybe we need to build a new jail.

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

Mr. Wilson addressed the legislature regarding the increase issues with heroin in the County and urged the Legislature to be proactive and spend the money to get the officers out there making contact with the kids. Develop a good process where the kids grow up health or you can wait until they break your windows to still money for heroin.

Chairman Dennis closed the public hearing at 7:40pm.

RESOLUTION NO. 381-15

Mr. Paddock offered the following resolution and moved its adoption, seconded by Mr. Smith.

ADOPT 2016 COUNTY BUDGET

WHEREAS, the Tentative Budget for 2016 has been duly presented to the County Legislature by the Budget Officer and the duly advertised Public Hearing has been held thereon,

NOW, THEREFORE, BE IT RESOLVED, pursuant to Section 360 of the County Law that said Tentative Budget as presented is hereby adopted as the budget for Yates County for the Year 2016, and be it further

RESOLVED, that copies of this resolution be provided to the Budget Officer and the County Treasurer.

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

RESOLUTION NO. 382-15

Mr. Paddock offered the following resolution and moved its adoption, seconded by Mr. Holgate.

PAYMENT PRIOR TO AUDIT

WHEREAS, the Department of Social Services has been authorized to purchase 2 used vehicles and

WHEREAS, the purchase of used vehicles is time sensitive

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer is authorized to make payment to Simmons Rockwell for \$26,438 “PRIOR TO AUDIT” in order for the vehicles to be delivered and be it further

RESOLVED, that copies of this resolution be forwarded to the Yates County Treasurer and the County Department of Social Services.

VOTE: Unanimous

Mr. Morris made the following statement: I am pleased that we are able to keep the tax levy increase within the tax cap, but that was primarily due to some changes not of our doing.

Unfortunately, we are using those and other sources of money to continue to increase the cost of our public safety operation at an unsustainable and non-competitive rate. A NYS Comptrollers analysis shows that we have the 4th highest cost per capita in public safety operation in NYS.

We should not be adding 3 new full time staff. Instead, we should be staying flat while we figure out why our costs are so much higher than other NYS counties and start to take the necessary steps to correct it.

Unfortunately, the majority of the legislature wants to continue to not deal with this issue. This action will no doubt lead to future budget increases greater than the tax cap. This is why I must vote no on this budget for these reasons.

Mr. Montgomery stated he voted no on the budget because he feels it is an unsustainable track that the county is on. This year economic assistance, handicap, community college, pension, Medicaid, debt services, and tourism promotion agencies went down. They went down about \$1.4 million. There was some lost revenue associated with that, but the bottom line is we still saw reduction of approximately \$1.5 million that allows us to have this budget.

Chairman Dennis stated he would like to make a comment about a good friend and dedicated servant to Yates County sitting to my right. This will be her last meeting with us, Sarah you have dedicated the last 21 years of your professional life to the success of this county. We wish you all the best in your new career and thank you so much for getting us to where we are today.

Mr. Multer moved the following motions to enter executive session to discuss:

- Collective bargaining negotiations with council 82 with Sarah Purdy, Sheriff Spike and Attorney John Corcoran by phone present.
- The employment history of a particular group of persons with Sarah Purdy present
- The financial history of a particular corporation with Sarah Purdy present
- Matters leading to the appointment of a particular person with Scott Falvey present

Seconded by Mrs. Percy, also the newly elected Legislators, Bronson, Button and Gleason were asked to join the executive session.

The following action was taken in executive session:

Mrs. Dunn moved to set a date for a public hearing on modifications to Local Law 5-12 for December 7, 2015 at 12:30p.m., seconded by Mrs. Percy.

Meeting was adjourned at 10:38p.m.