S.C.C.B.R. No. 1-2009 Laid on Table 6/23/2009
Introduced by Legislators Horsley, Stern, Alden, Kennedy and Viloria-Fisher

RESOLUTION NO. 544 -2009, ADOPTING 2009-2010 OPERATING BUDGET TOTAL FOR SUFFOLK COUNTY COMMUNITY COLLEGE

WHEREAS, changes in NEW YORK EDUCATION LAW and amendments to State University of New York ("SUNY") regulations granted greater fiscal autonomy to the State's Community Colleges; and

WHEREAS, as a result of these changes, this Legislature rescinded the Plan "C" Agreement which previously governed the County's sponsorship of Suffolk County Community College and approved new operating agreements with the College; and

WHEREAS, pursuant to controlling state law and regulations and the provisions of the new operating agreements between the County and the College, the County no longer has the authority to veto line item appropriations in the Operating Budget proposed by the College's Board of Trustees; and

WHEREAS, the County's budget authority is limited to approving an Operating Budget total for the Community College; and

WHEREAS, the Board of Trustees of Suffolk Community College submitted their 2009-2010 Operating Budget request with line item detail to the County Executive and the County Legislature on April 17, 2009; and

WHEREAS, the budget request submitted by the Community College's Board of Trustees proposed no increase in the County contribution; and

WHEREAS, the County Executive submitted to this Legislature a Recommended Budget total and County contribution to the County Legislature on June 1, 2009; and

WHEREAS, the Suffolk County Legislature held public hearings on the Community College's Recommended Budget on June 19, 2009 and June 23, 2009; now, therefore be it

1st **RESOLVED**, that all Whereas clauses and all Resolved clauses denominated 1st through 3rd inclusive, contained on Page 1 of the Suffolk Community College Recommended Budget 2009-2010, are hereby stricken and not approved, and shall not appear in the printed 2009-2010 Suffolk Community College Adopted Budget; and be it further

2nd **RESOLVED**, that this Legislature hereby approves an Operating Budget Total of $180,459,196.00 for Suffolk Community College during fiscal year September 1, 2009 to August 31, 2010; and be it further

3rd **RESOLVED**, that this Legislature approves a total contribution by the County of Suffolk ("local sponsor share") in the amount of $38,602,957.00; and be it further

4th **RESOLVED**, that Schedule "A" attached hereto, which summarizes the relationship between the College Operating Budget and the County General Fund, is hereby

incorporated into the 2009-2010 Suffolk Community College Adopted Budget and shall be included in the printed 2009-2010 Suffolk Community College Adopted Budget; and be it further

5th **RESOLVED**, that Schedule "B" attached hereto, which summarizes the relationship between the various College expenditures and revenues, is hereby incorporated into the 2009-2010 Suffolk Community College Adopted Budget and shall be included in the printed 2009-2010 Suffolk Community College Adopted Budget.

DATED: June 23, 2009

EFFECTIVE PURSUANT TO SECTION 2-15(F) OF THE SUFFOLK COUNTY CHARTER, RETURNED BY THE COUNTY EXECUTIVE UNSIGNED JULY 6, 2009

Schedule A

Relationship between the College Budget and the County General Fund Budget

		2007/08 Actual	2008/09 Adopted	2008/09 College Estimated	2009/2010 Requested	2009/2010 Recommended	2007/2008 Adopted	2008/2009 Recommended
1.	Suffolk County Contribution (818-2810 = 001-2495)	$34,131,342	$34,197,742	$34,197,742	$34,197,742	$34,197,742	$34,131,342	$34,131,342
2.	Transfer from General Fund (818-2812 = 001-E818)	$5,335,783	$5,513,971	$5,513,971	$0	$5,499,907	$5,427,383	$5,605,571
3.	818-1001-Real Property Taxes	$5,250,467	$5,250,467	$5,250,467	$4,405,215	$5,250,467	$5,250,467	$5,250,467
3.a.	Non-mandated College Tax Levy	$4,471,615	$4,405,215	$4,405,215	$4,405,215	$4,405,215	$4,471,615	$4,405,215
3.b.	Mandated College Tax Levy	$778,852	$845,252	$845,252	$0	$845,252	$778,852	$845,252
4.	County Contribution (818-Contribution to Community College Fd)	$38,602,957	$38,602,957	$38,602,957	$38,602,957	$38,602,957	$38,602,957	$38,536,557
1.	818-2810-Suffolk County Contribution (=001-2495)	$34,131,342	$34,197,742	$34,197,742	$34,197,742	$34,197,742	$34,131,342	$34,131,342
3.a.	NonMandated College Tax Levy	$4,471,615	$4,405,215	$4,405,215	$4,405,215	$4,405,215	$4,471,615	$4,405,215
5.	Revenue Sources for Mandated County Expenses and Incentive Payments	$6,114,635	$6,359,223	$6,359,223	$0	$6,345,159	$6,206,235	$6,450,823
2.	Transfer from General Fund (818-2812 = 001-E818)	$5,335,783	$5,513,971	$5,513,971	$0	$5,499,907	$5,427,383	$5,605,571
3.b.	Mandated College Tax Levy	$778,852	$845,252	$845,252	$0	$845,252	$778,852	$845,252
5.	Appropriations Paid from the above Revenue Sources	$6,174,635	$6,450,823	$6,419,223	$70,000	$6,415,159	$6,206,235	$6,450,823
	818-Debt Service	$6,114,635	$6,359,223	$6,359,223	$0	$6,345,159	$6,114,635	$6,359,223
	Out-of-County Tuition: County Incentive Payment	$0	$31,600	$0	$0	$0	$31,600	$31,600
	Nurses Tuition Reimbursement Program & Other Contracts	$60,000*	$60,000	$60,000*	$70,000	$70,000	$60,000	$60,000

Note: 2007/08 Actual for Nurses Tuition Reimbursement Program & Other Contracts is set equal to 2007/08 Adopted
2008/09 Actual for Nurses Tuition Reimbursement Program & Other Contracts is set equal to 2008/09 Adopted
Numbers to be confirmed by Suffolk County Community College

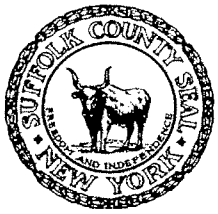
Schedule B

Relationships between Various Expenditures and Revenues in the College Budget Document
Suffolk Community College 2009-2010 Budget

	2007/08 Actual	2008/09 Adopted	2008/09 College Estimated	2009/2010 Requested	2009/2010 Recommended
1000-Personal Services	$99,349,743	$104,771,150	$104,761,229	$109,621,608	$109,621,608
2000-Equipment	$2,530,657	$2,619,465	$789,634	$2,669,181	$2,669,181
3000-Supplies Materials & Other Expenses	$8,521,740	$9,703,037	$9,388,044	$9,317,053	$9,317,053
4000-Contractual Expenses	$11,098,442	$11,732,605	$11,597,736	$13,130,529	$13,130,529
8000-Employee Benefits	$35,895,164	$37,523,346	$37,569,669	$40,663,610	$40,663,610
9000-Interfund Transfers	$2,540,230	$2,556,767	$2,556,767	$2,736,920	$2,736,920
Total College Expenditures (excluding grants)	$159,935,976	$168,906,370	$166,663,079	$178,138,901	$178,138,901
Grants	$4,337,339	$2,811,934	$2,609,493	$2,320,295	$2,320,295
Grand Total College Expenditures	$164,273,315	$171,718,304	$169,272,572	$180,459,196	$180,459,196
less Offsets to Expenses / Offset Revenue	$18,324,172	$17,359,860	$16,850,407	$17,065,097	$17,065,097
Net Operating Costs	$145,949,143	$154,358,444	$152,422,165	$163,394,099	$163,394,099
County Share	$39,947,195	$40,096,940	$39,949,557	$39,987,057	$39,987,057
State Share	$45,932,423	$47,575,455	$47,462,115	$49,099,948	$49,099,948
Student Share	$61,361,499	$65,156,783	$66,737,048	$72,580,539	$72,580,539
Offset Revenue	$18,324,172	$17,359,860	$16,850,407	$17,065,097	$17,065,097
Revenues: Total	$165,565,289	$170,189,038	$170,999,127	$178,732,641	$178,732,641
plus Fund Balance, September 1	$5,704,707	$5,941,726	$6,996,681	$8,723,236	$8,723,236
minus Transfer to Suffolk Community College Reserve Fund	$6,996,681	$4,412,460	$6,996,681	$6,996,681	$6,996,681
minus Funds Available for Subsequent Yr Operating Budget	$0	$0	$1,726,555	$0	$0
Total Gross Operating Costs	$164,273,315	$171,718,304	$169,272,572	$180,459,196	$180,459,196
Debt Service Obligation / Total Cost of Debt [1]	$6,114,635	$6,359,223	$6,359,223	$0	$6,345,159

1. College debt service is not counted in total College expenditures. The reason is that Section 6304 of Article 126 of the New York State Education Law mandates that the local sponsor of a county community college be responsible for the payment of all capital costs.

COUNTY OF SUFFOLK



OFFICE OF THE COUNTY EXECUTIVE

Steve Levy
COUNTY EXECUTIVE

July 6, 2009

Presiding Officer William J. Lindsay and
Members of the Suffolk County Legislature
William H. Rogers Legislative Building
725 Veterans Memorial Highway
Smithtown, New York 11787

RE: APPROVING RESOLUTION 544-2009, ADOPTING 2009-2010 OPERATING BUDGET TOTAL FOR SUFFOLK COUNTY COMMUNITY COLLEGE

Dear Presiding Officer Lindsay and Members of the Legislature:

I am returning herein Resolution No. 544-2009; "Adopting 2009-2010 Operating Budget Totals for Suffolk County Community College" neither approved nor disapproved.

The Legislature erred in striking the first, second and third Resolved clauses of my proposed budget – clauses which apportion the county's total contribution between the amount to be included in the 2010 Operating Budget, the amount of discretionary College taxes required for inclusion in the Tax Warrant and the amount of mandated College taxes required for inclusion in the Tax Warrant (which is needed to cover a portion of the debt service paid by the County on College capital projects.)

The County Tax Warrant adopted by the Legislature this November must include an amount for the Community College. The Legislature's adopted resolution merely sets the total county contribution of $38,602,957 -- leaving my proposed apportionment of a $34,197,742 county contribution to the college, a $4,405,215 discretionary tax levy and $845,252 mandated tax levy all in a state of flux until November. There is no reason these amounts could not have been adopted along with this resolution approved in June.

Despite the fact the county and College rescinded the "Plan C" agreement earlier this year, the Legislature should not adopt a *laissez-faire* approach to determining the discretionary and mandated tax warrants for the College.

LOCATION:
H. LEE DENNISON BUILDING, 12th FLOOR
100 VETERANS MEMORIAL HIGHWAY

MAILING ADDRESS:
P.O. BOX 6100
HAUPPAUGE, NY 11788-0099

OFFICE (631) 853-4000
FAX (631) 853-4818

In future years, it is my hope that the Legislature will include these apportionments at the time of adoption of the College budget.

Sincerely,

Steve Levy
County Executive of Suffolk County

cc: All Suffolk County Legislators
Tim Laube, Clerk of the Legislature
Christine Malafi, Esq., Suffolk County Attorney
Lynne A. Bizzarro, Esq., Chief Deputy County Attorney
Christopher Kent, Chief Deputy County Executive
Frederick B. Pollert, Deputy County Executive for Finance and Management
Jeffrey W. Szabo, Deputy County Executive and Chief of Staff
Ben Zwirn, Deputy County Executive
Connie Corso, Budget Director
Dan Aug, Director of Communications
Mark Smith, Deputy Director of Communications

SUFFOLK COUNTY
County Legislature
RIVERHEAD, NY

This is to Certify That I, TIM LAUBE, Clerk of the County Legislature of the County of Suffolk, have compared the foregoing copy of resolution with the original resolution now on file in this office, and which was duly adopted by the County Legislature of said County on June 23, 2009 and that the same is a true and correct transcript of said resolution and of the whole thereof.

In Witness Whereof, I have hereunto set my hand and the official seal of the County Legislature of the County of Suffolk.

Tim Laube

Clerk of the Legislature

Intro. Res. SCBR 1 Res. No. 594 June 23, 2009

Motion:
Romaine, Schneiderman, Browning, Beedenbender, Losquadro
Eddington, Montano, Alden, Lindsay, Viloria-Fisher, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Co-Sponsors:
Romaine, Schneiderman, Browning, Beedenbender, Losquadro
Eddington, Montano, Alden, Lindsay, Viloria-Fisher, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Second:
Romaine, Schneiderman, Browning, Beedenbender, Losquadro
Eddington, Montano, Alden, Lindsay, Viloria-Fisher, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

LD	Legislator	Yes	No	Abs	NP	R
1	Edward P. ROMAINE	✓				
2	Jay H. SCHNEIDERMAN	✓				
3	Kate M. BROWNING	✓				
4	Brian BEEDENBENDER				✓	
6	Daniel P. LOSQUADRO	✓				
7	Jack EDDINGTON	✓				
9	Ricardo MONTANO	✓				
10	Cameron ALDEN	✓				
11	Thomas F. BARRAGA	✓				
12	John M. KENNEDY, JR.	✓				
13	Lynne C. NOWICK	✓				
14	Wayne R. HORSLEY	✓				
15	DuWayne GREGORY	✓				
16	Steven H. STERN				✓	
17	Lou D'AMARO	✓				
18	Jon COOPER	✓				
5	Vivian VILORIA-FISHER, D.P.O.	✓				
8	William J. LINDSAY, P.O.	✓				
	Totals	16	—	—	2	—

MOTION

X Approve
___ Table: ___
___ Send To Committee
___ Table Subject To Call
___ Lay On The Table
___ Discharge
___ Take Out of Order
___ Reconsider
___ Waive Rule ___
___ Override Veto
___ Close
___ Recess

APPROVED X FAILED ___
No Motion ___ No Second ___

RESOLUTION DECLARED

X ADOPTED
___ NOT ADOPTED

Roll Call ___ Voice Vote X

Tim Laube

Tim Laube, Clerk of the Legislature