

BUDGET & FINANCE COMMITTEE

OF THE

SUFFOLK COUNTY LEGISLATURE

MINUTES

A meeting of the Budget & Finance Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York, on Tuesday, November 24, 2009.

Members Present:

Legislator DuWayne Gregory - Chairman
Legislator Lou D'Amaro - Vice-Chair
Legislator John Kennedy
Legislator Brian Beedenbender
Legislator Daniel Losquadro

Also In Attendance:

George Nolan - Counsel to the Legislature
Maxvel Rose - Aide to Legislator Gregory
Renee Ortiz - Chief Deputy Clerk of the Legislature
Gail Vizzini - Director/Budget Review Office
Linda Bay - Aide to Minority Caucus
Ben Zwirn - Deputy County Executive
Allen Kovesdy - Deputy Director/County Executive's Budget Office
Patrick "Skip" Heaney - County Executive's Office
Paul Perillie - Aide to Majority Caucus
Dennis Brown - County Attorney's Office
Dot Kerrigan - AME
All Other Interested Parties

Minutes Taken By:

Donna Catalano - Court Stenographer

(*THE MEETING WAS CALLED TO ORDER AT 10:13*)

CHAIRMAN GREGORY:

Good morning, everyone. We're going to start the Budget and Finance Committee Meeting with the Pledge of Allegiance led by Legislator D'Amaro.

SALUTATION

Okay. We do not have any public cards, but is there anyone in the audience who would like to speak? Please come to the podium. Okay. Not seeing anyone. The County Executive's Office, do you have anything to comment on? No? All right. Let's get into the agenda.

We have tabled resolutions. **IR 1722, Adopting Local Law No. -2009, A Charter Law to amend the Drinking Water Protection Program to increase funding for property tax relief. (Pres. Off).**

I make a motion to table.

LEG. D'AMARO:

Second.

CHAIRMAN GREGORY:

Seconded by Legislator D'Amaro. All in favor? Opposed? Abstentions? **TABLED (VOTE: 4-0-0-1 - Not present; Legis. Losquadro).**

IR 1844, Requiring disclosure of specific information regarding closed capital projects. (Romaine)

I make a motion to table, seconded by Legislator Beedenbender. All in favor? Opposed? Abstentions? **TABLED (VOTE:5-0-0-0).**

IR 1874, Adopting Local Law No. -2009, A Charter Law modifying the process for legislative budget amendments. (Gregory)

I make a motion to approve.

LEG. D'AMARO:

Second.

CHAIRMAN GREGORY:

Seconded by Legislator Beedenbender. All in favor?

LEG. KENNEDY:

Mr. Chair, just on the motion. Can you refresh our recollection as to what the affect of this would be? How does this differ from what our current practice is?

CHAIRMAN GREGORY:

This is an exclusionary piece of legislation that would allow everyone except yourself to amend the budget.

LEG. KENNEDY:

Outstanding. As a matter of fact, I should have been even later than I was.

CHAIRMAN GREGORY:

This just modifies --

LEG. KENNEDY:

I know, you snooze, you lose.

CHAIRMAN GREGORY:

This modifies the months, the times that you can -- not the number of times, but the months that you can modify the budget. I think currently it's March, June --

MR. NOLAN:

Right. Right now it's -- we can lay budget amendments on the table the first meeting of February, May, September, December. There's kind of a realization that the December month is pretty worthless in terms of making a budget amendment effective. So this would change the months to February, April, June and September when Legislative budget amendments can be laid on the table by Legislators.

LEG. LOSQUADRO:

Question. That does not affect this December cycle though?

CHAIRMAN GREGORY:

No. No. It will be effective --

MR. NOLAN:

It takes effect January 1st.

LEG. LOSQUADRO:

Thank you.

LEG. KENNEDY:

Okay. That's fine. Thank you.

CHAIRMAN GREGORY:

Anybody else? Okay. We have a motion to approve, we had a second. All in favor? Opposed? Abstentions? **APPROVED (VOTE:5-0-0-0).**

IR 1944, To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 815-2009). (Co. Exec.)

I make a motion to approve and place on the Consent Calendar, seconded by Legislator Losquadro. All in favor? Opposed? Abstentions? **APPROVED** and placed on the **Consent Calendar (VOTE: 5-0-0-0).**

IR 2051, Authorizing the County Comptroller and the County Treasurer to transfer funds to cover unanticipated expenses in the 2009 Adopted Mandated Budget from the 2009 Adopted Discretionary Budget. (Co. Exec.)

I make a motion to approve, seconded by Legislator Beedenbender. Any discussion? No? Okay. All in favor? Opposed? Abstentions? **APPROVED (VOTE:5-0-0-0).**

IR 2052, Authorizing the County Comptroller and the County Treasurer to transfer funds to cover unanticipated expenses in the 2009 Adopted Mandated Budget. (Co. Exec.)

Motion to approve, seconded by Legislator D'Amaro. All in favor? Opposed? Abstentions? **APPROVED (VOTE:5-0-0-0).**

IR 2053, Authorizing the County Comptroller and the County Treasurer to transfer funds to cover unanticipated expenses in the 2009 Adopted Discretionary Budget. (Co. Exec.)

I make a motion to approve, seconded by Legislator D'Amaro. On the motion.

LEG. LOSQUADRO:

Legislator Kennedy first.

LEG. KENNEDY:

This is a resolution -- actually, I guess this is for BRO. I'm just scanning quickly as far as what the decreases are, and I see the Islip Health Center is actually being decreased by 523,300. Now, that center is currently operating, isn't it?

MS. VIZZINI:

Yeah. This is -- as with the previous two resolution, this is a housekeeping resolution where based on the estimates included in 2009 that were included in the 2010 budget, Islip will be spending less money. As you can see, various mental health agencies, prisoner transportation, what have you, those appropriations were short. So you see -- I don't know if you have the backup. I guess you do have the backup, Schedule A.

LEG. KENNEDY:

Yeah. I have a sheet here and I'm just scanning it quickly. And, yes, I do see that we've come up in a number of agencies. And I see we're actually coming down in some; Sayville Project, Family Service League. But I'm a little concerned about how it is that we come down 300 grand in Consumer Affairs, how we come down a half million in the health center.

MS. VIZZINI:

These are appropriations that will not be spent in 2009 in those particular line items, but the line items above that show the increase, there are claims against those lines. And, you know, it's kind of taking from Peter to pay Paul. In terms of your concern regarding the Islip Health Center, bear in mind we're just talking about the remainder of '09. The stand-alone to continue funds for the Islip Health Center was approved and there are funds for 2010.

LEG. KENNEDY:

Okay. I agree. And as a matter of fact, I recall, we, in the working group, we went at length with that. So then I guess I need to have my question go in a more broader term. Consumer Affairs, we've talked at great length about the 11 vacancies that we have in Consumer Affairs. And apparently there's no will or resolve on the part of the administration to address any of that. By taking a half million dollars out of the Islip Health Center at this point, is the health center going to be able to continue with the current staff configuration as it exists, or are we -- are we going to by lack of salary effectuate what we didn't achieve through budgetary attempts in the 2010 budget?

MR. KOVESDY:

The money -- the additional money you see there was because the Health Department was able to negotiate a very good contract and agreement with that particular agency and hospital. Based on that agreement, we have some additional funds. There is no cuts. Everything is status quo. It's just that when they negotiated agreements this year, the Health Department was able to get a better price and effectuate savings across the board. So that's why there's extra money there. No cuts in services, John, nothing has changed, it's just they did a better job in negotiating the contract.

LEG. KENNEDY:

Southside Hospital operates the Islip Center, is that it?

MR. KOVESDY:

To my knowledge.

LEG. KENNEDY:

Okay. And so you're saying what, that Southside voluntarily reduced its contract by half mill, or

there was half million unencumbered or unencumbered for in that account?

MR. KOVESDY:

There was -- they were able to negotiate a better contract. They were able to utilize existing funds in the budget. So they did a good job, the Health Department, this year.

LEG. KENNEDY:

Okay. Let me try one more time then, Allen, and see if I can go ahead and you and I can have an understanding. By passing this, is this going to eliminate funding that's now in place for the existing staff compliment that is located in that building?

MR. KOVESDY:

No.

LEG. KENNEDY:

Great. Okay. I appreciate that. Let's talk about Consumer Affairs. We have consistently talked about the fact that we have now Consumer Affairs complaints that are going on the border of 120 days not having been addressed or answered. The last that I heard was we were going to purportedly have some of the temporaries that came from Civil Service to address some of that. When I spoke to Alan Schneider, he said there's nobody to address that either. So is it the administration's position "we don't care about a four month lag about consumer complaint, and as a matter of fact, we're going to take 300 grand out of the budget that might fund a couple of clerk typists"?

MR. KOVESDY:

That's a loaded question. Let me give you the answer. It's a very simple answer. At the beginning of the year, we had a financial crisis. We had to effectuate a savings plan to get as much appropriations as possible. What you hear -- what you see here is the result of this savings plan where certain appropriations because of good management and other decisions have excess money and we use that excess money.

In the case of Consumer Affairs, there were positions that weren't filled to date. That money can't be spent because it was saved from January through November 24th. So if a position was hired, it would only be one or two payrolls, and there's sufficient money to pay for it this year. This is accumulated savings from January to date and it's used. Just like savings that are in the Legislature, the Exec and other departments, this is the result of the savings plan where there was a 10% cut and there's money sitting there. That's all.

We need a big pot of money. We could have taken a little from a million places. We tried to economize and find -- find the money. That's all. Any position that would be filled for the balance of this year that would deal with any backlogs of services in the department, there's sufficient funds to pay. This is accumulated savings to date.

LEG. KENNEDY:

Again, my point, Allen, is that by choosing to go into these areas, it's a conscious decision on the part of the administration to continue to go ahead and maintain what are fairly large lags.

MR. KOVESDY:

You're misstating that. This is savings that's accumulated from January to today, okay? It has no affect on where we go from today to the balance of this year or to next year. It's actual savings. It would be the same savings hypothetically if there was one less aide in the Legislature for the whole year and you decided to fill it tomorrow. You have the savings from January 1st to November and then you have sufficient money to pay it from today to the balance of the year. You save \$30,000 in the beginning of the year, you spend \$5000 in the back end. This is accumulated savings. We had to pick areas that were discretionary areas that had money and move it. The same thing is done every year. It's no different. We look for big pots of money. It doesn't change any policy. There's

funding for the balance of this year, there's funding for next year.

LEG. KENNEDY:

So you mean theoretically we could get a clerk typist next week.

MR. KOVESDY:

Actually, theoretically they did -- at least to my knowledge, they did release a clerk typist in the last week.

LEG. KENNEDY:

It that right?

MR. KOVESDY:

Yes.

LEG. KENNEDY:

Wonderful. Thank you.

CHAIRMAN GREGORY:

Legislator Losquadro.

LEG. LOSQUADRO:

Gail, are these -- some of these -- I mean I see -- I'm looking at the discretionary but also looking back comparing the two, mandated, were these unanticipated expenses? Where these areas where -- went over what was budgeted saying salary or something like that?

MR. KOVESDY:

I can just help Gail. A lot of the mental health ones, the State had increases. And because they're specific pseudo codes, instead of doing a separate resolution for each one of these, we waited and packaged them all together.

LEG. LOSQUADRO:

Okay. But specifically, I'll just -- with the Chair's indulgence, I didn't start comparing the two until we got to this one. But on the mandated, since I have you up here, I see \$9.3 million in additional expense to the Sheriff's Department and a corresponding reduction in the salary contingent. Was that overtime? What was that money expended on? That's a lot of money.

MR. KOVESDY:

I'm not 100% sure. I can venture what I think, okay? Part of it had to do with overtime, part of it had to do with the salary settlement.

MS. VIZZINI:

It's actually the 2009 piece of the Correction Officers' settlement.

LEG. LOSQUADRO:

Okay. That's the answer I was looking for.

MS. VIZZINI:

The money was transferred from the contingency and then it goes -- you'll see it's mostly to the Correctional Facility. It's for their portion.

LEG. LOSQUADRO:

It where it said salary contingent, I wasn't sure what that was, but that was the money we had set aside in anticipation of the settlement.

Okay. The only other thing in looking at the discretionary, I guess to Legislator Kennedy's point,

was it's just a matter of prioritization. We understand that that \$300,000 was a result of accumulated savings. And I guess the position is the areas that now have increases are a higher priority to the administration then expending part of that \$300,000 over the course of the year. It's just, you know, the money has to come from somewhere. So it's a matter of prioritization.

YOU managed to accumulate an excess \$300,000 over the course of this year by not hiring or through attrition or whatever means through Consumer Affairs, and now you're putting that money someplace else. So to Legislator Kennedy's point, it's a matter of priority. At this point, the position is other areas are a higher priority than Consumer Affairs.

MR. KOVESDY:

I'll help you out one more step here. Most of these increases have to do with the State. If you'll notice, these were all additional monies, all the 498(O)s there are additional money that the State gave us retroactively for mental health. They're small amounts. We got extra daycare money through the stimulus program. We have to have the appropriations to pay the bills. So that's THE vast majority of it. These are -- most of these health are just pass-through. It's just a small amount of money. We just have to list them by law because they're pseudo codes.

CHAIRMAN GREGORY:

If I may just for a second. This is not something unusual, it's a pro forma type of annual thing that we do every year.

LEG. LOSQUADRO:

Understood. I just thought Legislator Kennedy made a very good point only because I have received a number of calls into my office not only dealing with Consumer Affairs but other departments; people being told there was a 150 day wait in a request for public information. That seems a bit excessive when a general member of the public calls the County for information. So it's something that we need to address. I mean, the average -- we always say it, the average person has very few dealings with County Government, but when they do deal with it, they expect it to work. And getting a letter saying we will comply within 150 days is not what people want to hear. That's an inordinate amount of time. I just wanted to speak to that point. Thank you.

CHAIRMAN GREGORY:

Point well taken.

MR. KOVESDY:

I just want to wish you all a very Happy Thanksgiving.

CHAIRMAN GREGORY:

Thank you. You too. Do we have a motion and a second?

MS. ORTIZ:

Yes.

CHAIRMAN GREGORY:

Okay. All in favor? Opposed? Abstentions? **APPROVED (VOTE:5-0-0-0).**

Okay. That is the agenda. We are adjourned. Thank you.

(*THE MEETING WAS ADJOURNED AT 10:30 A.M.*)

{ } DENOTES BEING SPELLED PHONETICALLY