

**BROOME COUNTY LEGISLATURE  
BUDGET SESSION  
NOVEMBER 9, 2009**

The Legislature convened at 5:02 p.m. with a call to order by the Chair, Daniel D. Reynolds. The Clerk, Eric S. Denk, read the fire exit announcement and called the Attendance Roll, Present-17, Absent-2 (Howard, Hutchings).

The Chair, Mr. Reynolds, led the members of the Legislature in the Pledge of Allegiance to the Flag, followed by a prayer offered by Legislator Buchta.

**ANNOUNCEMENTS FROM THE CHAIR:** Mr. LaBare and Mr. Marinich were designated as participants with Chairman Reynolds in the "Short Roll Call".

**REPORT OF THE FINANCE COMMITTEE'S RECOMMENDED CHANGES TO THE PROPOSED 2010 BUDGET**

**A. BUDGET AMENDMENT # 1** Moved by Mr. Whalen, seconded by Mr. Sanfilippo  
County Clerk

- 1 Increase revenue passport photo fee \$7 - \$10 From \$1,525,000 To \$1,526,950
- 2 Increase revenues associated with oil & gas leases expected in 2010 From \$1,526,950 To \$1,601,950

**Carried.** Ayes-15, Nays-2 (Materese, Messina), Absent-2 (Howard, Hutchings)

**B. BUDGET AMENDMENT # 6** Moved by Mr. Whalen, seconded by Mr. Cleary  
County Clerk

- 9 Restore Deputy Co. Clerk position From \$501,364 To \$544,443
- 10 Increase State Retirement (11.1%) From \$56,864 To \$61,862
- 11 Increase FICA (7.65%) From \$39,193 To \$42,637
- 12 Increase Health Insurance From \$103,748 To \$119,418
- 13 Reduce Building & Land Rental for Record Center From \$55,000 To \$47,000
- 14 Reduce DMV Part-Timers From \$139,412 To \$138,442
- 15 Reduce DMV Overtime/Supervisors From \$22,474 To \$21,944
- 16 Reduce DMV State Retirement From \$67,634 To \$67,468
- 17 Reduce DMV FICA From \$46,869 To \$46,754

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Hutchings)

**C. BUDGET AMENDMENT # 2** Moved by Mr. Whalen, seconded by Mr. Materese  
Finance

- 3 Reduce Sales & Use Tax From \$67,952,242 To \$65,981,920

**Carried.** Ayes-16, Nays-1 (Moran), Absent-2 (Howard, Hutchings)

Mr. Nirchi would like to see a contingency plan from the administration on how they will handle a shortfall in projected revenues.

**D. BUDGET AMENDMENT # 3** Moved by Mr. Whalen, seconded by Mr. Sanfilippo  
Finance

- 4 Reduce Interest & Earnings line From \$400,000 To \$200,000

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Hutchings)

**E. BUDGET AMENDMENT # 4** Moved by Mr. Whalen, seconded by Mr. LaBare  
Real Property Tax Service

- 5 Reduce Gain From Sale-Tax Prop Line From \$2,002,000 To \$1,502,000

**Carried.** Ayes-11, Nays-6 (Sanfilippo, Moran, Herz, Buchta, Klipsch, Reynolds), Absent-2 (Howard, Hutchings)

**F. BUDGET AMENDMENT # 5** Moved by Mr. Whalen, seconded by Mr. Herz

Legislative Board/Legislative

6 Eliminate Mileage & Parking-Local From \$1,200 To \$0.00

7 Reduce Travel Hotel & Meals From \$5,000 To \$3,500

8 Reduce Education & Training From \$4,000 to \$2,000

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Hutchings)

**G. BUDGET AMENDMENT** Moved by Mr. Marinich, seconded by Mr. Pasquale

Legislature/Clerk

Decrease 1600 Salaries Temporary From \$19,980 To \$15,000

**Failed.** Ayes-7, Nays-10 (Materese, Sanfilippo, Moran, Nirchi, LaBare, Garnar, Hutchings, Herz, Buchta, Reynolds), Absent-2 (Howard, Hutchings)

**H. BUDGET AMENDMENT** Moved by Mr. Garnar, seconded by Mr. Materese

Legislature/Board

Decrease 4462 Travel Hotel and Meals From \$3,500 To \$0

Decrease 4463 Education and Training From \$2,000 To \$0

**Failed.** Ayes-8, Nays-9 (Keibel, Sanfilippo, Whalen, Pasquale, Diffendorf, Marinich, Herz, Buchta, Reynolds), Absent-2 (Howard, Hutchings)

**I. BUDGET AMENDMENT # 7** Moved by Mr. Whalen, seconded by Mr. Materese

District Attorney

18 Eliminate Salary Adjustments From \$28,279 To \$0.00

19 Fund Keyboard Specialist position (8 CSEA) From \$1,653,796 To \$1,679,270

20 Reduce State Retirement (11.1%) From \$185,568 To \$185,256

21 Reduce FICA (7.65%) From \$126,724 To \$126,509

22 Increase Life Insurance From \$538 To \$557

23 Increase Disability Insurance From \$903 To \$1,032

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Hutchings)

**J. BUDGET AMENDMENT # 8** Moved by Mr. Whalen, seconded by Mr. Cleary

Public Defender

24 Promote current AT-2 personnel to vacant AT-3 position, reduce then vacant AT-2 position to AT-1 position From \$1,230,962 To \$1,201,763

25 Fund Receptionist Typist position (6 CSEA) From \$1,201,763 To \$1,225,448

26 Reduce State Retirement (11.1%) From \$136,636 To \$136,024

27 Reduce FICA (7.65%) From \$94,169 To \$93,747

28 Increase Life Insurance From \$380 To \$399

29 Increase Health Insurance (Single-Receptionist and Vacant-AT-1) From \$231,959 To \$232,830

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Hutchings)

**K. BUDGET AMENDMENT # 9** Moved by Mr. Whalen, seconded by Ms. Messina

Public Works/ Engineering/ Building and Grounds/ Highway

30 Reduce Books and Subscriptions From \$4,261 To \$2,000

31 Reduce Office Supplies From \$3,500 To \$2,500

32 Reduce Computer Software & Supplies From \$23,900 To \$20,000

33 Reduce Education & Training From \$3,550 To \$2,500

34 Reduce Education & Training From \$6,000 To \$4,000

35 Reduce Misc. Operational Supplies From \$12,000 to \$6,000

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Hutchings)

**L. BUDGET AMENDMENT # 10** Moved by Mr. Whalen, seconded by Mr. Klipsch  
Sheriff/ Law Enforcement/ Corrections

- 36 Reduce Other Operational Expenses From \$23,257 To \$16,000
- 37 Reduce Non-Employee Travel and Meals From \$25,924 To \$20,000
- 38 Reduce Laundry & Cleaning Supplies From \$56,381 To \$40,000

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Hutchings)

**M. BUDGET AMENDMENT # 11** Moved by Mr. Whalen, seconded by Mr. Klipsch  
Sheriff/ Law Enforcement

- 39 Reduce 1 Deputy Sheriff position (AFSCME) From \$3,967,558 To \$3,915,171
- 40 Reduce State Retirement (11.1%) From \$490,469 to \$484,655
- 41 Reduce FICA (7.65) From \$350,556 To \$346,549
- 42 Reduce Life Insurance From \$1,275 To \$1,256
- 43 Reduce Health Insurance (Single) From \$770,870 To \$765,067

**Failed.** Ayes-1 (Whalen), Nays-16, Absent-2 (Howard, Hutchings)

Mr. Materese stated that a keyboard specialist is signed up for the retirement incentive and asked that the administration not fill the position after retirement.

**N. BUDGET AMENDMENT # 12**

Emergency Services/ Civil Defense

- 44 Reduce Education & Training From \$9,814 To \$7,500

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Hutchings)

**O. BUDGET AMENDMENT # 13** Moved by Mr. Whalen, seconded by Mr. Diffendorf

Public Works/ Security Services

The Chair granted Mr. Marinich's request to do separate votes on lines 45-47, 48-53 and 54-59 and Mr. Whalen's request to vote on 45-47 last.

- 45 Increase Part-Time line From \$26,605 To \$51,605
- 46 Increase State Retirement (11.1%) From \$233,330 To \$236,105
- 47 Increase FICA (7.65%) From \$210,587 To \$212,500

**Failed.** Ayes-0, Nays-17, Absent-2 (Howard, Hutchings)

- 48 Eliminate 3 half-year Security Officer II positions- Intermodal (CSEA) From \$2,068,987 To \$2,020,987
- 49 Reduce State Retirement (11.1%) From \$236,105 To \$230,777
- 50 Reduce FICA (7.65%) From \$212,500 To \$208,828
- 51 Reduce Life Insurance From \$949 To \$920
- 52 Reduce Health Insurance (Vacant rate) From \$489,997 To \$473,891
- 53 Reduce Disability Insurance From \$4,955 To \$4,762

**Failed.** Ayes-1 (Whalen), Nays-16, Absent-2 (Howard, Hutchings)

- 54 Eliminate 1 Security Officer II position- GHJB (CSEA) From \$2,020,987 To \$1,982,164
- 55 Reduce State Retirement (11.1%) From \$230,777 To \$226,468
- 56 Reduce FICA (7.65%) From \$208,828 To \$205,858
- 57 Reduce Life Insurance From \$920 To \$901
- 58 Reduce Health Insurance (Family rate) From \$473,891 To \$458,221
- 59 Reduce Disability Insurance From \$4,762 To \$4,633

**Failed.** Ayes-1 (Whalen), Nays-16, Absent-2 (Howard, Hutchings)

**P. BUDGET AMENDMENT # 14** Moved by Mr. Whalen, seconded by Mr. Herz

Social Services/ Central Administration

- 60 Increase BC Coop Ext Assn From \$397,372 To \$430,835

**Carried.** Ayes-13, Nays-4 (Whalen, Nirchi, LaBare, Reynolds), Absent- 2 (Howard, Hutchings)

**Q. BUDGET AMENDMENT # 18** Moved by Mr. Whalen, seconded by Mr. Cleary  
Other-Contractual Agencies

68 Increase Soil Conservation Service From \$68,425 To \$75,000

**Carried.** Ayes-13, Nays-3 (Whalen, LaBare, Reynolds), Absent-3 (Howard, Hutchings, Diffendorf)

**R. BUDGET AMENDMENT # 16** Moved by Mr. Whalen, seconded by Mr. Herz  
Youth Bureau

62 Restore Youth Services Specialist (18 CSEA) From \$53,191 To \$101,580

63 Increase State Retirement From \$5,904 To \$11,342

64 Increase FICA From \$4,069 To \$7,817

65 Increase Life Insurance From \$19 To \$38

66 Increase Disability From \$0 To \$129

**Carried.** Ayes-12, Nays-4 (Whalen, Nirchi, LaBare, Reynolds), Absent-3 (Howard, Hutchings, Diffendorf)

**S. BUDGET AMENDMENT** Moved by Mr. Klipsch, seconded by Ms. Buchta  
Other Contractual Agencies

Increase 5064 So. Tier Zoological Society From \$328,125 To \$350,000

**Failed.** Ayes-6, Nays-10 (Materese, Keibel, Moran, Messina, Whalen, LaBare, Pasquale, Garnar, Marinich, Reynolds), Absent-3 (Howard, Hutchings, Diffendorf)

**T. BUDGET AMENDMENT # 15** Moved by Mr. Whalen, seconded by Mr. Materese  
County Executive/Solid Waste

61 Correct salary line for authorized positions From \$979,959 To \$993,528

**Carried.** Ayes-16, Nays-0, Absent-3 (Howard, Hutchings, Diffendorf)

**U. BUDGET AMENDMENT # 17** Moved by Mr. Whalen, seconded by Mr. Moran  
Special Object of Expenditures

67 Increase Discretionary Salary Savings From -\$2,273,560 to -\$2,773,560

**Carried.** Ayes-16, Nays-0, Absent-3 (Howard, Hutchings, Diffendorf)

A short recess was called by the Chair at 6:50 pm. The meeting reconvened at 7:25 pm.

**V. BUDGET AMENDMENT**

Ms Messina made a motion, seconded by Mr. Nirchi to recall E Budget Amendment # 4 RPTS for reconsideration. **Motion to recall carried.** Ayes-13, Nays-2 (Materese, LaBare), Absent-4 (Keibel, Howard, Hutchings, Diffendorf). Mr. Sanfilippo made a motion, seconded by Mr. Cleary to amend E Budget Amendment #4 to reduce the Difference by -\$200,000. **Amendment failed.** Ayes-9, Nays-6 (Materese, Moran, Whalen, LaBare, Pasquale, Marinich), Absent-4 (Keibel, Howard, Hutchings, Diffendorf). **E Budget Amendment #4 failed.** Ayes-8, Nays-7 Sanfilippo, Messina, Nirchi, Herz, Buchta, Klipsch, Reynolds), Absent-4 (Keibel, Howard, Hutchings, Diffendorf)

**WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE**

- A. 2010 Recommended Budget Amendments from the Director of Budget dated 10/19/09
- B. Supplemental Budget Message #1 from the County Executive dated 10/27/09
- C. Supplemental Budget 2010 Budget from the County Executive dated 11/4/09
- D. Supplemental Budget 2020 Budget from the County Executive dated 10/21/09

**RESOLUTIONS INTRODUCED AT THIS SESSION**

**RESOLUTION NO. 499**

(Held over by Mr. LaBare)

By Finance Committee  
**RESOLUTION ESTABLISHING RATE OF COMPENSATION FOR NON-UNION ADMINISTRATIVE PERSONNEL FOR FISCAL YEAR 2010**  
Carried. Ayes-14, Nays-1 (Klipsch), Absent-4 (Keibel, Howard, Hutchings, Diffendorf)

Seconded by Mr. Whalen

**RESOLUTION NO. 500**

(Held over by Mr. LaBare)

By Finance Committee  
**RESOLUTION APPROVING THE 2010-2015 CAPITAL IMPROVEMENT PROGRAM**  
Carried. Ayes-12, Nays-3 (Pasquale, Marinich, Klipsch), Absent-4 (Keibel, Howard, Hutchings, Diffendorf)

Seconded by Mr. Whalen

**RESOLUTION NO. 501**

(Held over by Mr. Nirchi)

By Finance Committee  
**RESOLUTION ADOPTING THE BROOME COUNTY BUDGET FOR FISCAL YEAR 2010**  
Carried. Ayes-13, Nays-2 (Pasquale, Marinich), Absent-4 (Keibel, Howard, Hutchings, Diffendorf)

Seconded by Mr. Whalen

**RESOLUTION NO. 502**

(Held over by Mr. Whalen)

By Finance Committee  
**RESOLUTION MAKING APPROPRIATIONS FOR THE CONDUCT OF THE BROOME COUNTY GOVERNMENT FOR FISCAL YEAR 2010**  
Carried. Ayes-13, Nays-2 (Pasquale, Marinich), Absent-4 (Keibel, Howard, Hutchings, Diffendorf)

Seconded by Mr. Whalen

**RESOLUTION NO. 502**

(Held over by Mr. LaBare)

By Finance Committee  
**RESOLUTION AMENDING RESOLUTION 180 OF 1965, ENTITLED: "RESOLUTION IMPOSING TAXES ON SALES AND USE OF TANGIBLE PERSONAL PROPERTY AND CERTAIN SERVICES, OCCUPANCY OF HOTEL ROOMS, ADMISSION CHARGES AND CLUB DUES, PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK", AS LAST AMENDED BY RESOLUTION 210 OF 2006, IN RELATION TO THE ALLOCATION OF SALES TAX RECEIPTS**

Seconded by Mr. LaBare

Mr. Klipsch made a motion, seconded by Mr. Materese to table the resolution to the next regular session. **Motion to table carried.** Ayes-17, Nays-0, Absent-2 (Howard, Hutchings)

Mr. Cleary made a motion to adjourn, seconded by Whalen. **Motion to adjourn Carried,** Ayes-15, Nays-0, Absent-4 (Keibel, Howard, Hutchings, Diffendorf). The meeting was adjourned at 7:44 p.m.

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