



**MINUTES**  
**SPECIAL LEGISLATURE MEETING**  
**CAYUGA COUNTY LEGISLATURE**  
**Tuesday, April 21, 2020, to Follow the Ways & Means Meeting**  
**Live Stream Link: <https://youtu.be/lfuE4dLskcc>**

**CALL TO ORDER:** Hon. Aileen McNabb-Coleman, Chair called the meeting to order at 6:23PM

**ROLL CALL:** Sheila Smith, Clerk of the Legislature all legislators present

**Discussion on picture of finances:**

Leeson discusses her attached preliminary fund balance analysis.

Lattimore asks about causality and liability. Leeson responds in the first quarter the legislature voted to take \$1.4 million dollars out of the unappropriated fund balance to pay a legal claim and that is what that is for. Lattimore asks if there was nothing in that reserve prior to that action. Leeson says we have a causality and liability reserve in our accounts in our MS fund, however that does not have enough to pay the potential claim.

Kerr asks as a general rule of thumb how the fund balance works in terms of how much we try to keep in there compared to our operating expenses and what is a healthy fund balance. She also says in terms of the restricted funds for our reserves and what flexibility we have in moving those funds out if needed when we are looking at balancing our budget. Leeson says the state provides zero guidance as far as it goes for a healthy fund balance, but our county policy says 10-15% of our operating budget should be in unappropriated fund balance. The reserves are legal questions for Palermo, but her understanding is once the purpose of the reserve is established it is virtually impossible to take out unless being used for that purpose. Kerr asks about the sales tax figures and if we have any ideas of when we might see the first major impacts on sales tax. Also, are hearing anything about what that might look like locally. Leeson says that they received the April payments and everything is still pretty status quo at this point. She does not know of any projections at this point, she would anticipate next month to be lower, but that is just a guess and Marinelli was going to talk about what the impact could be.

McNabb-Coleman asks in terms of our fund balance as it stands today when we subtract the \$1.4 million it should take us to \$16.7 million and asks if that is the fund balance we are talking about at this point. Leeson responds yes, that is the fund balance to work with at this point.

Marinelli says if we are looking at being at \$16.7 million after taking the payment out for the lawsuit that was settled. She says the range for the fund balance is 10-15% of our total revenues, which is our policy. She says that puts us at about \$13.5-\$20 million dollars. She says we have quite a few reserves, over \$9 million dollars, but those are restricted legally and are only available for the purposes they were set for. She says the economic fund balance for \$895,000 is a little more flexible because it was not set aside into a legally restricted reserve. She says that was more set aside for a purpose and the legislature could change their mind on the purpose of the funding source. She looked at the sales tax figures that we brought in last year and did some estimates on dollar amounts if we lose some percentages. She says McNabb-Coleman was looking this afternoon at some information from NYSAC that said about a 12% decrease annually. She says last year we brought in \$23.8 million dollars in sales tax, so if we take that as our starting point and take 10% away from that we would lose \$2 million and if we lose 15% it would be \$3.3 million. She says that is our biggest concrete loss of revenue that we all know of. She says price of gas is down, sales will be down, and a lagging effect that will start in 2<sup>nd</sup> quarter and go into the 3<sup>rd</sup> quarter. She looked at the state aid and probably the most risky area would be in social services. She says a lot of our other state aid is grant related, so if we do not get the revenue we would also not spend the money. She says we will have to keep an eye on that and is sure the state will give us plenty of notification if grants are going to be cut. She says in the state aid area if we lost 10% of our state aid services that could be another \$1 million dollars. She has no idea if it will be cut and it is a very essential service. She says definitely when there was the recession in 2008 and 2009 we lost a significant amount of state aid in social services. She says the other big dollar item on the agenda of the Governor's budget before this all happened was Medicaid, which is a very risky area for us that we do not have control over. She says if they shifted even 10% of those costs to us that would be another \$1 million dollar hit to us. She says we have no information on that, but if somehow the state's budget does not come together that would be a very easy place for the governor to go to make adjustments to this year's budget if he needs to. She says this is a relatively conservative look and

we could be looking at \$2.5-\$4 million dollars of lost revenue, if the state feels they have to contract the state aid they have given us. She says we are probably definitely looking at a \$2 million dollar loss in sales tax. She says the other good news in a way is the placement of foster care are definitely down and will probably continue. She says they are having very low CPS calls since school is not in session, probably not best outcome but is the reality that we are not getting the calls, so we are not having to remove children as quickly. She says some preventative services contracts that are paid as they are used will probably not be utilized to the full capacity that we do in past years because we will not have as many people coming in. She says some of those do not have the best reimbursement and are mandated services, so that could help our bottom line if we are not having all of those expenditures.

Daly asks about the impact of the loss of mental health state aid. Marinelli says a substantial amount of the mental health state aid is passed through not-for profits in the community, so if that was lost we do not use a large percentage towards our own operation.

Foley says we are at approximately \$16 million and our low end for county policy is \$13 million dollars, so we have about \$3 million dollars in wiggle room and Marinelli responds yes. Foley asks if we drop below the \$13 million what the consequences would be. Marinelli says that we have certainly been below that amount. She says there are no real consequences it is a guideline set by the state comptroller's office to be healthy and prepare for future occurrences. She says we could have issues with cash flow, which we have had before and had to borrow money to make short term payments. She says we do not have a lot of control over our cash flow, tax payments come in periodically, and the state can withhold payments. Foley says if the loss of revenue hits the \$4 million dollar mark we are talking about going below that. He thinks what Batman was eluding to was cutting expenses in services or raise taxes, which is where we could be heading if this gets really bad. Marinelli says yes, we need to start looking at ways to contain our expenditures anywhere that we can and keep an eye on things as they go. She says there could be more of a chance that the state will react more next year when they put their budget together.

Dennison says the number one thing on the fund balance is that is the tax payer's money and they are the ones who are going to be hurting and they are not going to have the money that they had. He thinks raising taxes is something we should not even be thinking about at a time like this. He says the reason for a fund balance is for emergency purposes and we have hit our emergency. He says maybe it is time all of the upstate counties get together and start pushing back on Albany with all of the mandates because maybe now is the time to do it.

Batman wanted to point out that Lattimore mentioned earlier how Jim Orman had improved our bond rating. He says one of the things that bond ratings are based upon are the fund balance and those kinds of things. He says that is another reason we need to be careful or rather not go below our target of fund balance.

McNabb-Coleman says in general the \$2-\$4 million of lost revenue is maybe wishful thinking and it could be more of an impact, but that depends on who you talk to. She says in light of that this is such a moving target and her plan is to have this meeting and update once a month moving forward, so we can all get a picture of where we stand. She asks the legislature to start thinking about the resolution that we passed authorizing the employees to be paid without the use of accruals. She says that resolution is set to expire April 29<sup>th</sup> and we need to think about a decision related to that resolution. She would like to discuss what we want to do going forward.

Daly says if we are on pause until May 15<sup>th</sup> that would also indicate we have a directive to reduce our workforce by 50%. She asks if we have room now based on the number of people coming into work to stay within the 50%. McNabb-Coleman says we are still within the 50%. She says part of the crisis is showing county governments how we can operate successfully. She says personally she does not know if the goal is to fill up the building again. She thinks we can identify the places where we can be flexible employers and start making better choices for our employees. She thinks we need to sit back and do an assessment of what has really worked and what can be changed to work in the future. She says the idea of reimagining county government is something we really need to take into a strong consideration. She says department by department these functions that can be done remotely and there may be some willing participants to do that.

Whitman thinks this is really going to bring some ideas and some thought to how day to day business is done in our country and our world. He says we have been pondering to keep the county office building we have, do we build a new one, or renovate. He says maybe we do not need half of the office space we have now and there is another way to do it that is efficient and effective. He thinks this will bring to light in a lot of businesses and government a lot of positions that maybe we did not notice they were missing. He thinks this is a good opportunity to look at exactly what we need in a workforce and what is extra and should use this as a tool to learn from if nothing else.

Dennison agrees with Whitman and says we need to look at whether we need as big of a Cayuga County government as we have after this is all over.

Lattimore says he thinks he has mentioned before that we could reduce the size of the legislature.

**RESOLUTIONS:**

**RESOLUTION NO. 172-204-21-20BLD Repair Reserve Public Hearing 911  
FIXING DAY AND NOTICE OF PUBLIC HEARING ON PURSUANT TO NY GEN. MUN. LAW § 6-D TO MAKE  
APPROPRIATIONS FROM THE BUILDINGS REPAIR RESERVE**

BY: Hon. Tucker Whitman, Chair, Public Works Committee

Hon. Christopher Petrus, Chair, Ways & Means Committee

WHEREAS, N.Y. General Municipal Law § 6-d requires that the governing board provide notice and a public hearing; and  
WHEREAS, two Liebert Units serving the equipment room at the 911 Center are over twenty three years old and are at the end of their  
useful life; and

WHEREAS, the cost to replace these units is \$30,924.00 and

WHEREAS, The Legislature has determined that this repair does not recur annually or less frequently, and that it fall within the  
purpose for which the Building Repair Reserve was established; now, therefore, be it

RESOLVED, that a public hearing shall be held concerning the proposed local law before the Cayuga County Legislature on Tuesday,  
April 28, 2020, at 6:00 P.M., at a meeting held electronically and broadcast live via YouTube at the following address:

<https://youtu.be/f2hJwL-GrGc>, with members of the public directed to call in at 315-609-8182 to comment; and be it further

RESOLVED, that the Clerk of the Cayuga County Legislature is directed to issue notice of the same as prescribed by, and in  
accordance with law.

**Motion by Whitman, 2<sup>nd</sup> by Ripley, all in favor.**

**RESOLUTION NO. 173-20 4-28-20 COA LL Abolish DPW FIX 04.28  
FIXING DAY AND NOTICE OF PUBLIC HEARING ON A LOCAL LAW REPEALING LOCAL LAW NO. 5 OF 2018  
AND ESTABLISHING THE DEPARTMENTS OF BUILDINGS AND GROUNDS, WEIGHTS AND MEASURES, AND  
THE CAYUGA COUNTY HIGHWAY DEPARTMENT; ESTABLISHING THE POSITIONS OF SUPERINTENDENT  
OF BUILDINGS AND GROUNDS, DIRECTOR OF WEIGHTS AND MEASURES, AND HIGHWAY  
SUPERINTENDENT**

BY: Hon. Tucker Whitman, Chair, Public Works Committee

Hon. Christopher Petrus, Chair, Ways & Means Committee

WHEREAS, Local Law No. 5 of 2018 created the Department of Public Works, bringing disparate departments into a single  
oversight model; and

WHEREAS, after considerable deliberation and assessment, the Cayuga County Legislature is of the opinion that such disparate  
departments run more effectively and efficiently when oversight is central within each department; and

WHEREAS, there has been duly presented and introduced at a meeting of this County Legislature held on February 25, 2020, a  
proposed local law entitled:

A LOCAL LAW REPEALING LOCAL LAW NO. 5 OF 2018 AND ESTABLISHING THE DEPARTMENTS OF BUILDINGS  
AND GROUNDS, WEIGHTS AND MEASURES, AND THE CAYUGA COUNTY HIGHWAY DEPARTMENT;

ESTABLISHING THE POSITIONS OF SUPERINTENDENT OF BUILDINGS AND GROUNDS, DIRECTOR OF WEIGHTS  
AND MEASURES, AND HIGHWAY SUPERINTENDENT; now, therefore be it

RESOLVED, that a public hearing shall be held concerning the proposed local law before the Cayuga County Legislature on  
Tuesday, April 28, 2020, at 6:00 P.M., at a meeting held electronically and broadcast live via YouTube at the following address:

<https://youtu.be/f2hJwL-GrGc>, with members of the public directed to call in at 315-609-8182 to comment; and be it further

RESOLVED, that the Clerk of the Cayuga County Legislature is hereby directed to give due legal notice of said public hearing as  
provided by statute.

**Motion by Whitman, 2<sup>nd</sup> by Batman, all in favor.**

**Motion by Batman to go into executive session at 7:04PM, 2<sup>nd</sup> by Pinckney, all in favor.**

**EXECUTIVE SESSION: Contract Negotiations**

**Motion by Pinckney to come out of executive session at 8:15PM, 2<sup>nd</sup> by Dennison, all in favor.**

## 2020 Budget Projection

### Sales Tax

2019 Budget	2019 Actual	Variance	
23,000,000	23,850,246	850,246	

  

2020 Budget		2020 Estimated Actual	Variance
23,600,000	0%	23,850,246	250,246
	-5%	22,657,734	-942,266
	-10%	21,465,221	-2,134,779
	-15%	20,272,709	-3,327,291

### State Aid - Social Services

2019 Budget	2019 Actual	Variance	
7,375,000	7,326,795	-48,205	

  

2020 Budget		2020 Estimated Actual	Variance
7,672,000	0%	7,326,795	-345,205
	-5%	6,960,455	-711,545
	-10%	6,594,116	-1,077,885
	-15%	6,227,776	-1,444,224

### Medicaid

2019 Budget	2019 Actual	Variance	
14,175,000	14,044,470	-130,530	

  

2020 Budget		2020 Estimated Actual	Variance
13,850,000	0%	13,850,000	0
	-5%	13,157,500	-692,500
	-10%	12,465,000	-1,385,000
	-15%	11,772,500	-2,077,500

Cayuga County  
PRELIMINARY Fund Balance Analysis - A  
12/31/2019

UNRESERVED UNAPPROPRIATED		
Balance per audit at 12/31/2018		20,716,325.00
Change in encumbrances		(524,444.62)
Transfer to reserves		(5,000,000.00)
Transfer from reserves		386,561.99
Appropriation in 2020 Budget		(954,961.00)
Appropriation in 2019 Budget		838,475.00
Net Income (Loss) 2019		<u>2,666,416.87</u>
Unaudited balance at 12/31/2019		<u><u>18,128,373.24</u></u>
RESTRICTED/COMMITTED FUND BALANCE		
Reserve for building repair	A18400	851,330.91
Reserve for building capital	A18500	3,911,280.91
Reserve for highway repair	A18600	4,059,211.62
Emerson Park Improvement	A18835	59,038.42
Sterling Nature Center	A18836	207,409.65
Pavilion Building	A18838	54,214.35
Parking Lot Maintenance	A18865	3,500.00
DARE	A18870	7,057.23
DWI	A18890	<u>202,213.33</u>
TOTAL RESERVED FUND BALANCE		<u><u>9,355,256.42</u></u>
ASSIGNED FUND BALANCE		
Unemployment Insurance		577,292.77
Encumbrances		1,047,677.37
Assigned Appropriated (next year budget)		<u>954,961.00</u>
TOTAL ASSIGNED FUND BALANCE		<u><u>2,579,931.14</u></u>
NON SPENDABLE FUND BALANCE		
Balance per audit at 12/31/2018		2,359,088.40
Increase in prepaid expenses		<u>(260,633.37)</u>
Unaudited balance at 12/31/2019		<u><u>2,098,455.03</u></u>
Economic Development account		<u><u>895,051.41</u></u>

Cayuga County  
PRELIMINARY Fund Balance Analysis - A  
3/31/2020

UNRESERVED UNAPPROPRIATED						
Unaudited balance at 12/31/2019					18,128,373.24	
Less:						
Transfer to reserves					(25,100.91)	
Casualty & Liability					(1,400,000.00)	
Prior year encumbrances					1,047,677.37	
Transfer from Reserves					24,740.00	
Appropriation in 2019 Budget					<u>954,961.00</u>	
Unaudited balance at 03/31/2020					<u><u>18,730,650.70</u></u>	
NON SPENDABLE FUND BALANCE						
Unaudited balance at 12/31/2019					2,098,455.03	
Increase in prepaid expenses					-	
Unaudited balance at 3/31/2020					2,098,455.03	
RESTRICTED/COMMITTED FUND BALANCE						
		12/31/2019	Transfer In	Transfer Out	Interest	3/31/2020
Reserve for building repair	A18400	851,330.91			3,405.46	854,736.37
Reserve for building capital	A18500	3,911,280.91			15,027.93	3,926,308.84
Reserve for highway repair	A18600	4,059,211.62			15,596.32	4,074,807.94
Emerson Park Improvement	A18835	59,038.42			277.75	59,316.17
Sterling Nature Center	A18836	207,409.65			796.91	208,206.56
Pavilion Building	A18838	54,214.35		24,740.00	208.30	29,682.65
Parking Lot Maintenance	A18865	3,500.00				3,500.00
DARE	A18870	7,057.23				7,057.23
DWI	A18890	202,213.33				202,213.33
TOTAL RESERVED FUND BALANCE		<u>9,355,256.42</u>	-	<u>24,740.00</u>	35,312.67	<u>9,365,829.09</u>
ASSIGNED FUND BALANCE						
Unemployment Insurance		577,292.77	-	-	2,732.86	580,025.63
Encumbrances		1,047,677.37	-	(1,047,677.37)	-	-
Assigned Appropriated (next year budget)		954,961.00	-	(954,961.00)	-	-
TOTAL ASSIGNED FUND BALANCE		<u>2,579,931.14</u>	-	<u>(2,002,638.37)</u>	2,732.86	<u>580,025.63</u>