

RESOLUTION NO. 19-628

RESOLUTION ADOPTING AND REFERRING THE 2019 CHEMUNG COUNTY BUDGET  
TO THE CHEMUNG COUNTY EXECUTIVE  
(EXCLUDING SEWER DISTRICT NO. 1 AND CHEMUNG COUNTY/ELMIRA SEWER  
DISTRICT BUDGETS)

By: Manchester

Seconded by:

WHEREAS, the Chemung County Executive did submit to the Clerk of the Chemung County Legislature on November 12, 2019, the proposed budget, capital program, and budget message for the County of Chemung for fiscal year 2020 in accordance with Sections 503 and 504 of Article V of the Chemung County Charter; and

WHEREAS, the Legislature, upon the adoption of Resolution No. 19-608 designated the Budget Committee of the Legislature to review the proposed budget, capital program and budget message, and to submit its report to the Legislature; and

WHEREAS, the Budget Committee has reviewed the proposed budget, capital program and budget message, and has submitted its report to the Chemung County Legislature as required by Resolution No. 19-608; and

WHEREAS, the Chemung County Legislature by Resolution No. 19-625 did call for a public hearing thereon pursuant to Article V of the Chemung County Charter; and

WHEREAS, a Notice of Public Hearing on the 2020 Tentative Chemung County Budget, Capital Program and Budget Message was published in the *Star-Gazette* and *Leader* on November 8, 2019, and that notice contained proposed salaries for members of the County Legislature; and

WHEREAS, a copy of the 2020 Tentative Chemung County Budget was filed in the office of the Clerk of the Legislature and was available for public inspection; and

WHEREAS, the 2020 Tentative Chemung County Budget was available for inspection at [www.chemungcountyny.gov](http://www.chemungcountyny.gov); and

WHEREAS, the Budget Committee issued its Report and recommendations for changes to the Tentative Budget on November 25, 2020 as required by the Charter; and the County Executive has presented additional changes to the Tentative Budget all of which are incorporated as amendments to the Tentative Budget as contained on Exhibit "A" annexed hereto; and

WHEREAS, the public hearing was held November 18, 2019 at the time and place specified in the Notice of Public Hearing and adjourned and re-convened on December 2, 2019,

and at that time and place all parties and interests had a right to appear and to provide written or oral comments; and

WHEREAS, the Chemung County Legislature has made changes to the budget as presented by the County Executive, which changes shall be referred to the County Executive by December 7, 2019, as required by the Chemung County Charter; now, therefore, be it

RESOLVED, that the Chemung County Budget for the year 2020 including, but not limited to, the capital program and budget message, as submitted by the County Executive and amended pursuant to Exhibit "A", is hereby adopted, as amended, as the annual budget of Chemung County for the fiscal year commencing January 1, 2020, which budget is incorporated herein by reference as though herein fully set forth, a copy of which shall remain on file with the Clerk of the Legislature and which budget shall be subject to conditions as hereinafter stated; and, be it further

RESOLVED, all acquisitions of equipment, machinery, apparatus and services as provided for in the 2020 budget, as amended, shall be in accordance with the Chemung County Purchasing Policy, subject to the review and approval by the County Executive and subject to approval by Resolution of the Chemung County Legislature; and, be it further

RESOLVED, that the County Legislature reaffirms Resolution No. 19-582 and Resolution No. 19-583 adopting the Hotel Tax Collection and Disbursement Policy, and the Community Development Fund Distribution Policy, and all disbursement of funds covered by such policies are subject to approval by Resolution of the Chemung County Legislature, and; be it further

RESOLVED, that any position included in the 2020 budget, as amended, which was created by the Legislature as a result of the receipt of a grant, or where such position was created pursuant to a grant awarded to the County of Chemung, that position shall be terminated upon expiration of the grant funding that position, and the adoption of the 2020 budget, as amended, does not create that position, nor does it continue the funding for same by the County of Chemung beyond any funding resulting from the receipt of a grant; and, be it further

RESOLVED, that the County Legislature reaffirms Resolution No. 80-317 entitled "Resolution Relative to Controlling the Number of Persons Employed by the County of Chemung," and directs that the procedures and processes set forth therein shall apply to the creation, upgrading, or approval of any positions of employment within the County of Chemung, including, but not limited to, any staffing plan adopted by the Legislature for any department of the County of Chemung; and, be it further

RESOLVED, that there shall be no additional hiring of personnel by the County of Chemung, including, but not limited to, the hiring of any personnel in accordance with any staffing plan, without the express consent by resolution of the Legislature, except that the County Executive is hereby authorized to hire personnel to fill positions required by applicable statute, rule or regulation without the prior consent of this Legislature, but upon his hiring such personnel the County Executive shall immediately provide written notification to the Legislature of the action so taken; and, be it further

RESOLVED, that each month during calendar year 2020 the County Executive shall deliver a written report to the Personnel Committee showing the total number of persons employed by the County of Chemung at the end of the previous month, the number of persons newly hired during the previous month, and the number of persons who left the employ of the County of Chemung during the previous month, together with such other information as the Chairman of the Legislature requests; and, be it further

RESOLVED, that no employee of the County of Chemung, including without limitation any Single Rate Employee, shall receive during calendar year 2020 any increase in salary or wages or any stipend, bonus or other form of compensation without the express consent by separate Resolution of this Legislature, including without limitation, raises for 2020 effective January 1, 2020 for all Single Rate Employees; and, be it further

RESOLVED, that any Single Rate employee who shall have been promoted at any time during 2019 shall not receive the rate of pay provided for in the 2020 Amended Chemung County Budget as adopted until the anniversary date in 2020 of that employee's promotion, but shall continue to receive the same rate of pay during the period beginning January 1, 2020 and ending on their anniversary date for promotion that they received during 2019 subsequent to their promotion; and, be it further

RESOLVED, that pursuant to Article V of the Chemung County Charter, the Clerk of the Legislature is hereby authorized and directed to deliver to the County Executive for his examination and consideration as required by the Chemung County Charter no later than the 7<sup>th</sup> day of December 2019 the budget for 2020, as amended, approved by this Resolution, subject to the terms, conditions, and provisions as set forth herein.

STATE OF NEW YORK)  
COUNTY OF CHEMUNG) SS:

THIS IS TO CERTIFY, that I the undersigned Clerk of the Chemung County Legislature, have compared the foregoing copy of resolution with the original resolution now on file in my office, and which was passed by the Chemung County Legislature on the 2nd day of December 2019, a majority of all the members elected to the Legislature voting in favor thereof, and that the same is a correct and true transcript of such resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of the Chemung County Legislature this 3rd day of December 2019.

Cynthia G. Kalweit  
Cynthia G. Kalweit, Clerk  
Chemung County Legislature

Exhibit "A"

Amendments to 2020 Tentative Budget

**1. Increase Property Tax Rate**

The County Executive's tentative budget proposed a 1% real property tax increase from the current rate of \$6.86 to \$6.93. The Legislature recommends an additional 1% increase to a rate of \$7.00 to raise revenue for unbudgeted items and to preserve the fund balance.

<u>Account No.</u>	<u>Co. Exec. Recom.</u>	<u>Legislature Amendment</u>	<u>Increase (Decrease)</u>
41001	\$30,652,326	\$30,964,787	\$312,461
	(1% increase)	(2% increase)	

**2. Increase Sales and Use Tax Revenue (Net after AIM)**

The proposed budgeted amount is conservative, particularly considering the trend, 2019 actual collections and the anticipated revenue generated by internet sales tax collections.

<u>Account No.</u>	<u>Co. Exec. Recom.</u>	<u>Legislature Amendment</u>	<u>Increase (Decrease)</u>
41110	\$63,511,427	\$64,136,602	\$453,095
			(County share)

**3. Reduce General Fund Overtime**

<u>Account No.</u>	<u>Tentative Budget.</u>	<u>Legislature/Co. Exec. Amend.</u>	<u>Increase (Decrease)</u>
3020	\$100,000	\$ 95,000	(\$ 5,000)
3120-3110	\$414,000	\$393,000	(\$21,000)
3120-3150	\$650,000	\$621,000	(\$29,000)
6010-0200	\$120,000	\$114,000	(\$ 6,000)
6017-6020	\$350,000	\$334,000	(\$14,000)
5610-5610	\$ 60,000	\$ 57,000	(\$ 3,000)
Total			(\$80,000)

**4. Reduce use of Fund Balance**

<u>Account No.</u>	<u>Co. Exec. Rec.</u>	<u>Legislature Amendment</u>	<u>Increase (Decrease)</u>
10 0000 45001	\$506,549	\$270,616	(\$235,933)

**5. Increase Single Rate Salaries**

Increase Single Rate Salaries from 1% to 2% for all Single Rate employees identified in the proposed budget as receiving the budgeted 1% increase. The increase from 1% to 2% results in increased payroll costs of \$100,000, and helps offset the employees' share of increased health insurance costs.

**6. Increase funding for Criminal Justice Reform**

Add \$250,000 to Contingency Account – 10 1990 1990 50408 for anticipated costs of complying with the changes required by the Criminal Justice Reform Act.

**7. Veterans Administration**

Add \$200,000 to Contingency Account – 10 1990 1990 50408 for operation of the Veterans' Affairs Office due to anticipated loss of state reimbursement.

**8. Correction of salary of Attorney to the Legislature and Special Districts**

<u>Account No.</u>	<u>Co. Exec. Rec.</u>	<u>FTE</u>	<u>Budget Com. Rec.</u>	<u>FTE</u>	<u>Increase (Decrease)</u>
10-1040	\$35,589.68	.47	\$60,024.35	.65	\$24,434.67
22-8010-8110	\$12,494.25	.17	\$ 6,464.15	.07	(\$ 6,030.10)
23-8110-8110	\$12,494.25	.17	\$ 6,464.15	.07	(\$ 6,030.10)
24-8160-8110	\$14,244.87	.19	\$ 2,770.35	.03	(\$11,474.52)

The above-amended salaries total the County Attorney's budgeted salary at the same FTE level (.82). These salaries shall be subject to the additional 1% increase in Single Rate salaries reflected in item #5 above (resulting in a salary of \$76,480.23 for both the County Attorney and Attorney for the Legislature and Special Districts).

**9. Increase Organizational Funding**

<u>Organization</u>	<u>Co. Exec Recom.</u>	<u>Legislature Amendment</u>	<u>Increase (Decrease)</u>
Chemung Hist. Soc.	\$ 4,750	\$ 5,000	\$ 250
STCRPDB	\$ 81,368	\$ 85,650	\$ 4,282
Soil & Water	\$213,750	\$225,000	\$11,250
Storm Water	\$159,030	\$186,000	\$26,970
Cooperative Ext.	\$235,543	\$247,940	\$12,397
SPCA/City of Elmira	\$ 47,463	\$ 49,961	\$ 2,498
CareFirst	\$ 3,325	\$ 3,500	\$ 175
CCIDA	\$200,000	\$200,000	-0-
REDEC	\$ 10,000	\$ 10,000	-0-

F.H.F.	\$ 5,000	\$ 5,000	-0-
EOP	\$ 25,000	\$ 25,000	-0-
Total	\$985,228	\$1,043,051	\$ 57,823

**10. Amendment to Capital Plan – DPW**

Add Lake Street Material Recycling Facility Access Road Project to All Funds Capital Plan for 2020 at a local share cost of \$50,000 to be bonded; and remove same project from Casella Small Project Fund (account 10-8030-50436) leaving said fund unallocated, and available for other community projects.

This addition will result in the following for the Capital Plan – DPW:

Dept.	Description	Total	Federal	State	Local	Bonded	Bonded 2020
DPW	Lake St. Mat. Recyc. Access Rd.	<u>\$50,000</u>			<u>\$50,000</u>	<u>\$50,000</u>	<u>\$50,000</u>
Total		\$22,101,500	\$13,471,900	\$5,311,306	\$3,318,294	\$3,318,294	\$3,318,294