

Westchester Charter Revision Commission  
Budget and Finance Focus Group  
Minutes of November 3, 2011, Meeting

A meeting of the Budget and Finance Focus Group of the Westchester Charter Revision Commission was held on November 3, 2011, at the offices of Jeffrey Binder, 68 East Post Road, White Plains, New York. Present were focus group members Jeffrey Binder (Focus Group Chair), Ann McAndrews, and Paul Windels (physically) and Paul Meissner (Focus Group Vice Chair), Julie Killian, Derrickson Lawrence, and Matthew Thomas (by telephone). Also attending were Commission Chair Richard Wishnie, Melanie Montalbo staff liaison from the Westchester County Board of Legislators, and Stacey Dolgin-Kmetz, Legislative Counsel to the Board of Legislators.

After the meeting was called to order, the group agreed for the time being not to appoint a permanent secretary but to delegate the duties of secretary for any particular meeting to a member in attendance at that meeting. Paul Windels volunteered to serve as secretary for this meeting. It was agreed that the Focus Group should meet bi-weekly to the extent practicable for approximately one hour and that the usual meeting time would be 9:30 a.m.

Ms. Dolgin-Kmetz then addressed the meeting. At the outset, Ms. Dolgin-Kmetz advised the Focus Group that in her opinion, after consultation with the New York State Commission on Open Government, meetings of the Focus Group are subject to the New York Open Meetings Law. Asked her opinion as to how far the Open Meetings Law extended, Ms. Dolgin-Kmetz explained that the law covers formal subcommittee meetings where actions may be taken, as distinct from informal discussions, unless those discussions are intended and understood to supersede formal meetings.

Ms. Dolgin-Kmetz then guided the Focus Group through the pertinent provisions of Chapter 167 of the Charter regarding the budget calendar and the process of submission by the County Executive, revisions by the Board of Legislators, public hearings, and the veto and override process. It was noted that the County Executive has both a line-item veto and the general power to veto the entire budget and that the budget must be approved by December 27 of each year in order that the tax levy may be adopted by December 28. In the event that a budget is not adopted by December 31, the Charter provides that the prior year's operating budget remain in force. Chairman Wishnie pointed out that this default provision may come into conflict to the extent that collective bargaining agreements contain provisions that require increases in the operating budget.

Ms. Dolgin-Kmetz and the Focus Group also discussed the tax levy process, including issues as to the basis of assessments from each town, village, or city in the County, the role and function of the State Equalization Commission, and the possible effect of certiorari petitions, especially at a time when many real estate values have fallen below where they stood in prior years.

There was a general consensus among the members of the Focus Group that it should focus on identifying systemic problems that could be ameliorated through the Charter and that the Focus Group should try to observe as much of the process in action during the presentation and approval of the 2012 Budget.

The Focus Group scheduled its next meeting for November 14, 2011, at 9:30 a.m., at the offices of Focus Group Chair Jeffrey Binder.

Respectfully Submitted,

Paul Windels III  
Acting Secretary