

Westchester Charter Revision Commission
Budget and Finance Focus Group
Minutes of December 9, 2011, Meeting

A meeting of the Budget and Finance Focus Group of the Westchester Charter Revision Commission was held on December 9, 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), Matthew Thomas, and Paul Windels (physically) and Paul Meissner (Focus Group Vice Chair), Julie Killian, Derrickson Lawrence, and John Mattis (by telephone). Also attending by telephone were Stacey Dolgin-Kmetz, Legislative Counsel to the Board of Legislators, Chris Crane, Legislative Counsel to the Board of Legislators, Stephen P. Tenore, a former Chair of the Board, and Commission Chair Richard Wishnie.

After the meeting was called to order, Paul Windels volunteered to serve as secretary for this meeting. The Minutes of the November 14 and 28, 2011, meetings were approved. Mr. Tenore then addressed the meeting based on his 11 years' experience on the Board, including four years as Chair. In his view, adherence by the County government to the Charter raised a greater concern in the first instance than Charter revision. One example he provided was the Westchester Medical Center; as originally conceived, the Center was to be spun off, with the County to remain responsible for indigent care, but, after he left the Board, the Center was converted to a public benefit corporation, with the County responsible for all of its obligations. Other examples include the use of emergency contract provisions to forestall bidding on contracts that should be placed out for competitive bid and the creation of legislative committees beyond the four expressly authorized in the Charter (Budget and Appropriation, Public Works, County Office, and Legislation).

With respect to the budget process, while the Board was governed by a coalition of Republicans and Democrats, there never was a supermajority. As a result, the dynamics of reaching a budget required more give and take. He believes it advantageous for the County to be on a different fiscal year from the State and Federal governments, first because it required the County to plan on a worst case scenario and second because it enabled the County government to address different budgets at different times of the year. He considers the overall budget process too short, but also noted a lack of follow-up on the part of the Board to ensure that the Budget of any particular year has been complied with. He does not think that the Board is overburdened with its workload, and considers that the Board's budget, which has increased by 400% in the last decade, is excessive. He does believe that there should be a separate budget department and counsel for the Board. He would consider an independent budget office favorably, subject to determining how the personnel of that office would be appointed and how the office would be staffed. He would be in favor of an elected Comptroller and Inspector General.

Mr. Tenore believes that non-capital borrowing from pension funds or the State should require approval by public referendum. He noted that the Board never borrowed from the reserve fund during his years of service and that the rating agencies rating the County's creditworthiness employ a rule of thumb that the reserve fund of any governmental body should be at least 5% of its budget.

Throughout the discussion, Mr. Tenore expressed concern about corruption – both its existence and its appearance – in the county government. He noted, based on his personal experience, the ability of government officials to influence the behavior of other officials through the power to increase salary, add staff and other perquisites, and award contracts, as well as the ability to reduce or eliminate any of those benefits.

It was agreed that the Focus Group should next meet on January 13, 2012, at Mr. Binder's office at 9:30 a.m.

The meeting was then adjourned.

Respectfully Submitted,

Paul Windels III
Acting Secretary