

Westchester County Charter Revision Commission –

Local Government - County Government Relationship Focus Group

Meeting Minutes – December 15, 2011

In attendance: Members - Chairwoman Vincenza Restiano, Vice-Chair David Menken, Randy Sellier, Matt Thomas, Dr, Ronald Volino; Guests – CRC Chairman Richard Wishnie, Drew Fixell, Anne Janiak (Westchester Municipal Officials Association, WMOA); Staff - Chris Crane.

Chair Vinnie Restiano and Vice-Chair David Menken called the meeting to order. Chair Restiano recognized CRC Chairman Richard Wishnie. She also recognized guests Drew Fixell, current Westchester Municipal Officials Association (WMOA) President and Tarrytown mayor, and Anne Janiak, WMOA Executive Director. Mr. Wishnie provided a brief overview of the Charter Revision Commission (CRC) and noted that CRC is seeking a one-year extension to complete its activities.

Mr. Fixell briefly described WMOA. Members and guests then commenced discussion on services and relationships among County and local governments. Mr. Fixell and Mr. Sellier noted the many informal shared services among municipalities, such as equipment sharing (e.g., jet-vac, fire department equipment, etc.) and through inter-municipal agreements (IMAs). Mr. Fixell said he believed many people in the County are not familiar with the various County services.

Discussion turned to mandated services. Mr. Fixell questioned what portion of County taxes is used for mandated services versus discretionary services. Ms. Restiano asked how County mandates affect individual municipalities. Mr. Sellier inquired what services or obligations are presently mandated by the County upon local governments. It was noted that understanding the breakdown of mandatory and discretionary services is important and should be developed.¹ Mr. Menken inquired whether municipalities formerly or presently collect taxes/fees that are provided to other governments. He noted that an analysis of amount expended versus amount of services received would be useful.

Mr. Wishnie mentioned local municipalities share sales tax revenue, which prompted further discussion on sales taxes. Mr. Fixell said the distribution of sales tax revenue is disconnected from the demographics of the County, such as population, which negatively impacts business development in municipalities. Using Tarrytown as an example, he explained the proceeds of sales tax collected by Village businesses will not proportionally return to the Village, because of the Village's smaller population. Mr. Sellier noted that villages are precluded from imposing sales tax. Mr. Fixell suggested evaluating new options for sales tax distribution, such as the County releasing its sales tax revenue to municipalities to be applied to local capital projects. Mr. Wishnie and Ms. Restiano expressed interest in further studying sales tax distribution.²

Members concluded discussion with Mr. Fixell and Ms. Janiak and thanked them for their attendance. Discussion then turned to review of the County/Local Government Focus Group 'mandate' and the discussion questions for mayors and supervisors. Ms. Restiano expressed preference for the term 'improvements and efficiencies' instead of 'consolidation'. Mr. Menken noted the Westchester 2025 master plan/website should be considered in conjunction with the Westchester 2000 report. He also suggested that other subject areas for discussion include housing, economic development, and land use/zoning. It was suggested that the order of questions be revised to facilitate discussion with municipal staff. Ms. Restiano noted she would update the documents with the revisions discussed.

The next focus group meeting was set for January 17, 2011 at 8 am³ at David Menken's office - McCarthy Fingar LLP 11 Martine Avenue, 12th Floor White Plains, NY 10606.

¹ A description of mandatory and discretionary services in the County budget is available at <http://westchesterlegislators.com/Resources/RoleOfCountyGovernment.pdf> . See chart of page 2 of document.

² The 1984 City/County Task Force Report and 1985 County/Town/Village Task Force Report included discussion and recommendations on sales tax collection and distribution. These reports are available in the DropBox, under 'Reports'. The NYS Office of State Comptroller website provides periodic reports on sales tax collections and trends. <http://www.osc.state.ny.us/localgov/index.htm> .

³ Meeting time later switched to 7 pm.