



Tioga County Legislative Worksession Minutes **September 6, 2018 – 1:00 p.m.**

Legislators Present:

Legislator Hollenbeck
Legislator Monell (*departed @ 2:30 p.m.*)
Legislator Mullen
Legislator Roberts
Chair/Legislator Sauerbrey
Legislator Standinger (*arrived @ 1:07 p.m.*)
Legislator Sullivan
Legislator Weston

Legislators Absent:

Legislator Huttleston

Guests:

Matt Freeze, Morning Times Reporter

Staff Present:

County Attorney Peter DeWind
Legislative Clerk Maureen Dougherty
Deputy Legislative Clerk Cathy Haskell
Chief Accountant/Budget Officer Rita Hollenbeck
Personnel Officer Bethany O'Rourke
ED&P Deputy Director Teresa Saraceno (*departed @ 2:15 p.m.*)

Call Meeting to Order –

Chair Sauerbrey called the meeting to order at 1:03 p.m.

2019 Non-Union Recommendations –

Personnel Officer O'Rourke distributed the 2019 Non-Union Recommendations to the Legislature. Ms. O'Rourke reported the Non-Union Salary Committee met twice to discuss the following recommendations:

- **Health Insurance Contributions** – The Committee is recommending no changes leaving the contribution rates the same, which are 15% and 20% depending on the employee's position. In addition, they are recommending the County continue to fund 100% of the deductible.
- **Salary Range Adjustments** – The ranges only pertain to recruitment and will not impact current employee salaries. The Committee is recommending that all the ranges, with the exception of the Undersheriff and Captain, be increased by 2.8%, which is the equivalent of the change in the CPI from 2017 to present. Ms. O'Rourke reported the reason the Undersheriff and Captain position ranges were carved out is based on the recent realization that our practice of not increasing the ranges except for every four years when the Sheriff is re-elected and the very generous 2016 binding arbitration award that the Deputies received has caused issues. When the Captain position recently became vacant, Ms. O'Rourke reported the Lieutenant was initially not interested due to the unattractive salary and the possibility of a salary decrease. In light of this, the Committee is recommending these two position ranges be adjusted by 5% in 2019. The Committee noted that this is not likely to be a long-term solution but rather a temporary solution for the coming year.
- **Salary Increases** – The Committee is recommending 3.5% increase for all salaried non-union staff, with the exception of the attorneys in the District Attorney and Public Defenders Offices, both full-time and part-time based on satisfactory evaluations. This recommendation is based on the other union increases of 3% for CSEA, 2% for TCLEA (road patrol), and a lump sum of \$1,500 for Corrections, as well as changes in the CPI which is 2.8%. The Committee noted that the non-union employee group does not have a longevity supplement available to them whereas two of the unions do. Ms. O'Rourke reported the attorneys in the Public Defender and District Attorney Offices received significant increases over and above the annual increases in some or all of 2014, 2015, and 2018 due to new programs and reorganization, therefore, the Committee is recommending zero increase for 2019.
- **Part-time Hourly Rates and Legislator Salaries** – Ms. O'Rourke reported the Non-Union salary is not responsible for making recommendations for these two employee groups and is, therefore, part of the annual budget process.

Legislator Sullivan inquired as to what the increase for non-union staff was in 2018. Ms. O'Rourke reported full-time and part-time non-union staff received a 3% salary increase.

Legislator Hollenbeck reported a 3.5% salary increase will potentially establish a starting negotiating point for future recommendations and would like additional discussion.

Legislator Sullivan inquired as to the percentage equivalency for the Corrections \$1500.00 lump sum. Budget Officer Hollenbeck reported this lump sum equates to 2.5% - 4.2%. Ms. O'Rourke reported this lump sum is added to the employee's salary and is not treated as a stipend. Ms. O'Rourke estimated the average Correction Officer salary is \$42,000 without overtime, therefore, equating to a 3.6% average.

Legislator Mullen proposed accepting the Committee's recommendation for a 3.5% salary increase for the part-time and full-time non-union employee group.

On a straw poll vote, Legislators Standinger, Roberts, Weston, Hollenbeck, Monell, Mullen, and Sauerbrey were in favor of the Committee's recommendation with Legislator Sullivan voting no and Legislator Huttleston being absent.

Chair Sauerbrey reported this salary increase would help to keep employees with the County and avoid staff turnover.

Chair Sauerbrey reported the Legislature agreed a couple of years ago that the Legislators would be tied to the Non-Union employee group and will follow suit with this group's recommendation. Legislator Sullivan reported she is not comfortable with a 3.5% increase for Legislators and would not want to exceed 3%. Legislator Hollenbeck reported the Sheriff, Treasurer, and County Clerk positions all have their salaries established at the beginning of their terms and know the salary prior to taking the position and so does the Legislature. Legislator Hollenbeck reported he would be in favor of granting an increase to the Legislators running for terms starting in 2019 and continuing with this cycle.

Ms. Hollenbeck reported the current 2018 Legislator salary is \$10,743 and a 3.5% salary increase would result in a 2019 salary of \$11,119 per Legislator.

Legislator Weston reported he addressed the concern previously regarding some Legislators do not participate in the health insurance and inquired as to whether additional compensation should be granted to those who do not take this benefit.

On a straw poll vote, all Legislators, with the exception of Standinger, Sullivan, and Hollenbeck, were in favor of a 3.5% salary increase for the Legislators with Legislator Huttleston being absent.

Outside Agencies –

Budget Officer Hollenbeck reported the Budget Committee met earlier today and she provided data on the original 2018 budget and the proposed 2019 budget based on the outside agencies requests. Ms. Hollenbeck reported the increases from 2017 to 2018 are the result of two additional items requested and approved. The first one is for Tourism Office Visitor's Center for an additional \$25,000. Prior to this request, the Tourism Office allocation was capped at \$150,000. The other item is the result of discontinuing the employee benefit fund for Soil & Water and adding this amount to their current outside agency annual allocation.

Legislator Sullivan inquired as to whether the \$25,000 additional allocation for Tourism was intended to be an on-going increase or a one-time increase. Ms. Hollenbeck reported she is of the understanding that this additional amount was to offset their move-in costs, therefore, a one-time allocation.

Ms. Hollenbeck reported the Tourism Office request for this year came in at \$170,000 indicating they decreased their allocation by \$5,000. However, Ms. Hollenbeck informed the Budget Committee that this is not a true decrease, as they received the additional \$25,000 allocation, therefore, should go back to the capped \$150,000. Ms. Hollenbeck reported if the Legislature is willing to entertain their request of \$170,000 this will result in a \$20,000 increase for 2019 over and above the capped allotment.

Ms. Hollenbeck reported the Budget Committee is recommending the following:

- All entities remain the same with the exception of Tourism Office.
- Fund additional \$20,000 for Tourism Office Visitor's Center in second year.
- Fund additional \$10,000 for Soil & Water to cover health insurance due to anticipated 9.9% increase. Ms. Hollenbeck reported this amount will not even cover the additional cost of the health insurance, but they knew at the time the allocation was restructured

that the County may not encompass the full coverage cost. Legislator Sullivan reported the intent was to establish a set amount of funds for Soil & Water to manage their staffing. Ms. Hollenbeck reported she did address this point with the Budget Committee, however, the recommendation is the additional increase for both Tourism and Soil & Water.

- Fund additional \$60,000 for Finger Lakes Wine Association, as this has already been approved and obligated over the next three years.

Legislator Mullen reported it is necessary to determine whether the \$25,000 funding request for Tourism was not obligated over the course of a two-year period before making a decision.

Pending review of the minutes and speaking to the Tourism Director, Ms. Hollenbeck requested decision on the remaining Budget Committee recommendations in order to move forward in other budgetary areas.

Legislator Roberts inquired about the \$268,000 for CCE and whether there has been any adjustment in this amount considering the County is now paying for the Ag Development Specialist versus this position being under the purview of CCE. Ms. Hollenbeck reported there has been no adjustment in this established allocation and CCE is requesting a \$26,000 increase in the 2019 budget.

Ms. Hollenbeck reported it has been over six years since outside agencies have received an increase.

Legislator Roberts reported he is concerned that there is duplication of services with CCE. Legislator Standinger concurs with Legislator Roberts and as a CCE Board member expressed the concern for duplication of services at a board meeting. Legislator Standinger informed CCE Director Fagan to go to the ED&P Committee and explain exactly what CCE is doing for the County. Legislator Roberts believes the scope of CCE is centered more on social versus agricultural, therefore, inquired whether it would be more appropriate for CCE to provide their report at HHS Committee and not ED&P Committee. Legislator Sullivan reported she shares the same concern and proposed leaving CCE flat like all other outside agencies.

Legislator Sullivan reported she would like to know what the cost to the County would be if we had to assume some of the required services provided by CCE.

Ms. Hollenbeck reported the \$268,000 is just the annual allocation. Over and above this funding, CCE provides contracted services to assist Social Services and other departments through contractual agreements where they receive additional funding from County departmental budgets.

Legislative Clerk Dougherty reported she or Ms. Hollenbeck could run a report from the County's AP system to determine how many departments are currently paying CCE as outside contracts. Legislator Sullivan reported this would be a good starting point and Ms. Hollenbeck reported she could run the necessary report.

Ms. Hollenbeck reported she does not believe any other outside agency is expecting an increase based on the County's directive for a zero-based budget for the County departments.

Legislator Weston reported the County has not increased CCE's rent in the past several years.

Legislator Sullivan reported she would be willing to do some research before the next budget cycle to avoid repeating this annual process and looked for additional Legislator participation.

Legislator Sullivan proposed determining and honoring the Tourism agreement and keeping all other outside agencies flat. Ms. Hollenbeck reported she would research the minutes to determine what the Legislature previously agreed to in regards to the Tourism Visitor's Center.

All Legislators agreed for Ms. Hollenbeck to proceed with the amounts known as of this date until determination can be made regarding Tourism.

Legislator Sullivan proposed keeping the Soil & Water flat at the 2018 amount, as we have no record of making any obligatory arrangement to cover on-going insurance cost increases.

On a straw poll vote, Legislators Standinger, Weston, Monell, Hollenbeck, and Mullen were in favor of granting Soil & Water their \$10,000 outside agency allocation increase with Legislators Roberts, Sullivan, and Sauerbrey voting no and Legislator Huttleston being absent. Ms. Hollenbeck will move forward with the \$10,000 increase for Soil & Water.

Ms. Hollenbeck reported the Treasurer, ED&P, and Tourism benefit from the occupancy tax of \$209,000. Ms. Hollenbeck reported \$100,000 has been collected so far this year. Ms. Hollenbeck anticipates for the 3rd and 4th quarters another \$53,000 from Tioga Downs and \$59,999 from other entities for a projected total of \$212,000 by year-end. Ms. Hollenbeck reported this would cover the Treasurer's Office and the shortage for ED&P revenue every year, as well as the capped allocation of \$150,000 for Tourism. Ms. Hollenbeck reported this amount has fallen short in previous years and required utilizing the reserve account. Ms. Hollenbeck reported anything collected over and above the budgeted amounts would go back into the reserve.

Ms. Hollenbeck reported the Local Law indicates a certain allocated amount for Tourism, as well as a percentage for ED&P and Treasurer's Office. Outside of this Local Law, the Legislature established a cap of \$150,000 for annual allocation, however, there is no cap on the reserve fund.

Ms. Hollenbeck reported determination of the hourly, part-time rates are still outstanding. Ms. Hollenbeck reported this employee group is not covered under any union agreement. Ms. O'Rourke reported their last increase was in 2017 and this was based on an established percentage across the board.

Legislator Roberts inquired about the current hourly rates. Ms. O'Rourke reported the rates range from \$11.00 - \$21.00/hour.

Ms. Hollenbeck recommended a .50 cent per hour raise across the board. Ms. O'Rourke reported this amount equates to .6%.

Ms. O'Rourke recommended establishing a percentage amount for employees making less than \$20.00/hour and a different percentage for employees above this hourly rate.

Legislator Sullivan reported in future years these decisions should not be done in a short period of time at this committee level, as we are talking about different employee groups. Legislator Monell reported discussing this topic in a separate committee to bring a recommendation back to the full Legislature would still poise the problem of disagreement and further discussion at the worksession level.

Chair Sauerbrey proposed a percentage raise up to a certain salary amount with the higher end salaries of \$60.00 or more at a lesser percentage.

Ms. O'Rourke reported there is one high-end hourly rate of \$80.00 for the dentist with the second highest hourly rate of \$21.00 for an EMT instructor. Ms. O'Rourke further corrected that the Safety Officer is a part-time salaried position and not hourly.

Legislator Hollenbeck proposed a 2.5% salary increase up to \$25.00 per hour with no raises granted over this amount.

Ms. O'Rourke reported there are approximately 20 employees affected in the part-time, hourly employee group.

On a straw poll vote, all Legislators were in favor of a 2.5% percent salary increase across the board for all part-time, hourly employees up to \$50.00 per hour with no raise granted for those employees above this amount, with Legislator Sullivan voting no and Legislator Huttleston being absent.

Chair Sauerbrey reported this discussion would be part of the Budget Committee discussions in 2019 with recommendations coming back to the full Legislature. Chair Sauerbrey encouraged Legislators to trust the recommendations brought forth from the committee level in order to make a decision.

Approval of Worksession Minutes – August 9, 2018:

Legislator Roberts motioned to approve the August 9, 2018 Legislative Worksession minutes as written, seconded by Legislator Monell with Legislators Hollenbeck, Monell, Mullen, Roberts, Sauerbrey, Standinger, Sullivan and Weston voting yes with Legislator Huttleston being absent. Motion carried.

****Note: Due to a lack of a quorum, the August 23, 2018 Worksession was cancelled.***

Action Items:

ACTION ITEMS FROM JUNE 7, 2018:

ACTION ITEM #2– 6/7/18 – Property Demolition Committee –

Property Demolition Committee Recommendation to Legislature: Legislator Sullivan reported the issue is the unknown costs that the County could incur. Legislator Sullivan reported there are three potential funding streams that could assist with costs incurred: net proceeds from the foreclosure auction, revenue from Tioga Downs, and Villages taking ownership by paying an established dollar or percentage amount to cover demolition costs. The only issue is that this would only pertain to the villages and not the towns.

Legislator Sullivan proposed establishing a demolition reserve account with an established cap limit. Funding of this reserve could come from quarterly Tioga Downs payment, as well as using the net auction proceeds to build this reserve. Legislator Sullivan reported using the net auction proceeds would affect the Treasurer's budget, therefore, any shortfall would need to come from fund balance.

Legislator Sullivan reported this is a contentious topic with the Legislature to request funding from the villages and creates the issue of paying for the towns and not the village demolition costs. Legislator Sullivan reported she would like to build this reserve up to \$100,000 as soon as possible.

Ms. Hollenbeck reported the next quarterly Tioga Downs payment is expected in October 2018.

Legislator Roberts inquired as to the reason for not keeping with the current practice of paying out of the contingency account if the need arises. We have only had one bad situation and it was resolved through payment from the contingency fund.

Ms. Hollenbeck reported either way it is a local share cost.

Legislator Mullen reported he believes the villages need to have some investment in the process.

Chair Sauerbrey reported she and Mr. DeWind have been talking about the MOU process for the villages. The process will take man-hours to do the required work and in the perfect world, the village will be acceptable to the MOU until such time a new election and new board decides to discontinue the MOU agreement. Chair Sauerbrey reported we now have a better relationship through COG and the Shared Services Initiative and the communication lines are open. Chair Sauerbrey reported doing the effort of a MOU is not sustaining and she would rather put the effort in establishing a relationship with the municipalities.

Legislator Weston reported he is in agreement with Legislator Roberts to continue the current practice of paying through contingency account.

Chair Sauerbrey motioned to discontinue discussion on this topic. **This action item is completed and will be removed from the Action Item List.**

ACTION ITEMS FROM AUGUST 9, 2018:

ACTION ITEM #1– 8/9/18 – Delinquent Property Process –

Chair Sauerbrey reported a meeting with Treasurer McFadden and County Attorney DeWind, and herself was previously scheduled, but needed to be cancelled due to Mr. McFadden's medical leave of absence. A reschedule date is pending. **This action item will be carried forward from the September 6, 2018 Worksession.**

Legislative Support – Legislative Clerk Dougherty:

Approval of Legislative Support Committee Minutes – August 9, 2018:

Legislator Hollenbeck motioned to approve the August 9, 2018 minutes as written, seconded by Legislator Monell with Legislators Hollenbeck, Monell, Mullen, Roberts, Sauerbrey, Standing, Sullivan and Weston voting yes and Legislator Huttleston being absent. Motion carried.

Legislative Clerk Dougherty reported the following:

- The September Legislative Meeting is Tuesday, September 11, 2018, at 6:00 p.m. in the Hubbard Auditorium. The Finance/Legal Committee will meet prior at 4:30 p.m. in the Legislative Conference Room.
- Legislator Mullen will do the prayer and pledge and start the voting process at the September 11, 2018 Legislature meeting

Recognition Resolutions (2) –

- ***Resolution Recognizing Robert Blasch's 26 Years of Dedicated Service to Tioga County –*** Legislator Mullen will read and present this recognition resolution to Mr. Blasch at the September 11, 2018 Legislative meeting. Sheriff Howard will also speak on behalf of this employee.
- ***Resolution Recognizing Dennis Spangenburg's 25 Years of Dedicated Service to Tioga County -*** Legislator Mullen will read and present this recognition resolution to Mr. Spangenburg's son at the September 11, 2018 Legislative meeting. Sheriff Howard will also speak on behalf of this employee.

Proclamations (2) –

- ***Child Passenger Safety Week*** – Public Health requested this resolution be read and presented, however, the Legislature previously established the protocol that repeat resolutions would just be noted in the meeting minutes. With that said, this resolution will just be noted in the September 11, 2018 Legislative meeting minutes and Legislator Standing will inform Public Health Director McCafferty of the protocol that only first-

time proclamations are read and repeat annual proclamations are just noted in the minutes.

- **National Alcohol & Drug Addiction Recovery** – This resolution will just be noted in the September 11, 2018 Legislative meeting minutes.

Resolutions:

All resolutions were reviewed for the September 11, 2018 Legislature meeting with discussion occurring on the following:

- **AUTHORIZING LEGISLATIVE CHAIR SIGNATURE ON SOLAR ENERGY SYSTEMS PAYMENT IN LIEU OF TAX AGREEMENT** – ED&P Deputy Director Saraceno reported this is a PILOT between the Town of Tioga, Tioga Central School District, and Tioga County. This PILOT has been approved by the Town of Tioga and expected to be approved by the school district on September 20, 2018 based on communication with the District. Ms. Saraceno reported the existing taxes remain the same and estimated additional total of \$35,000 year with a 2% escalation over the 15-year PILOT term. Ms. Saraceno reported the difference is \$30,652, which will be divided equally amongst the three entities.

Chair Sauerbrey inquired as to whether this is a private business. Ms. Saraceno reported Solar Energy is a private business that purchased property for this purpose.

Legislator Standinger inquired as to whether this is consistent with the agreements in Candor. Chair Sauerbrey reported agreements all vary, as some of them come through the Tioga County IDA and others go directly to the municipality.

Mr. DeWind concurred that this is a purely private PILOT, therefore, any of the improvements under the Real Property Tax Law are essentially exempt unless you entered into a PILOT. Mr. DeWind reported the business did not opt out, therefore, allows the municipality and all entities to enter into a three-way private PILOT agreement for taxes and we can agree to whatever amount we want. Mr. DeWind reported this is a better deal than the initial offer with equal distribution.

Legislator Monell reported there is no Tioga County IDA involvement in this PILOT and is strictly through the Town of Tioga.

Late-File Resolutions:

Ms. Dougherty reported she is unaware of any late-file resolutions at this time.

Other:

- **Owego Little League Request** – Chair Sauerbrey reported the Owego Little League is interested in replacing their wooden business sponsorship signage with metal signs. The County has the equipment and means to accommodate this request at the cost of parts and labor of \$1,600. Chair Sauerbrey reported she received an email requesting if there was anything the County could do to waive this cost. The Legislature expressed honoring this request would set a precedent for other local organizations, therefore, all Legislators unanimously agreed to not waive the cost.
- **Shared Services Initiative** – Legislator Sullivan reported the Shared Services Initiative would be providing IT services to select participating municipalities and the County will be charging the municipalities for the services provided. Legislator Sullivan inquired as to whether this same arrangement is moving forward for the outside agencies that are currently supported by County ITCS such as Soil & Water, IDA, etc.

Chair Sauerbrey reported she believes IT Director Camin is moving forward with this plan and that the ITCS budget has a revenue line item established for outside agencies.

Executive Session:

Motion by Legislator Standinger, seconded by Legislator Mullen to move into Executive Session to discuss an individual personnel matter. Motion carried to go into Executive Session at 2:41 p.m.

Executive Session ended at 3:10 p.m.

Meeting adjourned at 3:10 p.m.

Next worksession scheduled for Thursday, September 20, 2018, at 10:00 a.m.

Respectfully submitted by,

Cathy Haskell

Deputy Legislative Clerk