

*Public Hearing*  
*Local Law Introductory No. B of 2006*  
**April 6, 2006**

The Public Hearing on Local Law Introductory No. B of 2006 A Local Law revoking, abrogating, and repealing Local Law No. 3 of 1999 which provided for the establishment of a County Manager for the County of Tioga was called to order by the Chair at 7:01 P.M. All Legislative Members were present.

There were 27 people in attendance.

The Clerk read the legal notice as published in the official newspapers.

Chet Spencer of Nichols, New York spoke. “I am prior Chairman of your Tioga County IDA. I want to share with you, Frank Fulbrook and I, we ran that agency for 13 years. We feel we did a pretty good job and we did that with no hired staff. I have a couple of comments I would like to make to you this evening, basically three.

“Number one, I feel that Tioga County possesses good employees, effective managers, I have met many of them, and I do not believe that they have to be micromanaged. I believe a County Manager could do that, but I do not think that is necessary.

“Number two, I believe that we have an excellent elected Legislature, many of you I have not met yet, but I look forward to meeting you, and I also believe that you are dedicated to control taxpayer expense.

“Number three, not replacing the County Manager and associated expenses, benefits, pension, secretary, etc., is a step in the right direction. Thank you.”

Bridgett Kane from the Village of Owego spoke. “I just wanted to say that I got a hold of the job description for the County Manager position here in Tioga County. This is from your Personnel and Civil Service Department, and it seems to me that all of these duties are really covered by the Legislature and the Department Heads so I do not quite see why this position is necessary, but those who disagree with me quote the government run as business model, and it just seems to me that in this economic and financial environment any business in this Country would be getting rid of a position like this, handing off these duties to their Legislators and Department Heads, and then not compensating them for the extra work. That is not what I believe should happen. My feeling is that for the last five years yes maybe these duties have been done by a County Manager, but I think the job description fits better for perhaps an Administrative Assistant at half the salary, and if that could not be done and these extra duties, because our Legislature is part time, and if

these extra duties encroach into that and make it larger than a part time position, then perhaps you should be voting yourselves a pay raise. Anyway those are my two suggestions which I feel would better serve Tioga County. Thank you.”

Milt Dougherty of Candor, New York spoke. “I would like to express the opposite opinion. This County has a budget of 78 million dollars. It employs approximately 550 people. My feeling is that with the complexity of the requirements on County Government handed down by the State, by the Federal Government, that as a group of part time Legislators you cannot sufficiently manage all that needs to be done in this County. I believe there needs to be a single point person who is responsible for coordinating, for delegating, for making sure that the Department Heads are doing their jobs properly, that the money is being spent properly. Each of you Legislators if I read the directory properly, you are assigned to seven different committees. I do not believe that each of you can devote enough time on seven different committees to properly manage this Government. I believe that there needs to be a professional in this position who has experience, who is stable, who is not up for removal through Elections that will give a consistency to a position that needs to be managed in this County. I believe strongly this County needs a County Manager. Thank you.”

Doug Barton spoke. “I am in favor of the County Manager position. Before I begin my remarks I would like to note though that I have expressed an interest in the position so what I am about to say may seem self-serving, but trust me I stand before you today as a taxpayer and someone who tends to live in Tioga County long beyond my years of employment. I believe that the position is important to the future of our County and the citizens it serves. I would also ask the Legislature, my bosses, to not take any of my comments personally. They are not directed to you, but to the form of Government and my experiences under both forms. My first years here were under the committee system and my last few years have been under the County Manager form of Government. There have been four standard arguments against continuation of the position. I would like to first address them. They are number one, it is an added layer of Government. Number two, we do not know what the County Manager responsibilities were. Number three, we do not know what the County Manager did on a day-to-day basis, and number four, there will be a cost savings.

“Let me address these. The added layer. Layers of Government are not the concerns of taxpayers. They want answers to their questions and problems. If they have a County Manager to reach out to and they get an accurate response in a reasonable amount of time they are happy. Layers of Government only are frustrating when people get shuffled from one department to another and do not get answers. Neither form of Government guarantees good response time, but as a taxpayer it is nice to know that I have someone that is regularly accessible and is responsible to get back to me.

**“Secondly, we do not know what the responsibilities were. I really struggle with this one. The committee system of Government was in place when the Office of County Manager was created. They had the responsibility to create and approve a job description before anyone was even hired for the position. I can guarantee that a professional manager would require a proper job description long before an interview was held.**

**“Third, do not know what the County Manager did on a day-to-day basis. I would think that each Legislator should know the answer to that. If they do not have that answer, then I must ask myself if they could not keep track of one County Manager, then how would they better keep track of 20 Department Heads under the committee system.**

**“Fourth, cost savings. It has been said that there will be a cost savings by eliminating this position. That may be true, but do we as taxpayers know exactly what the savings will be. It has been suggested that an Administrative Assistant to the Legislature might need to be hired, at what cost? It has been suggested that some Department Heads might have added duties and added pay, at what cost? If cost savings is a reason to eliminate the position, then we should at least know what the actual savings would be, and while we are on cost savings I would be bold enough to suggest that a good County Manager will be able to save the taxpayers much more per year than the burden of his or her salary and benefits.**

**“We often hear the suggestion that Government would be more effective and efficient if it was run like a business. Please show me a business that has a 70+ million dollar budget and between 400 and 500 employees that does not have a full time CEO. Show me a business that is run strictly by a part time Board. That is not how business works and there is a good reason for that. There needs to be someone who has their finger on the entire organization, someone with authority to do analysis of today’s programs and spending relative to the County strategic plan across all Departments. Yes we do have very capable Department Heads, but remember their job is to know their business and be an advocate for their department and the services it represents. We as taxpayers expect this.**

**“What we need though is a person who works with all Department Heads and understands the impact of one department’s decision on the entire system. We need someone who understands the inner workings of each department beyond a monthly meeting and report. There needs to be continuity in leadership. This year alone there were five committee chair changes affecting 15 departments. Good managers want a consistent approach to measuring their job performance. They want consistent representation to the policy makers. They want consistent monitoring of their long and short term goals. They want a consistent approach to problem solving. They want continuity. This is not offered under the committee system. The committee system allows for the compartmentalization of departments.**

It does not foster to the utilization of the entire management team. A good County Manager would take advantage of the intellectual resource of the entire management team to solve problems, plan for the future, and guarantee all departments are equally challenged and equally represented. The committee system is a reactive system. It reacts to the events of the day, it does not plan well. It reacts to monthly reports. It does not assist in monthly activities. It reacts to the world rather than plan for it.

“I will close with a comment and a request. My comment has to do with the fact that last year the County’s entire management team met to discuss their stance on the County Manager position. They overwhelmingly supported continuation of the position. This was conveyed to the Legislature in a memo and directly at a workshop. Please count those when you consider your vote. I must say many of us have had to wonder why after sharing that information with the Legislature we were never brought together before the entire Legislature to have a discussion about our position. Let me just say if a majority of any management team had made this statement a good Manager would have met with them as quickly as possible, and also as you tally the comments do not forget that commission of bright, active, and concerned taxpayers that, after being given the task by a previous Legislature, studied and worked very hard in all of our communities before recommending a County Manager type of Government. My request is that before you vote on this position you formulate a real plan, create a formal plan that deals with the future, a plan that identifies the objectives, considers responsibilities, establishes associated costs, and if need be has a clear job description. A plan that has a timeline. A plan that has taken into account what the Managers of this County feel would be helpful in better serving the taxpayers of Tioga County. Please do not be reactive. Thank you.”

Bob Bell spoke. “Six and one half years ago I attended the public hearing to create the Office of County Manager. The public hearing that day was so controversial the Legislature tabled the Manager resolution until the next meeting. The thing that I found so appalling back then was the in your face attitude of that Legislature. They knew what was best for Tioga County and it did not matter one bit if this room was packed full of angry Tiogans saying no to a County Manager. After all the public hearing is just a legal formality the State of New York requires you to go through. Well I would like to point out that there is just one Legislator here tonight from six years ago and that is Dick Huttleston. Mr. Huttleston voted no to create this new layer of bureaucracy in Tioga County Government. Now I think there is a message there.

**“You know sometimes we have to go through a couple elections, but in the end it is the voter who has the final say and I think the voters of Tioga County over the last six years have spoken loud and clear on this County Manager issue. Now Mr. Harrington you have stated publicly that you support the Manager. I would suggest you check the facts. Any Legislator who supported the Manager never served another term in this County. Finally I would like to say that if Tioga County Government has gotten so big we have to have a Manager, I suggest we cut the size. If you nine Legislators cannot manage the affairs of Tioga County for the \$9,400.00 you are being paid, I suggest you find a different line of work. Now I strongly urge this Legislature to start to think about those same financially overburdened taxpayers I mentioned earlier and eliminate this costly bureaucratic County Manager Department. It is time to bring some fiscal sanity back to Tioga County. Thank you.”**

**Kathi McEwen of Berkshire, New York spoke. “I have sat here listening tonight to the people speak for and against the County Manager issue. The purpose of tonight’s public hearing is to give you the opportunity to listen to the residents of Tioga County’s views on this issue. Although it appears that some of you have already made your decision about this issue before the opportunity to hear from your residents by giving away the space that once belonged to the County Manager, I would like to offer you my suggestion. To have or not to have a County Manager in Tioga County has been a hot political subject for many years. In fact it has been a campaign that some politicians have run on and claim that is why they are in office, and has been blamed for others not being reelected.**

**“I would like to suggest you truly take the issue to the citizens of Tioga County. Each one of you represent many residents and you cannot begin to be expected to know the feeling of each person you represent on any issue. You are in a position where no matter what you decide someone is not going to agree with your decision, kind of a no win situation. I believe you have an avenue in this hotly contested issue to take some of the burden away and truly let the people in your District voice their opinion. Some of you may think that this is the arena to discuss their opinion. For some it is, but for others who cannot make the meeting because they are working, have no transportation, or sadly feel their voice will not be heard, it is not. I would like to suggest that you take the politics out of it and place the issue on the ballot for all of your residents to have an opportunity to voice their opinion and work with your esteemed Attorney to explore this possibility. I truly believe that every citizen is entitled to their individual opinion and should have the right to express that opinion in a non-political arena. Thanks.”**

Joann Lindstrom of Candor, New York spoke. "I am a graduate student at Binghamton University in the Public Administration Program and that is why I am here to report back to my Professor about a public meeting, and I cannot sit here with my mouth shut. I just wanted to make a few comments about the County Manager position as it relates to whether it should be a renewed position or not. I briefly worked for the County last year as Democratic Election Commissioner. I worked under John Byrne for about six months and I agree with Doug Barton completely that this is the right form of Government for Tioga County. The reason that people have the County Manager arrangement in Government is to take politics out of the administration and right now we have a Legislature that is eight Republicans and one Independent, and they also appoint the IDA. The IDA gives a lot of tax breaks to people. If you want to talk about saving money you might want to look there first. As far as Mr. Bell is concerned I totally respect your opinion and you have every right to say how you feel, but my feeling is if the County feels that strongly about not having the position, then they should be here today."

There being no further comments, Legislator Harrington made a motion to adjourn, seconded by Legislator Oberbeck and the meeting was adjourned at 7:25 P.M.