



Tioga County Legislative Worksession Minutes **October 11, 2018 – 1:00 p.m.**

Legislators Present:

Legislator Hollenbeck
Legislator Mullen
Legislator Roberts
Chair/Legislator Sauerbrey
Legislator Standinger
Legislator Sullivan
Legislator Weston

Legislators Absent:

Legislator Huttleston
Legislator Monell

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 (*departed @ 1:50 p.m.*)

Call Meeting to Order –

Chair Sauerbrey called the meeting to order at 1:02 p.m.

2019 Budget Update –

Budget Officer Hollenbeck presented the 2019 preliminary budget under the guise of worst-case scenario. Ms. Hollenbeck reported she has been working on entering salary and fringe data into the budget. Ms. Hollenbeck reported there is a 10% increase in health insurance and approved employee salary increases are 3% for union, 3.5% for non-union and 2-6% for deputies and corrections officers. Ms. Hollenbeck reported salaries represent a significant increase from 2018 to 2019, which includes new positions created in 2018. Ms. Hollenbeck reported new positions proposed for the 2019 budget are included as part of this preliminary budget.

Legislator Sullivan inquired about new positions in the 2019 budget. Ms. Hollenbeck reported she is aware of the following Department's proposed positions:

- Probation Department – proposed increasing one (1) part-time Office Specialist position to full-time due to the Raise the Age State mandate.
- Sheriff's Office – proposed five (5) full-time corrections officers to replace their part-time positions they would be eliminating.
- Public Works – proposed one (1) new engineer position.
- Public Defender – there was discussion regarding possible changes in this department, however, Ms. Hollenbeck reported she did not receive any budgetary proposal. Ms. Hollenbeck reported she believes the discussion was tied to an ILS grant and that the position would be reimbursable, therefore, creating no budgetary impact. County Attorney DeWind reported there has been significant movement on this, therefore, submitted a proposal to ILS for three positions, which will expend the entire year one grant. Mr. DeWind reported this proposal has not been approved at this time, however, is hoping to hear something soon, as there is an in-house meeting scheduled tomorrow regarding this proposal. Mr. DeWind reported he would forward information to Ms. Hollenbeck upon receipt.

In regards to the Sheriff's Office proposal, Legislator Sullivan inquired as to whether this will involve elimination of the part-time correction officers. Ms. Hollenbeck concurred and stated there are currently seven (7) part-time corrections officers. Legislator Mullen reported there are currently twelve (12) part-time positions, however, only seven (7) are budgeted. Ms. Hollenbeck reported Undersheriff Jackson provided an estimate of \$35,000 per employee for a total of \$187,000 in full-time salaries minus the \$105,000 budgeted for part-time with the expectation of not utilizing the overtime line. In addition to the salaries, Ms. Hollenbeck reported fringe is approximately 75%, therefore, an overall estimation of \$225,000 for the five (5) full-time correction officers in 2019.

Legislator Mullen reported discussion occurred at the committee, however, no official proposal was submitted or approved. Legislator Mullen reported he expressed his concern during the committee discussion that he does not believe five (5) full-time correction officers is a doable request and suggested three (3) positions. Legislator Mullen reported the biggest problem is part-time correction officers are required to have 18 weeks of academy training, as well as 8-10 weeks of on-the-job training, which takes them out of their job for more than six (6) months, and it is hard to recruit part-time officers under these requirements.

Legislator Mullen reported he is in favor of eliminating part-time positions, however, not in favor of creating five (5) full-time positions in one given budget year.

Ms. Hollenbeck reported this is the first time the Legislature is seeing the preliminary 2019 budget information, therefore, noting final decisions still need to be made on the capital requests and the positions addressed.

Ms. Hollenbeck reported the Budget Committee, prior to putting the tax cap information together, decided to stay at the 1.5% tax cap of the allowable 2% tax cap. Ms. Hollenbeck reported at that time when the numbers were unavailable and all budgetary information was unknown, Ms. Hollenbeck recommended less than the 2%. However, based on the fund balance reliance, Ms. Hollenbeck is now recommending utilizing all of the 2%. Ms. Hollenbeck reported the tax levy is 2.05%, which is allowable under the established tax cap.

Ms. Hollenbeck reported the preliminary worst-case scenario for fund balance appropriation is \$3.1 million. Ms. Hollenbeck reported going into 2019, the fund balance is \$21 million at year-end 2017 and forecasts \$20 million at year-end 2018.

Legislator Sullivan inquired as to whether this preliminary budget reflects the additional revenue from shared services and Ms. Hollenbeck concurs it does.

Chair Sauerbrey inquired as to whether capital reserve funds are being used to offset the capital equipment requests. Ms. Hollenbeck reported the total capital equipment requests are \$3.2 million and noted the net result without sales tax revenue is \$1.6 million and \$580,000 with sales tax revenue. Ms. Hollenbeck reported most of this request could come out of the capital reserve fund. Ms. Hollenbeck noted it is critical to maintain some funds in the capital reserve fund to accommodate the voting machine replenishment when the time comes.

Ms. Hollenbeck reported the County has two more quarterly casino revenue payments for 2018 that she recommends putting in the general operating fund and not the capital fund. Ms. Hollenbeck reported the County should not rely on casino revenue, as she is projecting these funds to decrease over time and does not foresee this revenue as a large on-going source for the County.

In regards to positions and increased labor costs, Legislator Mullen reported starting next year we should look at possible buy-out options for health care. Ms. Hollenbeck reported health insurance is most likely going to be static. Ms. Hollenbeck reported retirements through attrition would be replaced with new employee retirements at a lower cost. Ms. Hollenbeck reported reclassifying positions from part-time to full-time now qualifies the employee for health insurance. Ms. Hollenbeck reported family coverage averages \$21,000 per employee.

Ms. Hollenbeck reported the County has seen a double-digit growth in solid waste last year and this year. Ms. Hollenbeck reported solid waste (recycling) and general operating fund are included when calculating the tax cap.

Ms. Hollenbeck reported the overall County capital fund balance is \$6 million dollars with only \$2 million set aside in reserve funds for a balance of \$4 million in unrestricted funds.

Legislator Roberts expressed concern with increasing headcount and Legislator Mullen concurred.

Ms. Hollenbeck reported she would like to have a straw poll vote to finalize the following capital equipment and position requests:

➤ **Capital Equipment** - Ms. Hollenbeck reported the capital equipment includes truck bed, one-ton flat bed, truck box repair lift gate, dump truck, mechanic truck, and tandem axle truck all for Public Works. Legislator Sullivan reported the Public Works Committee was in favor

of Ms. Hollenbeck moving forward with Ms. Hollenbeck putting this information in the preliminary budget for the Legislature to see the overall picture.

On a straw poll vote, Legislator Sullivan, Hollenbeck, Mullen, Standinger, Roberts, Weston, and Sauerbrey were in favor of Ms. Hollenbeck moving forward with the capital equipment requests as proposed with Legislators Huttleston and Monell being absent.

➤ **Reclassification of Probation Office Specialist Position from Part-Time to Full-Time** – Legislator Mullen reported as of this week's Public Safety Committee meeting the position remains a part-time position. Legislator Roberts reported this proposal did not go through the Committee. Question raised as to whether this did go through the Committee process as part of Probation Director Bennett's budget presentation.

➤ **Reclassification of Sheriff Office Correction Officer Positions from Part-Time to Full-Time** – The Public Safety Committee reported a formal request did not go through the committee process and only discussion regarding such reclassification has occurred. Ms. Hollenbeck reported this request is an increase of \$80,000 in salary alone with an additional 75% estimated for fringe per employee.

Chair Sauerbrey suggested Probation and Sheriff's Office attend the next worksession for formally presenting their position proposals. Legislator Roberts reported he believes these requests should go through the committee process before coming to the full Legislature for consideration.

Chair Sauerbrey recognizes the process was not done in accordance with the Legislature protocol, however, to avoid further delays budget preparation, Chair Sauerbrey questioned why discussion could not occur at the next worksession.

Legislator Roberts reported the Sheriff's Office should be made aware that the Public Safety committee did not move this forward due to lack of a formal request.

Personnel Officer O'Rourke inquired whether these positions were included in the Sheriff's and Probation departmental budgets, and if so, the Department Head most likely believes that constitutes a formal request. As a Department Head, Ms. O'Rourke requested clarification as to how a department should make a formal request.

Legislator Standinger reported the manner in which this information was presented was the Department is considering this, but not as a formal proposal. The Public Safety Committee did not vote on this proposal.

Legislator Roberts reported a proposal of this magnitude warrants committee discussion. Legislator Roberts reported if it is necessary to move this to the worksession on October 25, 2018, then he would recommend that the Public Safety Committee convene on the side to bring back a recommendation back to the full Legislature.

Legislator Mullen was in favor of leaving the five (5) positions in the budget as a worst-case scenario and he will have a conversation with Undersheriff Jackson and if necessary will contact the Public Safety Committee via email. In addition, Legislator Mullen will also confirm with Probation Director Bennett regarding the reclassification of the Office Specialist position from part-time to full-time. Chair Sauerbrey reported decision would need finalization by the October 25, 2018 worksession.

➤ **Public Works Full-Time Engineer** – This request went through the Public Works Committee. Legislator Sullivan reported she could support this position based on the increased workload and the information presented.

On a straw poll vote, Legislators Sullivan, Mullen, Standinger, Weston, and Sauerbrey were in favor of the new Public Works Full-Time Engineer position with Legislators Hollenbeck and Roberts voting no and Legislators Huttleston and Monell being absent.

Approval of Worksession Minutes – September 20, 2018:

Legislator Sullivan motioned to approve the September 20, 2018 Legislative Worksession minutes as written, seconded by Legislator Standinger with Legislators Hollenbeck, Mullen, Roberts, Sauerbrey, Standinger, Sullivan and Weston voting yes with Legislators Huttleston and Monell being absent. Motion carried.

Action Items:

Currently, there are no action items.

Legislative Support – Legislative Clerk Dougherty:

Approval of Legislative Support Committee Minutes – September 6, 2018:

Legislator Sullivan motioned to approve the September 6, 2018 minutes as written, seconded by Legislator Hollenbeck with Legislators Hollenbeck, Mullen, Roberts, Sauerbrey, Standinger, Sullivan and Weston voting yes and Legislators Huttleston and Monell being absent. Motion carried.

Legislative Clerk Dougherty reported the following:

- The October Legislative Meeting is Tuesday, October 16, 2018, at 12:00 p.m. in the Hubbard Auditorium. The Finance/Legal Committee will meet prior at 10:30 a.m. in the Legislative Conference Room.
- Legislator Roberts will do the prayer and pledge and start the voting process at the October 16, 2018 Legislature meeting.
- Budget is tracking well.

Employee of the 3rd Quarter 2018 –

Sheri McCall, Tioga Career Center, has been chosen as the Employee of the 3rd Quarter. Employee Recognition Committee (ERC) member, Steve Palinosky, will do the presentation at the October 16, 2018 Legislature meeting. Legislator Standinger will speak on behalf of this employee.

Recognition Resolutions (2) –

- ✓ ***Resolution Recognizing Robert Tatich's 15 Years of Dedicated Service to Tioga County-***
Legislator Mullen will read and present this resolution to Mr. Tatich at the October 16, 2018 Legislature meeting.
- ✓ ***Resolution Recognizing Judith Mallery's 17 Years of Dedicated Service to Tioga County-***
This resolution will just be noted in the minutes of the October 16, 2018 Legislature meeting as Ms. Mallery will not attend.

Proclamations (1) –

- ✓ ***Dental Hygiene Month*** – Legislator Standinger will read and present to Public Health Deputy Director Medina at the October 16, 2018 Legislature meeting.

Resolutions:

All resolutions were reviewed for the October 16, 2018 Legislature meeting with discussion occurring on the following:

- ▶ ***Set Public Hearing 2019 Budget*** – Chair Sauerbrey inquired as to whether this date is set or if it could be changed. Ms. Dougherty reported the Legislature has the option to choose the date. Chair Sauerbrey reported she is unavailable at the regular date/time, therefore, suggested moving the budget hearing to Tuesday, November 13th. Legislators inquired

about changing the time from evening to day, therefore, the decision was made to set the Budget Hearing for Tuesday, November 13th, at 10:00 a.m. in the Hubbard Auditorium just prior to the Finance/Legal Committee meeting at 10:30 a.m.

Late-File Resolutions:

Ms. Dougherty anticipates a late-file resolution from the Treasurer's Office. Mr. DeWind also reported he anticipates a late-file resolution from the Legal/Finance Committee next week.

Other:

- ✓ **NYSAC Update** – Chair Sauerbrey reported she attended the NYSAC Conference and secured information on county sales tax since 2013. Chair Sauerbrey distributed copies to each Legislator's mailbox. Chair Sauerbrey reported NYSAC categorized where the sales tax comes and gasoline is number one for increased sales tax.
- ✓ **NYSAC Board 2nd Vice Chair** – Chair Sauerbrey reported she has been appointed as the 2nd Vice Chair on the NYSAC Board of Directors.
- ✓ **December 1st Legislative Worksession Date Change** – Chair Sauerbrey reported she has a conflict with the 1st Legislative Worksession and Legislative Committees on December 6th, therefore, announced all committees and worksession scheduled for Thursday, December 6th will now be held on Wednesday, December 5th.
- ✓ **Safety Officer Resignation** – Mr. DeWind announced Mr. Kenville would resign as Part-Time Safety Officer effective December 5, 2018. In an effort to train his replacement, Mr. DeWind inquired as to whether the Legislature would support an overlap of one week (17 hours) for a new replacement to train with Mr. Kenville on his last week of employment. Mr. DeWind reported the Safety Office budget has funds available in training that could be transferred to the personnel line to support this request. Mr. DeWind reported there are specific qualifications for this position. Mr. DeWind requested Legislature approval to submit a late-file resolution at the Legal/Finance Committee meeting on October 16, 2018 for this request in an effort to allow sufficient time to recruit for this position. Legislature was in favor of Mr. DeWind submitting a late-file resolution at the October 16, 2018 Finance/Legal Committee.

Executive Session:

Motion by Legislator Sullivan, seconded by Legislator Standinger to move into Executive Session to discuss an individual personnel matter. Motion carried to go into Executive Session at 2:12 p.m.

Executive Session ended at 2:47 p.m.

Meeting adjourned at 2:47 p.m.

Next worksession scheduled for Thursday, October 25, 2018, at 10:00 a.m.

Respectfully submitted by,

Cathy Haskell

Deputy Legislative Clerk