



Tioga County Legislative Worksession Minutes

February 7, 2019 – 12:00 p.m.*

***Meeting time changed this month**

Legislators Present:

Legislator Balliet
Legislator Hollenbeck
Legislator Monell
Legislator Mullen
Legislator Roberts
Chair/Legislator Sauerbrey
Legislator Standinger (*arrived @ 12:06 p.m.*)
Legislator Sullivan
Legislator Weston

Legislators Absent:

None

Guests:

Matt Freeze, Reporter, Morning Times

Staff Present:

County Attorney Peter DeWind
Legislative Clerk Maureen Dougherty
Deputy Legislative Clerk Cathy Haskell
ILS/Assigned Counsel Administrator Irene Graven (*departed @ 12:07 p.m.*)
Family Court Public Defender Mari Townsend (*departed @ 12:07 p.m.*)
Chief Accountant/Budget Officer Rita Hollenbeck (*arrived @ 12:04 p.m.*)
Personnel Officer Bethany O'Rourke

Call Meeting to Order –

Chair Sauerbrey called the meeting to order at 12:00 p.m.

ILS Budget Discussion –

ILS/Assigned Counsel Administrator Graven reported there is a resolution for Legislature consideration at the February 12, 2019 Legislature meeting to apply for a three-year, non-competitive ILS grant for \$123,804.00. Ms. Graven reported ILS has been receiving annual grants since 2011. Ms. Graven reported this is a separate grant from the one currently in discussion with Public Defender Awad and County Attorney DeWind.



Ms. Graven reported the grant funds will be used for the following expenses over the course of the three years (2019 – 2021):

- Continue to fully fund part-time paralegal plus fringe for the Family Court Public Defender's Office.
- Continue to partially fund the following positions: Chief Public Defender, Family Court Public Defender, part-time 1st & 2nd Assistant Public Defenders, and part-time Secretary for the Family Court Public Defender.
- Continue to partially fund the on-line research tool (Lexis Nexis) and investigative, expert witness, transcripts, and training expenses for the Family Court Public Defender's Office
- Restore funding for Assigned Counsel Office supplies, postage, and copies.

Authorize Position Reclassification and Appointment – Public Defender's Office –

Family Court Public Defender Townsend reported there is a resolution for Legislature consideration at the February 12, 2019 Legislature meeting to authorize a position reclassification and appointment in the Family Court Public Defender's Office. With the recent reorganization of the Public Defender's Office, Ms. Townsend reported the Public Defender's secretary is now a County employee holding the title of Confidential Secretary and we are unable to have two individuals in the Public Defender's Office holding the same secretarial title. Ms. Townsend reported the Personnel Office suggested a position reclassification to paralegal from the current secretarial title for the position in the Family Court Public Defender's Office. Ms. Townsend reported this reclassification does not require any changes to staffing or job duties, as the qualifications are present and this individual has the same training as the other paralegal in the Family Court Public Defender's Office.

Personnel Officer O'Rourke reported this solution does not require any civil service exam.

Approval of Worksession Minutes – January 24, 2019:

Legislator Hollenbeck motioned to approve the January 24, 2019 Legislative Worksession minutes as written, seconded by Legislator Monell with Legislators Balliet, Hollenbeck, Monell, Mullen, Roberts, Sauerbrey, Standing, Sullivan, and Weston voting yes. Motion carried.



Action Items:

ACTION ITEMS FROM JANUARY 24, 2019:

ACTION ITEM #1- 1/24/19 – Salary Establishment for County Clerk and Sheriff –

Ms. O’Rourke reported the issue at hand is establishing salaries for the County Clerk and Sheriff for their 2020-2023 term of office. Ms. O’Rourke reminded the Legislature discussion should be based on positions and not incumbents or possible running candidates.

Ms. O’Rourke distributed copies of the chart she had previously emailed to the Legislators prior to the January 24, 2019 worksession indicating the Legislature has applied three different methodologies over the last several rounds of establishing salaries for elected officials.

Ms. O’Rourke identified the following three methodologies used previously:

- ▶ **2012-2015 Term of Office for County Clerk and Sheriff** – The Legislature took into consideration the Non-Union Group salary increases for the four years immediately preceding when establishing the salaries for the County Clerk and Sheriff for the 2012 – 2015 term of office.

Using this same methodology, Ms. O’Rourke reported this would result in established salaries of \$70,561 for County Clerk and \$92,962 for Sheriff:

Year	NU Salary Increase	County Clerk	Sheriff
Current Salaries		\$63,000	\$83,000
2016	2.5%	\$64,575.00	\$85,075.00
2017	2.5%	\$66,189.37	\$87,201.87
2018	3.0%	\$68,175.05	\$89,817.92
2019	3.5%	\$70,561.17	\$92,961.54
Term of Office for 2020 -2023		\$70,561.00	\$92,962.00

- ▶ **Salary Data from Comparable Sized Counties** – The last time the Legislature established salaries for the County Clerk and Sheriff, salary data for these positions in comparable sized counties was taken into consideration. Ms. O’Rourke was unsure as to whether the Legislature would consider comparable sized counties within 10,000 or 15,000 population of Tioga County, therefore, averaged both scenarios.

Using this methodology, Ms. O’Rourke reported this would not work for the Sheriff position, as it results in a lower salary than the current established salary.

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Ms. O'Rourke reported the consensus of the Personnel Committee was to use a methodology that would work for both positions.

Legislator Mullen reported the Sheriff duties in every county is not standard, as some counties do not have road patrol, dispatching, etc., therefore would not be in favor of using the methodology of comparable sized counties. Legislator Mullen reported the Sheriff is only required to do jail operations and civil and we need to look at what our County's Sheriff Department is doing and the level of law enforcement and public safety provided. Legislator Mullen reported our County is fortunate to have the Sheriff's Department we have and the level of service provided.

- **Salary Establishment for the County Treasurer Position** – Ms. O'Rourke reported when the salary was set for County Treasurer's current term of office, the Legislature gave a 2% increase for each of the four years.

Using this methodology, Ms. O'Rourke reported the following salaries for the County Clerk and Sheriff for the 2020-2023 term of office:

Year	Increase	County Clerk	Sheriff
Current Salaries		\$63,000	\$83,000
2020	2.0%	\$64,260.00	\$84,660.00
2021	2.0%	\$65,545.20	\$86,353.20
2022	2.0%	\$66,856.10	\$88,080.26
2023	2.0%	\$68,193.22	\$89,841.86
2020-2023 Term of Office		\$68,193.00	\$89,842.00

Legislator Mullen expressed concern regarding the Sheriff salary and that it is in-line with the positions of Undersheriff and Captain for succession purposes. Legislator Mullen reported it is critical to ensure the Undersheriff and Captain salaries are not exceeding the Sheriff's salary and are competitive to recruit for these positions in the future.

Legislator Mullen reported the \$92,962 salary is still low in comparison to the other County Department Heads.

Legislator Weston reported the Sheriff's Department is the second largest department in the County.

Legislator Mullen proposed \$94,000 for the Sheriff's salary for the 2020-2023 term of office. Legislator Sullivan reported this salary figure represents a completely new methodology and was unsure as to how this salary was determined.

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Legislator Roberts proposed using 3.5% for salaries of \$92,962 for the Sheriff and \$70,561 for the County Clerk.

Legislator Sullivan reported using the County Treasurer methodology of 2% for each of the four years would establish the County Clerk's salary within the average of the other comparable counties, however, establishes the Sheriff's salary well-above the average. Legislator Sullivan proposed using this methodology.

Legislator Mullen reported he is advocating for the \$92,962 salary although stating this is slightly lower than his proposal.

On a straw poll vote, Legislators Sauerbrey, Monell, Balliet, Roberts, Standinger, Weston, Mullen, and Hollenbeck expressed favor of using the 3.5% methodology for salaries of \$92,962 for the Sheriff and \$70,561 for the County Clerk for the 2020-2023 term of office.

Legislative Clerk Dougherty will update the Local Law with the established salaries of \$92,962 for Sheriff and \$70,561 for County Clerk for the 2020-2023 term of office.

This action item is completed and will be removed from the Action Item List.

ACTION ITEM #2- 1/24/19 – Land Bank Insurance –

Mr. DeWind reported he had a follow-up discussion with Don Patterson, Partner's Insurance, regarding the question of contamination and pollution coverage should the County continue to allow the Land Bank to remain on our insurance. Mr. DeWind reported our current policy only covers present active discharge if there was a leak on-site while remediation is underway, however, would not cover areas of existing subterranean tanks. However, Mr. DeWind reported since this discussion, Mr. Patterson was able to secure separate and very reasonably priced insurance so the Land Bank can move forward with their own insurance policy and the County no longer needs to take this request under advisement. Mr. DeWind reported the Land Bank would continue on the County's policy for Board Officer & Director's liability coverage until such time their new policy goes into effect. Mr. DeWind reported we are almost to the point where funding is available through the Land Bank to begin the property transfer process from County to Land Bank and this coverage needs to be in place in order to proceed. **This action item is completed and will be removed from the Action Item List.**



Legislative Support – Legislative Clerk Dougherty:

Approval of Legislative Support Committee Minutes – January 10, 2019:

Legislator Monell motioned to approve the January 10, 2019 minutes as written, seconded by Legislator Sullivan with Legislators Balliet, Hollenbeck, Monell, Mullen, Roberts, Sauerbrey, Standinger, Sullivan, and Weston voting yes. Motion carried.

Legislative Clerk Dougherty reported the following:

- The February Legislative Meeting is Tuesday, February 12, 2019, at 12:00 p.m. in the Hubbard Auditorium. Finance/Legal Committee will meet at 10:30 a.m. in the Legislative Conference Room.
- Legislator Weston will do the prayer, pledge, and start the voting process at the February 12, 2019 Legislature meeting.
- Attended Leaders Meeting last month.
- Budget is tracking well.

Employee of the Year 2018 – Sheri McCall, Tioga Career Center Manager, has been chosen as the Employee of the Year for 2018. Ms. McCall will attend the February 12, 2019 Legislature meeting and Mr. Palinosky, ERC Committee member, will do the presentation.

Employee of 1st Quarter 2019 – Charles Root, Department of Social Services, has been chosen as the Employee of the 1st Quarter for 2019. Mr. Root will attend the February 12, 2019 Legislature meeting and Mr. Palinosky, ERC Committee member, will do the presentation.

Legislator Standinger will be given an opportunity to speak on behalf of both of these employees.

Proclamation (1) –

- ✓ **Cancer Prevention Month** – Legislator Standinger will read and present at the February 12, 2019 Legislature meeting.

Resolutions – Ms. Dougherty reviewed all resolutions for Legislature consideration at the February 12, 2019 Legislature meeting and discussion occurred on the following:

- ▶ **Erroneous Assessment Resolutions** – There are several erroneous assessment resolutions for Legislature consideration at the February 12, 2019 Legislature meeting, therefore, Chair Sauerbrey inquired as to whether all of these resolutions could be moved as a block versus individually. Ms. Dougherty reported it is at times more cumbersome to move them as a block versus



individually, however, can be done if the Legislature prefers. Upon further discussion, decision made to proceed with the easiest, quickest process.

- ▶ **Resolution to Approve Sole Source Contract and Maintenance Agreement between Tioga County Probation and Automon, LLC to Provide Software and Maintenance of the Caseload Explorer Product** – Legislator Mullen reported Probation Director Bennett was successful in securing a 50% reduction on the annual cost for this maintenance agreement.
- ▶ **Introduction of Local Law No. A of 2019** – As Chair of Personnel Committee, Legislator Hollenbeck will introduce Local Law No. A of 2019 establishing the salaries for County Clerk and Sheriff, as determined by today's straw poll vote.
- ▶ **Schedule Public Hearing Local Law No. A of 2019** – Ms. Dougherty reported the public hearing is scheduled for February 21, 2019 at 10:00 a.m. In addition, the 3rd Special Meeting of 2019 will immediately follow the public hearing to adopt the local law. Due to time constraints with the change in voting laws, it is necessary to conduct these meetings back-to-back in order to ensure salary awareness for candidates picking up petitions later this month. Chair Sauerbrey inquired about publication of salaries. Ms. Dougherty reported she would forward a copy of the local law to Board of Elections to have on-hand to share with candidates picking up petitions.

Other –

- **Employee Recognition Committee (ERC) Legislative Representation –** Chair Sauerbrey reported the ERC is looking for quarterly Legislative representation for 2019. In 2018, Legislators Hollenbeck (Q1), Sullivan (Q2), Mullen (Q3), and Standing (Q4) served as the Legislative representatives.

For 2019, Legislators Hollenbeck, Sullivan, Mullen, and Standing agreed to serve the following quarters:

- ▶ 1st Quarter – Legislator Hollenbeck
- ▶ 2nd Quarter – Legislator Sullivan
- ▶ 3rd Quarter – Legislator Standing
- ▶ 4th Quarter – Legislator Mullen

Chair Sauerbrey inquired as to who is in charge of the Employee Recognition Committee (ERC). Ms. O'Rourke reported this is a subsidiary of the Personnel Committee. As of late, Ms. O'Rourke reported ERC meetings are conducted via email in lieu of trying to coordinate schedules to convene a meeting. Ms. O'Rourke reported her secretary serves on this committee and indicated interest in the program is waning. Ms. O'Rourke reported it might be time to engage in discussion regarding discontinuance of the quarterly awards and just continue

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with the annual luncheon in May for longevity employees with over 25 years of service.

Chair Sauerbrey reported she believes there should be a discussion regarding this committee, as the larger departments are conducting their own employee award recognitions.

Legislator Standinger reported Public Health has semi-annual employee recognitions and Social Services has quarterly recognitions. Ms. O'Rourke reported the Sheriff's Department does their own employee recognitions, as well.

Ms. O'Rourke will add this as a topic of discussion to the March 2019 Personnel Committee agenda for further discussion.

Executive Session –

With no confidential topics of discussion, an executive session was not necessary.

Meeting adjourned at 12:45 p.m.

Next worksession scheduled for Thursday, February 21, 2019, at 10:00 a.m.

***NOTE: Public Hearing will be held at 10:00 a.m. with the 3rd Special Meeting at 10:05 a.m. with regular worksession commencing immediately thereafter.**

Respectfully submitted,

Cathy Haskell

Deputy Legislative Clerk