



Tioga County Legislative Worksession Minutes

August 7, 2019* – 1:00 p.m.

***Date Change**

Legislators Present:

Legislator Balliet
Legislator Hollenbeck
Chair/Legislator Sauerbrey
Legislator Standinger
Legislator Sullivan
Legislator Weston

Legislators Absent:

Legislator Monell
Legislator Mullen
Legislator Roberts

Guests:

Matt Freeze, Reporter, Morning Times

Staff Present:

County Attorney Peter DeWind (*arrived @1:10 p.m.*)
Legislative Clerk Maureen Dougherty
Deputy Legislative Clerk Cathy Haskell
Treasurer Jim McFadden (*departed @ 1:15 p.m.*)
Personnel Officer Bethany O'Rourke
Chief Accountant/Budget Officer Rita Hollenbeck

Call Meeting to Order –

Chair Sauerbrey called the meeting to order at 1:00 p.m.

Treasurer Update –

Treasurer McFadden reported there are approximately 47 properties scheduled for tonight's foreclosure auction.

Mr. McFadden addressed the four resolutions included in the meeting packet for Legislature consideration at the August 13, 2019 Legislature meeting:

1. Authorize the Sale of County Owned Property Located in the Village of Owego to the Village of Owego - The Village of Owego Board of Trustees is interested in purchasing the property on East Ave. near the gates to the Evergreen Cemetery

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“as is” for the purchase price of \$1.00. A fire devastated the home earlier this year and the owners did not have fire insurance, and are not interested in redeeming the property for back taxes. Upon purchase, the Village of Owego intends to demolish the property and merge the parcel into the cemetery.

On a straw poll vote, Legislators Balliet, Standing, Weston, Hollenbeck, Sullivan, and Sauerbrey were in favor of the resolution moving forward for Legislature consideration at the August 13, 2019 Legislature meeting with Legislators Monell, Mullen, and Roberts being absent.

2. Authorize the Sale of County Owned Property Located in the Village of Owego to the St. Paul’s Episcopal Church – Chair Sauerbrey received a letter from St. Paul’s Episcopal Church requesting to purchase the foreclosed property that borders their small parking lot behind the church “as is” for the purchase price of \$1,000. The house is in rough shape and the Village of Owego has issued a condemnation on this property. The letter indicates the church intends to demolish the house for purpose of expansion of their current parking lot. In addition, the church will pay the village and school taxes for this year. The back taxes on this foreclosed property equate to approximately \$6,000.

On a straw poll vote, Legislators Balliet, Weston, Hollenbeck, Sullivan, and Sauerbrey were in favor of the resolution moving forward for Legislature consideration at the August 13, 2019 Legislature meeting with Legislator Standing abstaining and Legislators Monell, Mullen, and Roberts being absent.

3. Authorize the Sale of County Owned Property Located in the Town of Spencer to FLT Holding, LLC – FLT Holding, LLC is interested in purchasing back their property “as is” for the purchase price of \$15,000, therefore, putting the property back on the tax rolls. Chief Accountant/Budget Officer Hollenbeck reported County Attorney DeWind mentioned at the last meeting the possibility of a buy-back transaction before August 1, 2019 with this business.

On a straw poll vote, Legislators Balliet, Standing, Weston, Hollenbeck, Sullivan, and Sauerbrey were in favor of the resolution moving forward for Legislature consideration at the August 13, 2019 Legislature meeting with Legislators Monell, Mullen, and Roberts being absent.

4. Authorize the Sale of County Owned Property Located in the Village of Owego to Elvira Garcia Lozada, Jaqueline Garcia & Daniel Garcia – The property owners made the error in paying their 2018 taxes in March, and in April, paid their 2019 taxes with the town clerk, however, still owing their 2017 taxes. The purchase buy-back for \$3,100 represents the 2017 owed taxes.



On a straw poll vote, Legislators Balliet, Standinger, Weston, Hollenbeck, Sullivan, and Sauerbrey were in favor of the resolution moving forward for Legislature consideration at the August 13, 2019 Legislature meeting with Legislators Monell, Mullen, and Roberts being absent.

Mr. McFadden reported another empty lot property in the Village of Owego was being prepared for auction; however, complications have stalled this process from moving forward at this time.

Mr. DeWind reported an individual who does not currently own the property was somehow able to include this property in his bankruptcy plan. Mr. DeWind reported the County was unaware of this, therefore, was not put on notice. Mr. DeWind reported this became known when the auction sign was placed in front of the property and the individual started contacting County personnel. Mr. DeWind reported he would need to do a motion to remove this property from this individual's bankruptcy plan, as this erroneously done. The County will continue to own the property until the motion to remove this property from the individual's bankruptcy plan is completed and then the County will need to decide how they wish to proceed with this property.

Budget Update –

Ms. Hollenbeck distributed a handout regarding the preliminary tax cap formula. In the budget books previously provided to the Legislators, Ms. Hollenbeck reported there was a grid worksheet identifying the prior year tax growth factor and the allowable levy growth factor for the last five years. Ms. Hollenbeck reported these two factors for this year's tax cap are to the County's benefit, but the allowance is approximately \$500,000 variance from the 2019 to 2020 budget. Ms. Hollenbeck reported the PILOT figure and possible carryover amounts may change. Ms. Hollenbeck reported she is currently discussing the possible carryover amount with the State.

Ms. Hollenbeck reported the committees met this week and most departments presented their budgets. Ms. Hollenbeck reported one of the departments represented by the HHS Committee had over a \$500,000 variance from their 2019 to 2020 budget primarily due to mandated programming. Ms. Hollenbeck reported the other two departments represented by the HHS Committee are also seeing increases from one budget year to another. Overall, Ms. Hollenbeck reported all the committees are seeing increases from their 2019 to 2020 budgets.

Ms. Hollenbeck reported the preliminary number of at least \$700,000 increases within the departmental budgets, with the exception of the District Attorney's

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budget increases, employee fringe increases, and additional non-union salary increases.

Ms. Hollenbeck cautioned the Legislature on the fund balance. Prior to this meeting, the Public Works committee met and discussed capital projects and the 2020 capital request at this time is approximately \$3.3 million dollars. However, in the beginning of every year, the Legislature adopts a resolution re-establishing capital projects that were incomplete from the previous year. In addition to the new request of \$3.3 million dollars, Ms. Hollenbeck anticipates re-establishing projects from 2019 for approximately \$4 million dollars after Federal and State share for an overall obligated total of approximately \$7.3 million dollars. Ms. Hollenbeck reported the 2018 year-end capital fund balance was approximately \$9.5 million dollars and the 2019 estimated year-end capital fund balance is not completed. Ms. Hollenbeck anticipates the Legislature will be funding part of the capital expenses from the general operating fund, which 2018 year-end general operating funds was \$22 million dollars. As with the year-end capital fund balance, the 2019 year-end general operating fund balance is yet to be projected. Ms. Hollenbeck recommended the Legislature take minimally 50% or up to 100% of the casino funds to offset the capital fund balance.

Ms. Hollenbeck reported the capital requests are in-line with the capital plan previously approved. Ms. Hollenbeck instructed Commissioner of Public Works Hammond and ITCS Chief Information Officer Camin to present their updated five-year capital plans at the September 5, 2019 Legislative Worksession.

Mr. DeWind inquired as to whether there is consistent carryover on the unfinished capital projects. Ms. Hollenbeck reported there is always re-establishment of capital projects, but the amount varies from \$1.5 - \$2 million dollars on average.

In addition to re-establishment of Public Works capital projects every year, any Department can receive a grant late in the year where there is not sufficient time for year-end expenditure; therefore, the Legislature adopts a resolution to re-establish grant funding for the upcoming year. Ms. Hollenbeck reported the grant funds are not usually high dollar amounts and overall not as relevant as the capital projects.

Ms. Hollenbeck reported the capital sales tax last year contributed approximately \$700,000 to the capital fund. Ms. Hollenbeck reported she does not believe the sales tax will be to the degree to contribute more than \$500,000 - \$700,000 annually to the capital funds. Ms. Hollenbeck reported the only other revenue in a capital fund is generally Social Services and Public Health revenue for vehicles, Public

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Works CHIPS funding, and occasionally the Marchiselli Federal and State share on a bridge project.

Approval of Worksession Minutes – July 18, 2019 -

Legislator Sullivan motioned to approve the July 18, 2019 Legislative Worksession minutes as written, seconded by Legislator Hollenbeck with Legislators Balliet, Hollenbeck, Sauerbrey, Standing, Sullivan, and Weston voting yes with Legislators Monell, Mullen, and Roberts being absent. Motion carried.

Action Items -

ACTION ITEM #1 – 7/18/19 – Ethics Board Membership:

Chair Sauerbrey reported Legislator Balliet provided the name of an interested candidate along with his resume for Legislature consideration at the August 13, 2019 Legislative meeting to fill the current vacancy on the Ethics Board. Resolution is included in today's meeting packet. Chair Sauerbrey anticipates another vacancy in spring 2020 and Legislator Standing has an interested candidate. **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 – July 9, 2019:

Legislator Sullivan motioned to approve the July 9, 2019 Legislative Support Committee minutes as written, seconded by Legislator Hollenbeck with Legislators Balliet, Hollenbeck, Sauerbrey, Standing, Sullivan, and Weston voting yes with Legislators Monell, Mullen, Roberts. Motion carried.

Legislative Clerk Dougherty reported the following:

- The August Legislative Meeting is Tuesday, August 13, 2019, at 12:00 p.m. in the Hubbard Auditorium. Finance/Legal Committee will meet at 10:00 a.m. in the Legislative Conference Room.
- Chair/Legislator Sauerbrey will do the prayer, pledge, and start the voting process at the August 13, 2019 Legislature meeting.

2020 Legislative Office Budget – Ms. Dougherty presented the proposed 2020 Legislative Office budget. Ms. Dougherty questioned Ms. Hollenbeck as to whether the \$14,000 ISO audit should be re-budgeted for 2020 or considered a carryover, as this budgeted item remains undone for 2019. Ms. Dougherty reported ISO, Sue Haskett, indicated this money needed to be budgeted for 2020. Ms. Hollenbeck recommended re-budgeting this amount in the 2020 budget. Ms. Hollenbeck further reported all unexpended budgeted funds fall back into the general fund at year-end.

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Ms. Dougherty reported the Legislative Office salaries are all non-union; therefore, no changes were made at this time from the 2019 budgeted amounts. Ms. Dougherty reported the ISO part-time salary was reduced this year, per Ms. Haskett's request and adopted resolution; therefore, the 2020 budget reflects this salary reduction. Ms. Dougherty reviewed Legislator's 2019 current salaries.

Ms. Dougherty reported line item funding was adjusted to accommodate the telephone account due to four Legislators now having iPads with cell phone service. Ms. Dougherty reported ITCS does not advise her when this type of service is added and should as this service has budgetary impacts.

Overall, the 2020 budget is coming in less. Legislators acknowledged the budget with no further considerations; therefore, Ms. Dougherty will release the 2020 budget to the Budget Officer following this meeting.

Recognition Resolution (1) –

- ✓ **Recognize Mary Roddy McKee's 33 Years of Dedicated Service Department of Social Services** – Legislator Standinger will read and present this recognition resolution to Ms. McKee at the August 13, 2019 Legislature meeting.
- ✓ **Resolution Recognizing Mary Hogan's 20 Years of Dedicated Service to Tioga County** – Legislator Sullivan will read and present this recognition resolution to Ms. Hogan with Chair Sauerbrey also offering comments at the August 13, 2019 Legislature meeting.

Proclamations (1) –

- ✓ **Immunization Awareness Month** – This resolution has been presented in year's past, therefore, will just be noted in the minutes of the August 13, 2019 Legislature meeting.

Resolutions – All resolutions were reviewed for Legislature consideration at the August 13, 2019 Legislature meeting and discussion occurred on the following:

- **Contract for IT Consultant Services from Former Employee** – Personnel Officer O'Rourke reported Legislator Monell raised the question earlier today in the Personnel Committee as to whether the resolution should identify an end date. Legislators were in favor of revising the resolution with an established end date. Legislator Sullivan will discuss with Mr. Camin and provide Ms. Dougherty with updated information before close of business today.



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

Other –

✓ **Deputy Legislative Clerk Salary Range** – Personnel Officer O'Rourke reported her office is currently doing an internal posting for applicants for the Deputy Legislative Clerk position due to the upcoming vacancy in September. Ms. O'Rourke reported the posting reflects the current range. Ms. O'Rourke reported the Non-Union Salary Committee in their discussion for formulating the 2020 recommendations is looking to adjust hiring ranges for a number of titles, which Deputy Legislative Clerk is one of them. Although discussion of all of the Non-Union Salary Committee's recommendations will occur at the next Legislative Worksession, Ms. O'Rourke wanted to address this specific title now due to the timeliness of the vacancy.

Ms. O'Rourke reported the committee is recommending the salary range for Deputy Legislative Clerk be increased approximately \$7,500 over the current range. Ms. O'Rourke reported the current range for this position is \$29,134 – \$39,134 and the committee is proposing an increased range of \$36,742 – \$46,742. In light of the upcoming vacancy, Ms. O'Rourke reported this proposed range would be effective September 1, 2019, so that we can amend the posting now to hopefully attract additional internal applicants. Ms. O'Rourke reported by doing this adjustment increase now there would be no further adjustment consideration for 2020. Ms. O'Rourke reported the rationale for the increased amount is connected to another recommended adjustment for the "Secretary to" titles. The "Secretary to" recommendation is due to comparable union salaries for titles such as Accounting Associate III, Office Specialist III, and Executive Secretary, as we have fallen behind with the CSEA contract.

In comparison, Ms. O'Rourke reported the salary base for the Clerk of the Legislature is \$51,409; therefore, representing a drastic difference. By increasing the Deputy Legislative Clerk range this would narrow the gap between the two positions.

Legislator Sullivan inquired about the lag between the CSEA position titles. Ms. O'Rourke reported the base salary for the union titles referenced above is \$35,555, which the Deputy Legislative Clerk current base salary is approximately \$6,000 behind the CSEA comparable titles.

Ms. O'Rourke reported ideally the County is trying to attract experienced, seasoned administrative staff into non-union positions and this has been difficult for internal applicants due to the salary disparity.



Ms. O'Rourke reported the Deputy Clerk is also serving as the County's purchase order auditor, therefore, at least comparable level work if not higher than the CSEA titles entering the data in Munis.

The Personnel Committee was in favor of increasing the salary range for the Deputy Legislative Clerk to \$36,742 – 46,742, effective September 1, 2019.

On a straw poll vote, Legislators Balliet, Standinger, Weston, Hollenbeck, Sullivan, and Sauerbrey were in favor of moving forward with increased salary range of \$36,742 – 46,742 for the Deputy Legislative Clerk position, effective September 1, 2019.

Based on the straw poll, Ms. O'Rourke reported the salary range would be adjusted and the internal posting will be amended to reflect the new salary range effective September 1, 2019.

Executive Session –

Motion by Legislator Sullivan, seconded by Legislator Standinger to move into Executive Session to discuss contract negotiations and an individual personnel matter. Motion carried to go into Executive Session at 1:49 p.m. with County Attorney DeWind and Personnel Officer O'Rourke remaining in attendance and Legislators Monell, Mullen, and Roberts being absent.

Executive Session adjourned at 2:33 p.m.

Meeting adjourned at 2:33 p.m.

Next worksession scheduled for Thursday, August 22, 2019, at 10:00 a.m.

Respectfully submitted,

Cathy Haskell

Deputy Legislative Clerk