

SPECIAL SESSION
Morning Session
Thursday, November 14, 2019
Legislative Chambers

The County Legislature of the County of Steuben convened in Special Session in the Legislative Chambers in Bath, NY on the 14th day of November, 2019 at 10:00 a.m. and was called to order by the Chairman of the Legislature, Joseph J. Hauryski.

Roll Call and all members present except Legislator Weaver.

Mrs. Lando provided the Invocation and the Pledge of Allegiance was led by Mr. Ryan.

Mr. Wheeler, County Manager, provided the following 2020 budget message:

PRESENTATION OF BUDGET MESSAGE

As always, the development of this budget is a team effort, and many individuals deserve recognition for their assistance:

- All Legislators, specifically the Finance Committee:
 - Scott Van Etten, Finance Chairman
 - Gary Swackhamer, Vice Chairman
 - Kelly Fitzpatrick
 - Gary Roush
 - Robert Nichols

- Joseph Hauryski, Legislative Chairman
- Carol Ferratella, Legislative Vice Chair
- Finance Department
 - Pat Donnelly, Commissioner
 - Tammy Hurd-Harvey, Deputy Commissioner

- Chris Brewer, Deputy County Manager
- All Department Heads

In addition to these elected and appointed officials, it's critical to note that it's the staff of Steuben County that are responsible for implementing these spending plans and they do a tremendous job year in and year out.

EXECUTIVE SUMMARY

The proposed 2020 Steuben County Budget adheres to the fiscal policy set by this Legislature – to maintain critical services and infrastructure that our residents depend upon, while also funding State-mandated programs. This budget accomplishes those goals with a minimal increase in the tax levy, well under the Property Tax Cap limit, and another decrease in the average tax rate. At a time when New York State continues to fiscally and operationally pressure municipalities, it is a credit that this Legislature and our staff have been able to incorporate those costs into the budget without overburdening the taxpayer.

The development of this budget was significantly more difficult than in recent years. In 2020, the trend of Public Safety as a cost-driver continues, with increased staffing and cost to comply with criminal justice reforms mandated by New York State. Coupled with a change in medical service providers at the County

Jail, Public Safety and court-related cost centers account for the largest expense increases in the 2020 budget.

To help offset these costs, we were able to anticipate additional revenue, particularly in sales tax, as actual collections continue to outpace prior year budgets. Without the ability to recognize additional revenue, the proposed budget would have carried a much larger increase or necessitated cuts in services.

In all, the 2020 budget is a fiscally responsible plan that strikes a balance between the needs of the organization and the interest of the taxpayer. It is through the guidance and hard work of our Legislators and the collaboration of department heads and staff that such a reasonable budget can be presented for your consideration.

TOTAL BUDGET

The total proposed budget for 2020 is \$197,130,584, representing an increase of \$6,089,229 or 3.19% in total expenditures. This increase can largely be attributed to growth of public safety and court costs, specifically within the District Attorney, Public Defender, and Jail, plus additional programmatic needs within Social Services.

Fortunately, projected revenues have also increased for 2020, totaling \$146,605,245, an increase of \$5,553,005 or 3.94%. This growth is primarily the result of increased sales tax anticipation, and additional state and federal reimbursement.

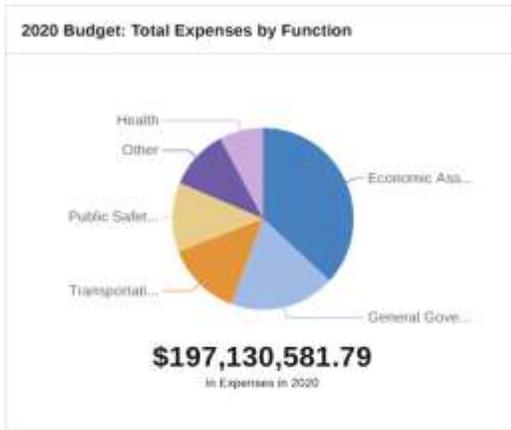
While there have been significant increases in both expenses and revenue over the past five years, a majority of these changes reflect capital projects in the Landfill and accounting for municipalities' shares of sales tax, which do not impact the tax levy (net cost). With that in mind, and as indicated by the tax levy, this Legislature has essentially held the line on expenditures and the resulting tax burden.

The following table details the five-year history of total budget figures:

YEAR	EXPENSES	REVENUES	TAX LEVY
2016	\$175,040,019	\$125,029,443	\$50,010,577
2017	\$177,761,973	\$127,753,202	\$50,008,771
2018	\$190,847,579	\$140,849,667	\$49,997,912
2019	\$191,041,355	\$141,052,240	\$49,989,115
2020	\$197,130,584	\$146,605,245	\$50,525,339

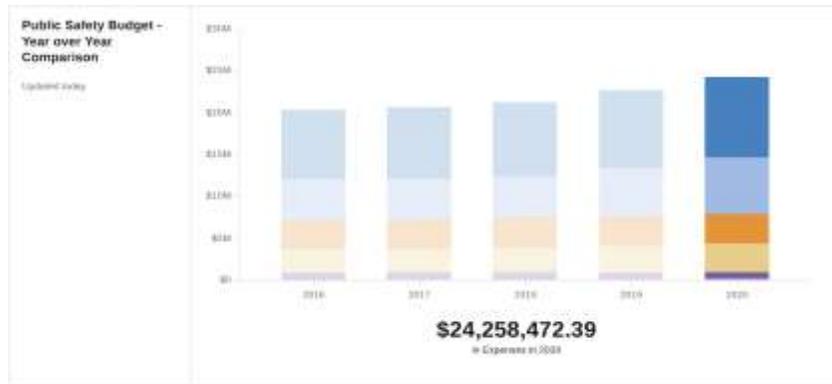
BUDGET COMPARISON BY CATEGORY

For 2020, we are projecting changes in the net (county) cost by operational category. The following chart displays the anticipated cost differentials in comparison to 2019, in descending order by change in net cost. A more detailed narrative of significant changes is provided here:

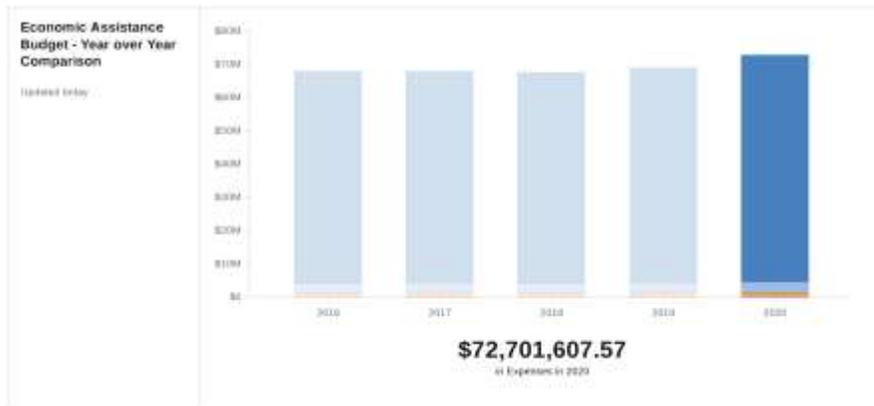


BUDGET CATEGORY	NET CHANGE	% CHANGE
Public Safety (Police, Jail, Fire, Protection, Emergency Management)	\$1,500,073	0.59%
General Government (Central Office Functions, Court-Related Functions)	\$880,295	7.69%
Transportation (Public Works)	\$700,526	3.89%
Economic Assistance & Opportunity (Social Services, Veterans' Service, Office for the Aging)	\$480,867	1.44%
Health (Public Health, Community Services)	\$196,836	10.16%
Culture & Recreation (Parks, Youth Bureau, Libraries, Historical)	\$29,276	5.75%
Home & Community Services (Planning, Agriculture & Outreach, Economic Development)	\$285	0.02%
Education (Community Colleges, Special Children's Services, Education Costs)	-\$180,950	-3.00%

For the third consecutive year, costs within the Public Safety have increased at a greater rate than any other budget category. This is due to both enhanced state requirements and local decisions made by this Legislature to invest in additional law enforcement resources. This cost category has grown on average \$982,269 or 4.54% per year since 2016, as demonstrated in the graph below:

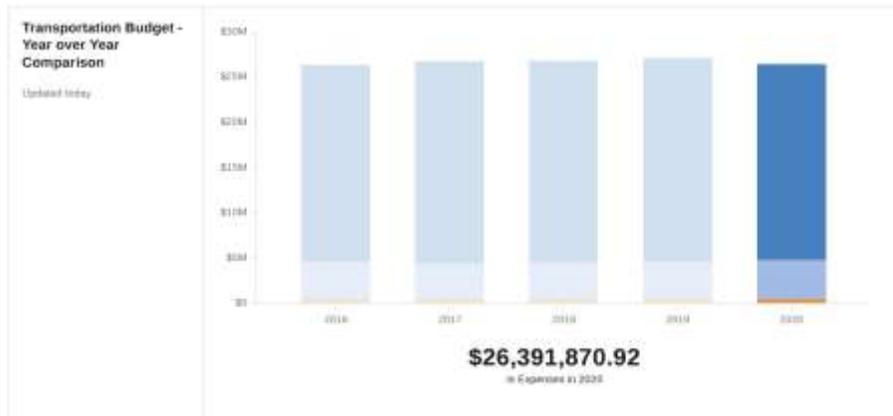


Conversely, the county cost of other large budget categories, particularly Economic Assistance & Opportunity and Transportation, have increased at a much lower rate. For Economic Assistance & Opportunity, costs have increased in 2020, primarily due to changes in foster care programs at the federal level. However, the five year trend for this category shows an average growth of \$1,113,363 or 1.62% per year.



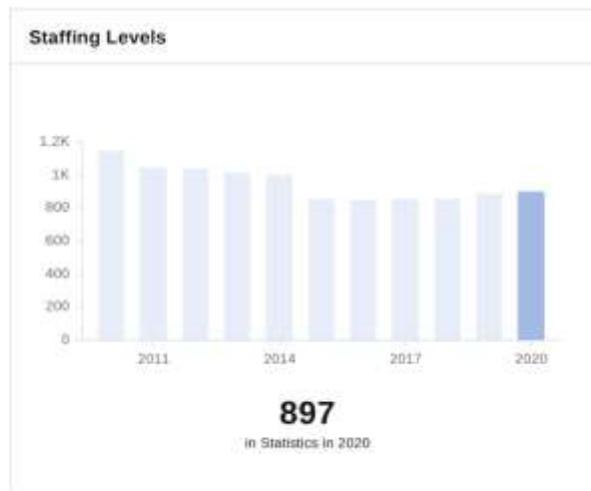
Finally, the County continues to be successful in improving our transportation infrastructure overseen by the Department of Public Works. In 2020, there is a marked decrease in overall spending levels,

attributed to the sunset of augmented Pave NY funds. Still, this Legislature has invested significant sums in the Transportation budget category, and continues to do so in 2020. Within this category, the five year average local cost trend has been \$10,507 or 0.05% per year.



STAFFING LEVELS

County personnel remain both our most important asset and our largest expense, and as such, administration and this Legislature maintain a careful watch of staffing levels. The 2020 budget includes the addition of ten positions in comparison to 2019. This continues a concerning trend of the past four years, with the requirement of additional staff to meet the demands of the State, namely in Hurrell-Harring compliance, Raise the Age, and most recently, criminal just reform. Over the past decade, staffing levels were reduced through attrition and the sale of the Health Care Facility, but that trend has reversed and must be closely monitored in the coming years.



MAJOR CHANGES IN THE 2020 BUDGET

Criminal Justice Reform

While 2018 and 2019 marked the implementation of Raise the Age, the sweeping criminal justice reforms enacted by New York State this past legislative session will have more severe budgetary consequences for Steuben County in 2020 and beyond. This is the result of the haste in which the state passed these laws, with no input from counties who must implement the reform, and certainly no additional funding to pay for staffing and equipment to achieve compliance.

The requirements have been well-articulated by District Attorney Baker, specifically a severely fragmented timeframe to produce discovery material to defense counsel, resulting in the need for additional staffing to compile and disseminate these records. These changes dramatically impact the workflow and processes of the office, but with additional staffing incorporated in this budget, the department should be able to respond to the demands. Below is a listing of the new positions created and funded in the 2020 budget.

Criminal Justice Reform Expense Summary	
Department	Cost
District Attorney <ul style="list-style-type: none"> • (2) Assistant District Attorney (\$68,104 + Fringe) • (2) Paralegal Assistant (\$35,279+ Fringe) • (1) Part-Time Investigator (\$26,489) 	\$371,140

The other major component of criminal justice reform is the implementation of cashless bail, meaning most individuals will avoid incarceration in our County Jail, instead being issued an appearance ticket, except for the most serious and violent of crimes. The Governor and some state Legislators have argued that the reduction in inmate populations will cut local costs to a significant degree; enough in their estimates to offset the increases in District Attorney costs. While savings may materialize in the coming years, there is too much uncertainty to confidently budget for such large reductions in Jail expenses. More conservatively, we have zero-based two vacant full-time Correction Officer positions and five vacant part-time Correction Officer positions for 2020, resulting in a reduction of \$338,436 in salary and benefit costs.

Sheriff/Jail

The 2020 budget continues the trend of large increases in Public Safety, specifically in the Sheriff’s Department and the Jail. In recent years, this Legislature, with the direction and leadership of the Sheriff, has invested in additional law enforcement officers to combat the opioid and drug epidemic. However, we confronted an unexpected development in late November 2018, with the New York State Office of Court Administration leadership informing the County that we must immediately implement counsel at arraignment reforms that we were previously told we had a number of years to establish. To achieve compliance in the most practical and cost effective manner, this Legislature created five additional Deputy Sheriff positions at the beginning of 2019, funding four of them, to effectuate transports of arrestees to the centralized arraignment court in Bath. While we entered into agreements with the cities of Corning and Hornell for partial reimbursement, these hires represent an additional cost of \$325,878, which was not budgeted in 2019. As a result, this staffing increase is the primary reason for the 13.06% growth in the 2020 Sheriff’s department local cost.

The Jail also experienced an operational change with a large budgetary impact for 2020, namely the resignation of the Medical Director and our inability to hire Nurse Practitioner staff. As a result, an RFP for medical services was issued and awarded in recent months. While we were able to zero-base many of the Jail medical positions and eliminate the prescription drug line, as this is now part of our new vendor contract, the net budgeted cost of this change is \$837,802. To further compound the fiscal pressure at the Jail, we have experienced a reduction in the number of federal inmates in transit that we house under contract for the U.S. Marshals. As a result, anticipated revenue has been reduced by \$492,500. With all of these factors taken together, the local cost of the Jail has increased \$997,777 or 13.37%.



Hurrell-Harring Compliance

2020 marks the second budget year in which the direct impacts of indigent defense reform are reflected in our spending plan. As previously discussed, the NYS Office of Indigent Legal Services (ILS) has established three main areas that we as a County must focus our efforts toward and for which the State will reimburse our costs: Caseload Reduction, Quality Improvement, and Counsel at First Appearance. This is the second year of a five-year implementation plan, with reimbursements increasing each year, topping out at approximately \$1.6 million in 2023.

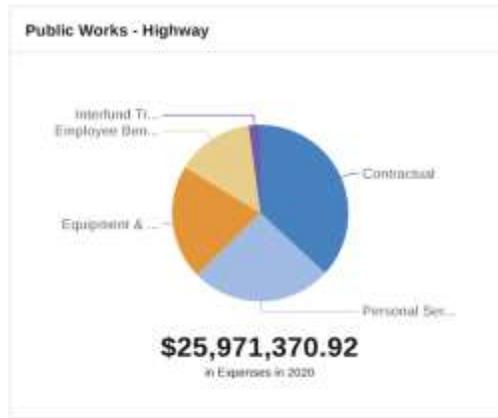
Only the Public Defender, Conflict Defender, and Assigned Counsel (administered by the County Attorney) are eligible for state reimbursement of costs. Any fiscal impacts of this system change upon the District Attorney, Sheriff’s Department, or any other County agency will be ineligible for reimbursement and therefore are a direct County cost.

Below is a summary of the additional expenses for Hurrell-Harring Compliance, which are fully offset with budgeted state reimbursement.

Hurrell-Harring Expense Summary	
Department	Cost
Public Defender <ul style="list-style-type: none"> (1) Assistant Public Defender (\$68,104 + Fringe) (1) Paralegal Assistant (\$35,279 + Fringe) (2) Typists (\$26,279 + Fringe) 	\$203,000

Public Works/Highways

For decades, the Steuben County Legislature has supported the maintenance of roads, bridges, and machinery in Steuben County, and this commitment continues in 2020. The County is responsible for the maintenance of approximately 680 miles of roads and 189 bridges on County roads, in addition to supporting shared service work for Town and Village roads. This is not only a benefit to our residents, but to economic development and quality of life initiatives. Notable in 2020 is the sunset of enhanced Pave NY funds, which results in the reduction of capital expenditures for road construction and associated revenue of -\$1,011,150, while other operational line items have been funded at similar levels or greater. With these major changes in mind, the overall Public Works – Highway net costs have increased \$700,526 or 3.89% in 2020.

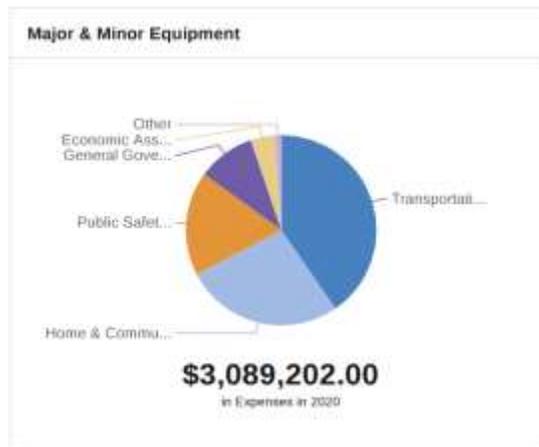


Equipment & Capital Projects

The 2020 budget also incorporates a continued investment in the procurement of equipment and execution of projects to help the County function in an efficient manner. The draft budget includes a County cost of \$143,071 for Minor/Small Equipment (less than \$3,000) per item, with significant portions allocated to the Public Works (\$47,900), the Jail (\$21,870), and the Sheriff’s Department (\$15,750).

The proposed budget also includes a large allocation for Major Equipment (more than \$3,000 per item), most of which are replacement of vehicles and equipment. The total County cost for Major Equipment is \$2,034,000, with the majority of funds going to Public Works (\$1.2 million), the Sheriff’s Department (\$391,000), Elections (\$128,000), and the Jail (\$59,920).

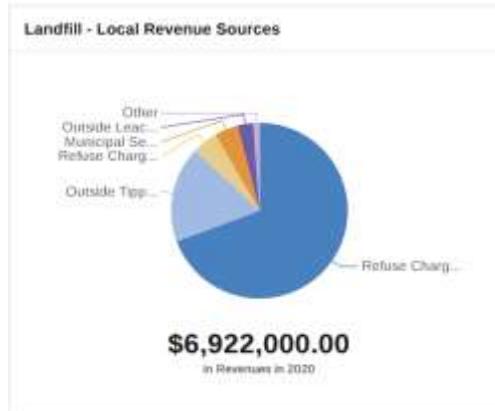
The 2020 budget also includes \$1,239,370 in County cost for general fund capital projects. This includes \$720,000 in projects for Buildings & Grounds (paid through the Building Renovation Reserve), \$535,220 for Information Technology equipment and projects, \$100,000 for future voting machine replacement, and \$416,350 for the local share of two major bridge replacements in Cameron and Erwin.



Landfill

The Steuben County Landfill is a great example of self-sufficient service, operating as an enterprise fund, outside of County general fund appropriations. While competition for refuse is always prevalent, our managers and staff, under the direction of the Public Works Committee and Legislature, have done an excellent job both maintaining and growing waste sources. This ensures that the Landfill division has sufficient revenue to invest in equipment and infrastructure to keep pace with current demands, while planning for future expansion. Unlike many other publicly-owned solid waste operations, Steuben also

encumbers funding to pay for long-term post-closure costs, many years in the future. In all aspects, the Landfill is a benefit to the County and its taxpayers.



COUNTY REVENUES

Sales Tax

Sales tax is always a critical component of the budget, and this fact is highlighted for 2020. During the past session, the New York State Legislature passed laws closing the loophole for third-party sellers on internet websites such as Amazon, Etsy, and others. This provides counties with an additional local share revenue stream, estimated to be worth more than \$500,000 for Steuben County. It should be noted here that the Legislature and Governor gave in one hand, but are taking with the other, withholding county sales tax dollars to pay for cuts made to AIM, making local municipalities whole. In our case, this is approximately \$235,000 taken from our sales tax collections to pay for a state obligation. While it has been framed as cost neutral to counties, it is an actual reduction in revenue due to us, and a very dangerous precedent of using growth in County sales tax to fund a State expense.

With that said, our year-to-date sales tax collections are up 1.01%. The Legislature has historically approached sales tax forecasts conservatively, as downturns can arise quickly and with little warning, creating a structural budget deficit. This has resulted in flexibility to appropriate additional sales tax revenue within the budget, providing some much needed cushioning of the dramatic increases in expenses we are projecting. With that said, the draft budget has increased anticipated sales tax collections by \$2,000,000 in 2020, totaling \$31,022,000. The following chart displays budgeted sales tax revenues for the last five years:

Five-Year Sales Tax Appropriations	
YEAR	BUDGETED SALES TAX
2016	\$27,800,000
2017	\$27,800,000
2018	\$28,307,000
2019	\$ 29,022,000
2020	\$ 31,022,000

Fund Balance

The tentative budget includes a General Fund appropriation of \$6.34 million for 2020, which is level in comparison to 2019. In addition, there is an appropriation of \$620,000 in D Fund balance (Highway), and an appropriation of \$40,000 from the Economic Development Fund Balance, both level with 2019 allocations. All of these appropriations are reasonable and assist in the overall management of funds.

Interest Earnings

Interest earnings continue to be strong for the County, which provides much needed revenue in a difficult year. With earnings on the rise, we have anticipated an additional \$240,000 in interest earnings for 2020, for a new total of \$1,200,000.

Property Tax Levy & Rates

With thorough review and guidance by the Finance Committee and the Legislature, and the tremendous efforts of our department heads and staff, the 2020 budget carries a minimal tax levy increase. While we were successful in reducing the tax levy for three straight years coming into 2020, the expansion of costs forced a modest levy increase.

The proposed 2020 tax levy represents an increase of \$536,224 or 1.07%, well within the parameters of the Property Tax Cap, or approximately 30% of our allowable limit.

In addition, for the seventh consecutive year, the proposed budget shows a decrease in the average full value tax rate. The average rate for 2020 is estimated at \$8.07 per thousand, representing a decrease of - 2.18% from 2019 levels.

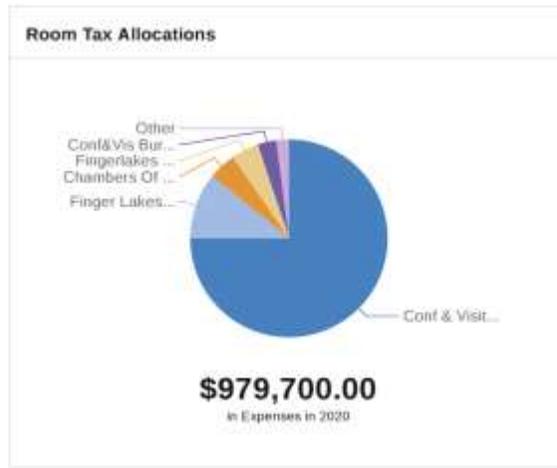
The property tax collections and average full value rate for the last five years are as follows:

Five-Year Tax Levy & Tax Rate Comparison		
YEAR	PROPERTY TAX LEVY	AVERAGE RATE PER THOUSAND
2016	\$50,010,577	\$8.59
2017	\$50,008,771	\$8.46
2018	\$49,997,912	\$8.44
2019	\$49,989,115	\$8.25
2020	\$50,525,339	\$8.07

Room Tax

The collection of room tax remains a critical dedicated revenue source for Steuben County which serves to fund our tourism promotion agencies. These organizations, most notably the Steuben County Conference and Visitors Bureau, work diligently to attract tourists and promote the quality of life and experiences available in this county.

For 2020, we are projecting close to \$50,000 in revenue growth, largely attributable to additional funds from our recently enacted voluntary collection agreement with AirBNB. Total anticipated room tax revenue for 2020 is \$975,000, all of which is distributed to our tourism-focused agencies as shown in the graph.



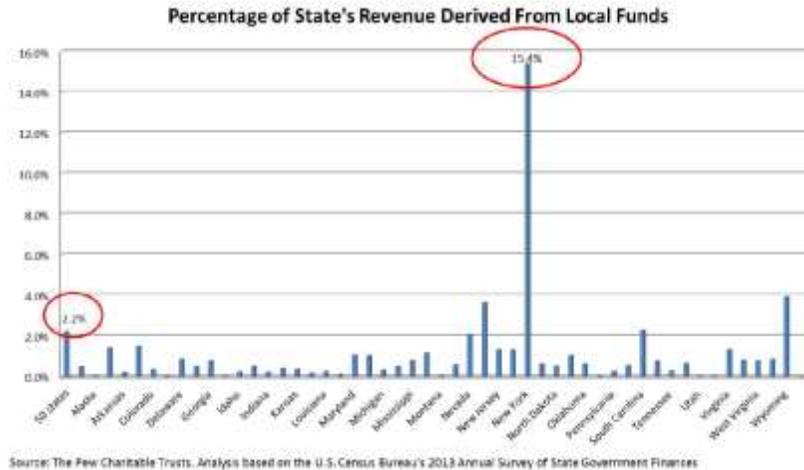
Local Impact of State Mandates

\$.90 of Every \$1.00 Raised in Property Taxes in Steuben County Pays for 9 State-Mandated Programs



As always, it is important to highlight the local impact of State mandates. As well documented by the New York State Association of Counties, the nine largest State mandates account for approximately 90% of Steuben County’s property tax levy. This does not factor in the cost of the more recent State reforms that were discussed above, or the significant cuts in reimbursement for Public Health, Probation, Social Services, and others in the past two decades.

New York State relies upon local sources of revenue to fill their budget gap every year; at a massively disproportionate rate in comparison to other States across the country. So when the Governor and Legislature bemoan the property tax burden in New York, it can be directly attributed to their reliance upon local government to help fund state operations through property taxes.



Jack K. Wheeler, MPA
Steuben County Manager

Mr. Swackhamer asked what would be the impact if you had added the Community Colleges? Mr. Wheeler replied it would have been well over 100 percent.

BUDGET WORKSHOP

Chairman Hauryski stated he would like to thank the Finance Committee, all Department Heads, Mr. Donnelly and Mrs. Hurd-Harvey for the super job they have done year in and year out; it has shown year to year.

Mr. Malter asked with the sales tax revenues, is there a way to break out the internet sales? Mr. Wheeler replied to his knowledge, no. Mr. Donnelly explained the information they get is nine months delayed. Mr. Wheeler stated we will keep you posted. We can get some general aggregate data from NYSAC and we will share that with you.

Mr. Mullen stated he does not think we should add the two additional District Attorney positions as he feels it would be good to have additional data. He doesn't know if anyone else agrees.

Mr. Maio stated he understands the need that has been presented by the District Attorney for these positions and he intends to keep an eye that these positions will be used for what they are anticipated for. He wants to make sure that the District Attorney complies with the spirit of the law.

Mr. Van Etten commented one thing to point out with this budget is that we enjoyed a number of good years and this year was a bit of a challenge. One thing that helped was that we are in a good market period and our pension costs did not increase.

Ms. Fitzpatrick stated during the budget process we discussed how investment in our road system is critical. She feels roads are in very good shape and that is one of the biggest benefits that we can offer to the taxpayers. Additionally we had looked at the navigation budget for the Sheriff with respect to anticipated revenues based on our percent of cost. Mr. Wheeler stated we did reduce the projected revenues. When you took out the increase in temporary hires, we also took out the corresponding revenues. Ms. Fitzpatrick commented the costs there are increasing and she is concerned that we are investing a lot of money into that budget and she hopes that the level of public safety we provide does not decrease.

Mrs. Ferratella commented with regard to the District Attorney's situation; they are having difficulty finding attorneys and once hired, they are at will employees.

Mr. Swackhamer asked did we actually hear from anyone about what would happen if we do not comply with the new discovery requirements? Mr. Baker replied if we do not comply, our cases will be dismissed. This is mandatory and if we do not comply, the court will sanction us and dismiss cases. We are going to maintain and do what the State tells us. We will not be enhancing public safety by doing this; we are just complying with the State mandate and this will not make people any safer. To Mr. Maio's comment, he has to comply with the statute. Mrs. Lando commented she is still concerned about where we will put all these people and equipment.

Chairman Hauryski closed the budget workshop as there were no further questions.

RESOLUTION NO. 190-19

Introduced by B. Schu.

Seconded by J. Malter.

PRESENTING LOCAL LAW TENTATIVELY NO. FOUR FOR THE YEAR 2019, ESTABLISHING THE ANNUAL SALARIES OF CERTAIN ELECTED OR APPOINTED OFFICIALS AND DEPARTMENT HEADS OF THE COUNTY OF STEUBEN WHO HAVE A FIXED TERM OF OFFICE FOR THE FISCAL YEAR 2020.

Pursuant to Sections 200, 201 and 214 of the County Law and Sections 10, 20 and 24 of the General Municipal Law of the State of New York.

WHEREAS, pursuant to the Steuben County Management Evaluation and Salary Plan, as revised, Management employees, with the exception of elected positions, had performance evaluations conducted; and

WHEREAS, pursuant to the Plan, all salary adjustments for Management employees are based upon the reviews conducted pursuant to said Plan; and

WHEREAS, the Administration Committee has approved salaries for all Management employees, except Legislators, based upon performance evaluations; and

WHEREAS, the Administration Committee has reviewed and studied the evaluations pursuant to the Plan concerning the salaries of certain elected or appointed officials of the County of Steuben who have a fixed term of office for the Fiscal Year 2020, which individuals are presently serving mid-term; and

WHEREAS, said Administration Committee has recommended County of Steuben Local Law Tentatively No. Four for the Year 2019, establishing the annual salaries of such appointed officials for the Fiscal Year 2020.

NOW THEREFORE, BE IT

RESOLVED, there is hereby presented to each member of this Steuben County Legislature Local Law Tentatively No. Four for the Year 2019, Establishing the Annual Salaries of Certain Elected or Appointed Officials and Department Heads of the County of Steuben who have a Fixed Term of Office for the Fiscal Year 2020, as follows:

COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. FOUR FOR THE YEAR 2019

A **LOCAL LAW**, Establishing the Annual Salaries of Certain Elected or Appointed Officials and Department Heads of the County of Steuben who have a Fixed Term of Office for the Fiscal Year 2020.

Be it enacted by the Legislature of the County of Steuben as follows:

SECTION 1: Except where inconsistent by operation of law due to prohibitions of increases of compensation during a fixed term of office for County officers and employees as provided in County Law §201 and Municipal Home Rule Law §24(2)(h), the “Steuben County Management Evaluation and Salary Plan”, Administrative Code of the County of Steuben Part XV be, and the same hereby is, applicable to officers and employees having a fixed term of office, whether elected or appointed, as are any and all resolutions of the Steuben County Legislature relative to rights and entitlements of County executive and management personnel.

SECTION 2: Effective with the first county payroll for the County Fiscal Year 2020, the annual salaries of the certain elected or appointed officials and department heads of the County of Steuben who have a fixed term of office are hereby established for the Fiscal Year 2020 as follows, to wit:

<u>TITLE</u>	<u>2019 SALARY</u>	<u>2020 SALARY</u>
Commissioner, Public Works	\$108,923	\$115,821
Commissioner, Social Services	\$108,923	\$115,821
Commissioners of Elections	\$54,637	\$56,003
Clerk of Legislature	\$71,780	\$73,879
County Attorney	\$130,731	\$134,380
Personnel Officer	\$88,616	\$93,774
Director of Real Property	\$68,125	\$72,739
Sheriff	\$90,000	\$93,774

SECTION 3: Should any of the above positions become vacant and subsequently filled by one other than the present incumbent, the salary shall in that instance be set by the Legislature prior to filling said vacancy.

SECTION 4: If any part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 5: This Local Law shall become effective, subject to a permissive referendum, forty-five (45) days after the date of its final adoption and on the date it is duly filed in the Office of the Secretary of State of the State of New York and in accordance with the provisions of the Municipal Home Rule Law of the State of New York.

BE IT FURTHER RESOLVED, before said Local Law is adopted by the Steuben County Legislature, a Public Hearing shall be held at the Special Legislative Meeting on November 25, 2019, at 11:30 A.M. or such other date and time that may be adjourned, at Steuben County Offices, 3 East Pulteney Square, Bath, New York 14810, and the Local Law is subject to a permissive referendum of the qualified electors of the County of Steuben by filing of a legal petition

within forty-five (45) days after its final adoption, with the Clerk of the Legislature of the County of Steuben protesting such Local Law; and be it further

RESOLVED, the Clerk of the Legislature shall cause a notice of said Public Hearing to be posted at the Courthouse in the municipality of Bath, Corning City Hall, and the DMV office in Hornell, have said notice published for one insertion in the two official newspapers of the County, and shall cause such posting and publication to be completed at least five (5) days prior to the date heretofore set forth for the Public Hearing, with proof of posting and publication to be filed in the Office of the Clerk of the Legislature; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Commissioner of Finance, Personnel Officer, and all appointed and elected officials mentioned above.

Vote: Acclamation – Adopted.

RESOLUTION NO. 191-19

Introduced by B. Schu.

Seconded by G. Swackhamer.

ADOPTING THE HEALTH INSURANCE PREMIUM PERCENTAGES AND REVISING THE HEALTH INSURANCE BUYOUT OPTION FOR COUNTY LEGISLATORS.

WHEREAS, the Administration Committee has been examining Health Insurance Benefits of County Legislators; and

WHEREAS, the Administration Committee is recommending the health insurance premium percentages for County Legislators be parallel with the health insurance premium percentages for management employees; and

WHEREAS, the Administration Committee is recommending that County Legislators have the ability to opt out of the Steuben County health insurance/hospitalization coverage and receive an annual buyout incentive.

NOW THEREFORE, BE IT

RESOLVED, the health insurance premium percentages for County Legislators be as follows:

Effective Date	Individual Plan		Family Plan	
	with Wellness	without Wellness	with Wellness	without Wellness
January 1, 2020	14%	19%	14%	19%

AND BE IT FURTHER RESOLVED, the health insurance annual buyout policy for County Legislators is as follows:

Insurance Buyout:

A County Legislator may opt out of Steuben County health insurance/hospitalization coverage and receive an annual buyout payment of \$1,500. The Legislator must submit notice to opt out to the County Personnel Department by December 1st of the current year which will be effective January 1st of the year immediately following. Newly elected Legislators must submit their notice to opt out to the County Personnel Department by January 1st of the year they take office, then by December 1st for subsequent years. The County Legislator will receive the buyout payment on December 1st of each year that health insurance/hospitalization coverage was not taken. (See example below.) The County Legislator must show proof of current health insurance/hospitalization for self and family, if applicable, and sign a certification that he/she will keep this coverage through December 31st of each year. A County Legislator whose spouse is

also employed by Steuben County is not eligible to participate in the buyout program. A County Legislator who is covered by Steuben County health insurance for all or a portion of a year will not qualify for the buyout payment for that year. (Any County Legislator, who opts back in, after having opted out, will not receive any payment for that calendar year that coverage resumes.) A life-altering event (for example, but not limited to death, divorce, lay-off) may allow the buyout decision to be rescinded. Reinstatement to the County health insurance plan shall occur approximately one month following notice of the decision to rescind.

Example

Decide to opt out	No Health Insurance	Buyout payment
December 1, 2020	January 1, 2021	December 1, 2021

AND BE IT FURTHER RESOLVED, the County Legislators health insurance premium percentages shall be the same as management health insurance premium percentages for 2020 and thereafter; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Commissioner of Finance, County Manager, Personnel Officer, and each County Legislator.

Mr. Roush stated the intent of this resolution is to address the disparity of compensation of the legislators and it does not do that. This is status quo and makes it more difficult to address this same problem next year. All it does is increase the compensation for legislators by \$37,000, including the next resolution increasing the salary for the Chairman of the Legislature. He stated he is very opposed to this as there are better solutions and this is not good legislation.

Mr. Mullen asked how does it increase the salaries by \$37,000? Mr. Ryan stated that is total salary plus benefits. Mr. Swackhamer stated this gives legislators that do not take the insurance a \$1,500 stipend and decreases the copay for those that do take the insurance. The next resolution doubles the Chairman's salary.

Mr. Mullen stated the reduction in the insurance contribution is basically bringing it back to what it was **eight** years go. Mr. Roush stated the legislation that was done several years ago addressed the disparity. This resolution reverses that and makes the disparity worse; it is going in the wrong direction.

Mr. Van Etten stated what we did years ago was not about the disparity with legislators, it was the disparity of all legislators to part-time and full-time county employees. This recognized full-time benefits by part-time people.

Mr. Swackhamer stated he was on the committee when the decision was made and the intent was to change the disparity.

Mr. Maio stated he knows this job is part-time for all of us, but there are a great majority of us who have a full-time job. This is additional work to our full-time job and creates time constraints. When he ran four years ago and then again this year, he did not know how much he was going to be paid or about health insurance, but he didn't begrudge himself and it should be a benefit for serving the public. He understands Mr. Roush's point, but he doesn't feel apologetic for doing this and does not consider it unfair to anyone.

Mrs. Ferratella stated she wants to make sure that everyone understands that we polled other counties and we are unpaid compared to those other counties. Since we are not under a County Executive, we do more work and she thinks the benefits are legitimate.

Mr. Roush stated one thing that he would like to bring to everyone's attention is this resolution causes you to have to opt out of insurance instead of opt in. If all 17 legislators opted in under the family

coverage, that would represent over \$300,000 in cost to the county. You have to opt out by December 1st and also have to prove that you have other insurance.

**Vote: Roll Call – Adopted. Yes – 8105; No – 1316; Absent – 451
(No – Legislators Roush and Ryan; Absent – Legislator Weaver)**

A M E N D E D

RESOLUTION NO. 192-19

Introduced by B. Schu.

Seconded by J. Malter.

ESTABLISHING THE 2020 ANNUAL SALARY FOR COUNTY LEGISLATORS AND THE CHAIRMAN OF THE COUNTY LEGISLATURE.

WHEREAS, the salaries proposed to be fixed and paid for the Year 2020 must be included in the Notice of Public Hearing on the Tentative Budget for the Year 2020; and

WHEREAS, the Administration Committee on October 28, 2019 reviewed and recommended that each Legislator's salary for the Year 2020 be set at \$12,500.00 per annum and \$24,500.00 per annum for the Chair of the County Legislature.

NOW THEREFORE, BE IT

RESOLVED, the annual compensation for County Legislators shall be \$12,500.00 per annum and \$24,500.00 per annum for the Chairman of the County Legislature; and be it further

RESOLVED, said annual rates of compensation shall be effective commencing January 1, 2020; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Clerk of the Legislature, Commissioner of Finance, Personnel Officer, and the members of the Steuben County Legislature.

Ms. Lattimer stated she would like to amend this resolution being that it has been discovered that no accommodation has been made in the Charter for the Vice Chair to be compensated at a higher rate.

Motion amending the resolution to remove all references of Vice Chair made by Ms. Lattimer, seconded by Mr. Malter and duly carried.

Vote: Roll Call – Adopted.

Motion to adjourn made by Mr. Swackhamer, seconded by Mr. Schu and duly carried.