



## **Tioga County Legislative Worksession Minutes** **June 20, 2019 – 10:00 a.m.**

### **Legislators Present:**

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

### **Legislators Absent:**

Legislator Balliet

### **Guests:**

Matt Freeze, Morning Times

### **Staff Present:**

County Attorney Peter DeWind  
Legislative Clerk Maureen Dougherty  
Personnel Officer Bethany O'Rourke  
Chief Accountant/Budget Officer Rita Hollenbeck

### **Call Meeting to Order –**

Chair Sauerbrey called the meeting to order at 10:03 a.m.

### **NYSAC Conference Update –**

Chair Sauerbrey gave an update from her attendance at the NYSAC Conference. It was very good and informative, we spent a lot of time talking about IT and what different counties are doing and at the same time there was a NACO Conference, which is the National Association of Counties and they were talking. Their whole focus was on IT there as well, so there were people from different States and they talked about their projects that they were doing and it was interesting because they are right up there. They are right up there doing what we ought to do and we are very fortunate to have them.

An interesting anecdote, there was a gentleman who was out of Myrtle Beach and he shared that hiring for IT people was very difficult there because that whole



economy is based on tourism and then on healthcare, so they can hire IT Directors, but they do not like to stay there because there is no connectivity with other like minded people and also if they have a trailing spouse there is either hospitality or working for healthcare. Interesting story.

## **Other highlights –**

### **Cashless Bail -**

Chair Sauerbrey gave a couple of highlights. We talked about cashless bail, which is something that the Governor is implementing and the effect that will have on jail headcount.

Legislator Sullivan inquired what the deal with that was. You said that in order to not being given bail the District Attorney's Office has to appear and make their case.

County Attorney Dewind stated that that is what he wants to do. It is going to be more of automatic, people with lower level crimes, simply released on their own recognizance.

Legislator Sullivan inquired if that is the same as cashless bail.

Chair Sauerbrey indicated that it kind of was. It could be as much as a 40% reduction in our headcount at the jail, so I talked to the Sheriff and I said does that sound like that and he stated that it could be that high. You know how our jail is pretty much 70+ people in the jail and so we will take a hit on that, but we will have to see how that plays out.

Legislator Weston stated that we will not take a hit though on our own people. I mean we do not get anything back on them anyway, it is only other people that we take in. Isn't that true?

Chair Sauerbrey indicated yes. This is just a reduction in attendance.

Legislator Sullivan stated that it will not reduce staffing requirements probably because we have to follow regulations.

County Attorney Dewind stated that we will just have fewer inmates and the same number of people having to lodge them unless you have enough of a reduction where you can completely drop a pod.

# Legislature



Legislator Roberts stated that maybe overtime will go down and that is what is killing us anyways.

Legislator Sullivan stated that she did not believe you can drop a pod unless you get approval from the State.

County Attorney stated that you have to go through a whole process and I think the numbers will need to be lower for a longer period of time.

Legislator Mullen stated that he is not sure that initially the population is going to go down, but the number of people who usually get put in on bail, they are bailed for a reason, so there are going to default ROR. ROR is a form of that and they are going to fail to meet the requirements for an ROR. What you are going to end up having is a lot of more bench warrants for people that are going to be issued, which is going to require more personnel and more effort on the Sheriff and other agencies to go find these people that never showed up on their appearance ticket.

## Voting –

Chair Sauerbrey stated that this is a discussion about the law that now allows all people, not only County employees, three hours off to vote.

Personnel Officer O'Rourke stated that as you know we issued that posting that is required, which advises employees of that right to take up to three hours off either the beginning or the end of their shift if that is required in order for them to vote. There was a fair amount of feedback when that posting was issued and I developed a form then that I issued about a week later, which employees who are requesting said time off are required to fill out and explain why it is required that they have that time off to allow themselves to get to the polls. This was as a result of having some conversations with Jim Roemer, our Labor Counsel on what can we do here to kind of have some control over all of this so it does not just run away on us. He indicated that it says in here that if it is required for them to take the time then they are eligible, so probe about why it is required and that is why I focused in on that. Then I issued that form out to all Department Heads and on the Internet.

Before I got the first request in, I got a call from our Board of Elections telling me that they had some questions about the form so they consulted with the State Board of Elections about our authority to ask about why it is required and I asked why they felt that was necessary for them to call the State. The Board of Elections State Counsel advised that we have no right to inquire about that, that this is a statutory



benefit for employees and we should not be asking. I said well thank you for the information and I appreciate your sharing, but I am not going to change our course of action on this. Then I started to get the requests coming in and the first one that came in indicates and I want to share with you just because this is why I am here because I want this to be a group conversation so I can get some guidance on how far you want to push this. The first request that came in says that after work my family has preexisting commitments, we are unable to change preventing me from getting to the polling establishment during scheduled polling hours. Very generic, does not really tell me much, maybe it is a soccer game, I have no idea what is after hours. In my opinion I am inclined to get back to this person and say either this is denied because there is not sufficient information provided to justify that it is required or do I accept it as is because at least they offered something? That is the conversation I want to have with you because if I start pushing this and probing I want to make sure I have your support on moving forward with this.

The second request came in, which was to go vote on the school budget Tuesday and I denied that and I said that school votes are not covered by that provision of law. That provision says voting time is a result of Election Law and school votes are governed by Education Law, so I denied that one flat out and I feel pretty confident in that, but before I reply to this other one about the primary next week I wanted to have this conversation with you all because like I said before I head down this road of poking this and prodding and putting some restrictions on, I want to know what your feelings are, I do not want to go out on a limb on my own and then have it come back to haunt me.

Chair Sauerbrey stated that she thinks we have the ability to look up and find out if they are registered.

Personnel Officer O'Rourke stated that she intends for any request that is approved she intends to go to the Board of Elections after the elections and verify whether the person voted and what time of day and so on. My understanding from our Election Commissioners is that it is public information, they have some sort of keyKOS or computer out there that I can just go in and type in by name and find that out, and I will do that.

Chair Sauerbrey stated that the other thing it says is it is up to three hours. Now I understand the concept of three hours for people that live in the City of New York. It could take you all day to get across, however the person probably works locally and how long does it take them to get out to the DSS Building and vote. Discussion



here, so we will say we will approve you, but we are only going to approve you for half an hour.

Legislator Hollenbeck inquired if we can do that.

Legislator Monell indicated that he did not think we could.

Chair Sauerbrey stated that it says up to.

Personnel Officer O'Rourke stated that I think what you do not know is what we would not know and that person would not know is when they leave work, assuming they are doing it at the end of the day, are they going to encounter a line when they get to their polling place. We obviously do not have any control over the situation at the polling place. We can estimate the travel time and so on.

Chair Sauerbrey inquired if we had legs to say you can leave at 4:00 because you cannot leave and then come back.

Legislator Monell stated that he believes once you make the approval you pretty much put yourself in the position that you are going to vote.

Personnel Officer O'Rourke stated that in this instance the one I am asking about is the person was asking for three hours. The one I denied for the school budget vote that person was asking for an hour and a half.

Chair Sauerbrey stated that they do not need three hours to vote.

Legislator Hollenbeck stated that that one needs more detail.

Legislator Mullen stated that we are talking about County employees, the vast majority of them work in the local area. We are going to have early voting, which we have to do. I understand not for the primary, but for anything in the general election. We can say look we can give you half an hour on your lunch hour or half an hour before work or after work.

Legislator Monell stated that we cannot make the law though. The law says they can have three hours. We cannot tell them that you are going to get your lunch hour. The way I am reading that you cannot do that.

Legislator Hollenbeck stated that I think the three hours is the three hours.



Legislator Monell stated that either you are going to give them time to do it or you are not.

Legislator Sullivan stated that the law does not give employers any teeth whatsoever and once I grant him this much time and her only that much time and times that by how many employees. The State Elections said you do not have any right to ask why they are requesting.

Personnel Officer O'Rourke stated that we are going to counter that we have that right, to establish whether it is actually a requirement for them. There are other counties in my conversations at a recent conference I attended of my peers and also through conversations with Jim Roemer, there are other counties doing other things. Some other counties are requiring they charge leave time for the time off. There are counties that are requiring an affidavit be submitted as proof that they attended the election during the time that they are saying they are going. He said what we are trying to do is pretty mild in comparison with some of the things that are out there and I do not doubt as a result of some recent case law to clarify this because it certainly was not thought through. I agree it was intended to pertain to people downstate, but we are not downstate and it would be nice if Albany for once realized there is something other than Westchester County. In the meantime we have to live with the law that they passed. I do not know that I necessarily want Tioga County to be one of the case law victims. I do not want to be forging new ground there.

Legislator Monell stated that that is a valid point. Did you have a conversation with Roemer after you talked with the Board of Elections and let him know what they told you?

Personnel Officer O'Rourke indicated that she had. He said he was not at all surprised by their opinion because they are political appointees of the Governor's. They are going to have the same liberal views the Governor did in passing this law. Jim offered, he said he is happy to be part of a conversation with you all if there are any questions or concerns or whatever. I agree with him, he was like you have to talk to your Legislature and see what your wishes are because I am not going to do this on my own.

Legislator Weston inquired if you could change the rules as time goes on other than the three hours. I think if you start making all these different rules you are opening yourself up for a real headache as far as trying to track people down and what is





going to happen, but if you can see if there is an abuse to it, then you could see what the abuse would be and then factor that in to trying to correct that rather than just say this is what is going to happen, you have to sign this thing and so on because I do not feel most people would take advantage of it to be very truthful. It might be beneficial to us if they did get out and vote if that is the case, it might push them to vote. As far as what we would like it does not make any difference, but if you set up a whole set of rules and you get a whole lot of violations, and I do not know what then happens because if you end up going to court or we end up with problems with people that are in charge versus the employee and all that kind of stuff. I would be in favor of just doing it the way that we are supposed to and see if we are having people that are abusing it and if they are then you could write the rules that would justify what we are doing as a result of maybe the way it is. I do not know.

Personnel Officer O'Rourke stated that her thought was try to get in front of it and put some mechanisms in place to try to eliminate the opportunity for abuse if possible.

Legislator Hollenbeck stated that you can always tweak them after the fact.

Chair Sauerbrey stated that there are not alternate times to go this time, but in the fall there is going to be nine days where a person can vote, on the weekends, at night because it is going to be a different look at that then. Why can't you go on a Saturday, why can't you go on a Sunday?

Legislator Roberts stated what is this particular person going to respond and say to that and they are like I'm busy.

Legislator Standinger indicated one thing to inject, there is a dynamic here that we are not really considering 100% and that is CSEA. There is an agenda I am sure statewide to challenge this, you are entitled to it you know, make sure you take it because CSEA I am sure is lighting the fire behind this.

Legislator Mullen stated just in quick number and this is worst case scenario that I am looking at. You got about 460 employees, that is 4140 hours of leave they can take. Those elections, primary and general election that would be 4140 more hours of annual leave. Our average county employee makes about \$20 to \$25 an hour, that is \$103,500 more a year in leave costs to the county. If you take your three hours three times a year and piggybacking on what Bill said, the Unions are going to tell people that is a benefit that you have now, make sure you take it. I like the



general election one, look walk down the hall and vote anytime you want in these nine days, you have early voting, but the primary and the local elections I will not be surprised if the statewide unions telling people to take every bit of leave that you can get.

Personnel Officer O'Rourke stated that one of the points Jim Roemer made was he said if it was the Governor's intent or the Legislature's intent that everybody that takes three hours off to vote then they would have said that. It does not clearly state that, so he does not believe that they were intending for Government offices to shut down three hours early in the afternoon on voting day, that they were trying to provide assistance, but they were not looking for everybody to necessarily take advantage.

Chair Sauerbrey stated that we have one location for the primary.

Personnel Officer O'Rourke stated that there is one location for the extended voting right now, but I think the primaries there is all the polling places.

Chief Accountant/Budget Officer Hollenbeck stated just like any other benefit there are requirements tied to it, whether it is sick time, vacation pay out, any of those, so you have already tried to get ahead of it as far as requirement to just fill out a form and justify why they need and approximately what amount of time they need, probably it is sufficient to at least have the employee initiate something if they desire to even take hours off because a lot of people are not going to even bother with the paperwork. They are just going to go vote like they always have and not even pay attention to the three hours. Most of the people are conscientious enough to do it before or after work and not take time off.

Legislator Monell stated that much of the people are going to take the time if it is available.

Legislator Sullivan stated that if they do not do it the first time and they see five other coworkers leaving, they will say I am an idiot for just not going.

Legislator Monell stated that if they take off three hours, they go vote it takes 10 minutes and then they have 2 hours and 50 minutes of do whatever I want time. We could be all wrong, it could be like there is going to be three people that take advantage of this and everybody else is going to keep doing what they do.





Legislator Weston stated that is my thought if you look at it first from the first time, number one all the other counties that are going to do things are going to have that argument and you are going to be able to find out without us having to go through it, to find out what is going on and what works and what does not as far as what the law goes. I do not even take into account somebody has an auto accident or what do you do, you have to do all this stuff. We do it for the people that have to go get their insurance reduced and all that stuff and violence in the workplace and all this stuff. I do not know.

Chair Sauerbrey inquired if anybody has any constructive guidelines for Bethany or are we just going to ride with what the law says?

County Attorney Dewind stated that so you are asking whether we are going to go with three hours versus drilldown into how much time they actually need?

Personnel Officer O'Rourke stated no. I am asking how much you want me to push the employee to get specific details on why it is required for them to take the time off. The form that came in was very general in why it was required, do you want me to push this person and say insufficient information was provided or do I simply accept it because they at least offered some explanation as vague as it was? How far do you want me to take this?

Legislator Mullen stated here is my thing with a little history to it. We have had to in the State Police request personal leave. You had to put on there why and they would get kicked back if it was not a good enough reason. Request eight hours personal leave and you had to give a reason because there were scheduling issues. I think it is all right to say listen people take government jobs you know that the mission of whatever agency you work for takes precedence, but coverage in the office is necessary.

Legislator Monell stated that we do not have a negotiating point here with anybody. Let's say that everybody in the entire County said I want to have three hours to go vote. If everybody came, we cannot say well you cannot have it because we have a scheduling conflict because the law says, according to what the new law is, they all have the opportunity to take that time. If they all decided, everybody all 400 employees for the County decided that they needed to have this time to go vote we do not have anything to say about it. Am I correct in what I am saying here?



Personnel Officer O'Rourke stated that was right. The only thing we can hang our hat on is like I said the law says if they require the time off in order to vote, so what we are trying to push is that requirement. Why it is required.

Legislator Sullivan stated that gets really subjective. You require it because I think your reasons are good.

Legislator Roberts stated that person is totally not even close to being specific.

Personnel Officer O'Rourke stated that is also why I asked for the forms to come to me because I was hoping there would at least then be some consistency in the determinations and I do not have this department head saying okay that is a valid reason and this one saying no.

Legislator Sullivan stated that she thinks we are getting ahead of it somewhat because it shows that there are concerns do you really need three hours off, but then the details of deciding, your form convinces me your form does not get into a real hairy situation. I think maybe the first pass we continue with the form. A lot of people are not going to bother with the form. Let's see what happens.

Legislator Weston stated that he agreed with that, if you take and go through one year of it and look at it, see what your problems are and if there are problems then we try to design something that will take those problems away rather than trying to set up a whole set of rules. You know what happens when we end up here, they send down a mandate and say this is what is going to happen, but they do not tell you any of the rules, especially like with Probation and all that kind of stuff. It just creates headaches and I do not think that everybody is going to violate the rules and take the full three hours.

Personnel Officer O'Rourke stated that her concern with Loretta's approach is that I think this is the opportunity to set the parameters because if we allow next time they are going to say well you accepted this explanation last time around.

Legislator Sullivan stated or we can just say we have looked at the data of what occurred and we have put more stringent rules in place.

Chief Accountant/Budget Officer Hollenbeck inquired if you can just list on that form an attestation that makes a statement that they are signing saying they are not available for early voting or any time during the workday to vote on a day of voting and they have to sign that. On the form that they are requesting the time,



is there any reason why you cannot add an attestation on there that they are not available during any of the period of time for early voting and/or any other time. You cannot control it, but they are validating in their reason that they are not available from nine days prior to an election or the day of the election outside of work hours. At least they are attesting.

Personnel Officer O'Rourke stated that I think you could do that, my question is what is the value of that?

Chief Accountant/Budget Officer stated that she is not going to sign something that is not true.

Legislator Mullen stated that you are offering false business records.

Personnel Officer O'Rourke stated how do you prove it is false that they did not have one hour of free time in those nine days.

Legislator Mullen stated that was not what he was saying. I am saying that they actually went and voted when they said they needed the time to go vote, that they go in that block of time. If this gets abused and you are going to find people doing that and the first time someone says hey that will put a screeching halt to it because nobody wants to get jammed up. In the State Police the guys put in leave request and have them denied because of operational needs, but I know it is voting and it is a civil right and all that, but you can control the use of leave and I think Bethany is right. I do not think you are going to get much blow back when you say be more specific.

Legislator Sullivan stated that is where I was going. If there is pushback on this particular example, we need more specifics, how about if I the person who wrote this said well that is my personal time, those other hours and it is none of your business. I do not have to tell you.

Legislator Mullen stated those eight hours you are supposed to be here is the people's time and before we give you more of your time.

County Attorney Dewind stated essentially it has made some of the people's time a time in which you can vote. Part of this is to create so you can go and vote during the people or the employer's time.



Legislator Mullen stated I can see an example if someone was over in Chenango County or something and they want to go home and vote in a Village election where it would be three hours.

Personnel Officer O'Rourke stated that she would accept that.

Legislator Roberts stated that would be the specifics.

Chair Sauerbrey stated that we have other work to do. I do not know how to do this, but I here two things, leave it as is and then the other one is to leave it up to Bethany when she feels it is vague, give her the authority to say we need more details.

Legislator Monell stated here is the problem, Bethany does not want the responsibility of the person that did that, she wants us to make that decision and tell her what we want to do and are we going to back her up, that is what she is asking for. If we ask for more detailed information does she have the support of this Legislature to ask that question.

Chair Sauerbrey asked a raise of hands who would support that. There were seven hands raised with Legislator Weston no.

Legislator Clerk Dougherty stated would it help if when you go ask for more explanation if you had the signature of the Chair along with the Personnel Officer on that form so that they know she has the backing of the Legislature.

Personnel Officer O'Rourke stated it would be helpful and she will put the response on the form and get the Chair's signature on it as well and send it back to the person.

Chair Sauerbrey stated then hopefully they will give you more detail and if they say I live in Chemung, then fine.

Personnel Officer O'Rourke stated I would expect an explanation along those lines because that is reasonable, but this does not give me anything to go on.

## **Shared Services –**

Chair Sauerbrey gave an update on shared services. We are still required to go through the shared services process and to tell you that we have held two shared services meetings with Town Supervisors and Village Mayors. We talked about two



things. We talked about continuing IT services as we extend our services throughout the County. One of the communities that was involved in our initial plan that we submitted to the State was the Village of Owego. That would have been our next step, that would have been next year, however the Village is not far enough along in their new building process so we will not be completing that project next year. That is put to bed.

The other discussion that we talked about was countywide code enforcement. This has been a hearty discussion and is yet totally unresolved. The Council of Governments is talking about it in their meetings so we are making no progress on that. Elaine did apply for a grant through I think a Federal organization to study to see if it is even feasible. We will not know if that grant is awarded us until the end of the year, so the feasibility study would not be implemented until next year. That is the story.

What I am telling you is we had two meetings. We have closed the shared services. My job is to tell you that we had our two meetings. We will send any information to the State and we would have complied. This is again another state mandate that is put upon us that we have to do whether we like it or not and so we have complied.

Legislator Sullivan stated remind me what are the repercussions.

Chair Sauerbrey stated it is vague. There are none, but they could hold up money, they could make life miserable.

County Attorney Dewind stated that we already adopted a plan, just by January of next year we have to tell them if we are sticking with that plan or if we are going to try to crack it open and add things to it. What they did was because we held the two meetings, we decided we are going to stick with what we had, so if that does not change we will just pass that along to the State. If something changes and they want to add to this year, the Village, we would have to reopen the plan, we would have to have two public hearings, we would have to bring a plan to you. It sounded like the Village is not going to have the buildout completed so we are going to just push it over to next year and we will do the same thing, two meetings and we will have some public hearings, and then we will have a plan to present to you and get your opinion.

Chair Sauerbrey stated that you do not know the staff time it takes and we are talking about Peter.



Legislator Standinger stated so we have jumped through two hoops and we are okay for now.

**Budget Discussion –**

***Budget Directives/Budget Committee:***

Chief Accountant/Budget Officer Hollenbeck stated that she did not get any feedback so I presume that means that you trust me in developing this. The only feedback I got was the last meeting from Loretta as far as changes to make on it and I made those changes. The budget calendar and guidelines are in front of you. The only changes were that it was reorganized a little bit, just added one more bullet on the objectives and utilizing reserve accounts where appropriate. The rest of it pretty much is status quo from what it was last year and it is not anything that would not be accepted as an objective or a to do list on the Legislative part.

Departmental budget directives I reorganized and simplified because I always provide additional instruction and Munis helpful hints along with this generic directive that comes basically from the Legislature. I made sure that new positions and IT requests all say that the Legislative committee must also agree on these requests besides going to Personnel or Gary Hammond about vehicle or Doug Camin that these need to actually be brought up in the committee and go through the committee. The last thing that was added on it was hopefully the committee meeting and budget presentation I have clarified as much as possible to say the Legislature does not need to see every little detailed thing, send a copy to the Legislature ahead of time is what I am recommending to the departments so that the Legislature can look it over, but only to cover the highlights of increases, decreases, bottom line, local share, between year to year if it has increased, the significant capital requests, IT request, staffing changes and any new things that they have added. Those are pretty much the highlights you would want to hear and that is what I requested departments to do. In your committee meetings in early August when you have public safety for instance and you have a lot of budgets that you are covering and that sort of thing or public works or whatever, remember just the highlights.

Chair Sauerbrey stated that each committee is supposed to see the budget and its presentation is to be given to the committee at the August meeting. Any questions that we have we can go to Rita.

Chief Accountant/Budget Officer Hollenbeck stated that she will be reviewing the budgets and making recommendations for cutting or changing, but if I am making





a recommendation to this committee I would have already talked to the department head about it, saying I looked over your historical data and even though it went through your committee in early August, now that I have had time to review it throughout August and September, I am looking at a line item that does not quite look proper, I am already going to be talking to the department about it and if they are not in agreement with me and I am making a recommendation to you, I would have already talked to you about it even prior to coming to the committee. I would have already sent an e-mail to the head of that committee saying this is the reason why I am challenging that. I do not think there has been any surprises for the departments if I change a budget line item or to the committee after they have already seen it in early August. I try to keep both in the loop when I make any significant changes to a department's budget.

The budget book that I plan on providing to you in August or July possibly is going to be made up of eight tabs. The first thing that will go in it are the handouts from today so that you can reference them, timeline, etc., the tax cap levy and the constitutional tax limit information. I usually provide a one page budget summary that shows you your appropriations, revenues, local share and potential tax cap. That summary one will be provided. The outside agencies comparison from year to year, departmental budget if you want to keep your departmental budget or an overall budget in there, reserve and where we are at on debt, which I always provide every year, salary information and benefits of what they are supposed to be for 2020 budget year or any negotiated ones that have already passed, and of course last but not least the tax rate, which always comes at the very end of the budget session.

Personnel Officer O'Rourke stated that she can offer information to be included. We do tracking of headcount over a 10-year period. We could add to that booklet. There is a chart that is all county and then there are supplemental pages for each department.

Chief Accountant/Budget Officer stated that would be put under tab seven, which is going to be relative to salary and fringe benefits.

Legislator Sullivan stated at budget time is when the Legislature decides on salary increases for nonunion right and for the Legislature. What would be helpful is we could always ask Bethany is the historic what has been given in the past.

Chief Accountant/Budget Officer Hollenbeck stated that there is a timeframe that it has to be published in the paper, Legislative salaries, so usually September 1



believe is when the nonunion salaries are finalized, usually give or take around September because of the fact that the Legislative salaries have to be published. Nonunion salaries are discussed and then you specifically decide on Legislative as well.

Personnel Officer O'Rourke stated that the nonunion salary committee makes their recommendations I would say usually like in August or September, but I always consider those recommendations not to be finalized until either at a worksession or at some point during the budget process you guys say okay this is acceptable or when the budget is adopted in December.

Legislative Clerk Dougherty stated that the public hearing notice goes out when you set the public hearing for the budget, which is in November and the Legislature has moved the public hearing up for November, so we have to set the hearing at the October meeting. When you set that hearing you have to put a public notice out setting that hearing and in that hearing the Legislators salaries have to be published, not the nonunion, the Legislative salaries have to be posted and what the Chair is going to receive has to be posted.

Chief Accountant/Budget Officer Hollenbeck stated that calendar wise I have it scheduled for September 19, nonunion recommendations and Legislative salaries. Hopefully it will be a decided issue at that time.

Personnel Officer O'Rourke stated that the nonunion committee has a first meeting to start our conversations coming up, July 9<sup>th</sup>.

Chief Accountant/Budget Officer Hollenbeck stated that anything I bring to the workshops to add to the budget books I am creating for you I will also have electronically, so if you prefer not to have the book, just let me know. Sometimes it is easy to request last years and see the new year's for comparison. If I can provide the last year one as well, I will be happy to do that. If there are no changes or you are in agreement with what I have provided to you then this will go out the end of June to the departments.

Legislator Roberts inquired if that will be enough time to bring their budgets to us in August.

Chief Accountant/Budget Officer Hollenbeck stated that July 8<sup>th</sup> they will have their budget worksheet and they will have the whole month of July to work on it before their August committees.



**Approval of Worksession Minutes – June 6, 2019 -**

Legislator Monell motioned to approve the June 6, 2019 Legislative Worksession minutes as written, seconded by Legislator Hollenbeck with Legislators Hollenbeck, Monell, Mullen, Roberts, Sauerbrey, Standinger, Sullivan, and Weston voting yes with Legislator Balliet being absent. Motion carried.

**Action Items -**

Currently, there are no action items.

**Other –**

**Internet Sales Tax -**

Chair Sauerbrey stated as of June 1<sup>st</sup> the internet sales has been starting to be collected on sales tax. What they told us at NYSAC the villages will be paid out there what used to be called AIM funding before the end of the year. I am not sure of exactly when that is because their budgets start in April. It will be the end of the year before the towns receive what we call AIM funding. What happens is the sales tax goes to the State, the State takes out the AIM funding from the sales tax that was collected in Tioga County and paid out to the towns and villages. We do not get any specifics. We do not know what that is going to look like and I asked Rita to start looking at the sales tax report to see what they require. It is estimated by somebody that knows numbers the sales tax should increase, however I do not trust that.

Chief Accountant/Budget Officer Hollenbeck stated that half a million dollars almost is what the AIM funding is what they are going to make the county just hold this and supposedly we are going to be collecting that in internet sales tax. The problem is we have never gotten detailed information on what our sales tax is made up of. Commodity codes, we can find out and sometimes we know the type of gas increase has significantly impacted an increase in our sales tax because we get generic information like that, but the breakdown on what we get in sales tax in different areas we do not know and we do not get that information from the State of New York. Right now the sales tax that we are collecting starting in June I am pretty sure already included some internet sales tax with some of the bigger companies, so how much more we are going to collect over and above what we were already collecting and distributing to towns and villages already with the formula that local law has allowed us to do, I am not sure it is going to be at the tune of a half a million dollars to make them whole, so that means it is going to cut into our revenue and unless we pressure from the County Treasurer's Association or Comptroller or pressure NYSAC to get more detailed information to be an



advocate to the State to get more detailed information we just do not know what information is going to be provided to us or the breakdown to know.

## **Census -**

Chair Sauerbrey stated the census is coming, but something that I picked up while I was there I did not realize it that we will all be getting a letter in the mail with a code on it and we participate through the census electronically. It will be done on computer.

Legislator Roberts inquired who, everybody?

County Attorney Dewind stated that all who can.

Chair Sauerbrey stated that what she heard is everybody. What they are encouraging, meaning the census people, is for like nonprofit organizations and business offices to have a computer available for the public who may not have a computer.

Legislator Monell stated so you are telling me that they are going to count people based on what computer information they get back, that is what is going to be the count. What is people just do not bother. There are a whole bunch of people out there who do not have a computer or access to one.

Legislator Sullivan stated that this is instead of the census hiring people to go out and do census.

Chair Sauerbrey stated there are exceptions. They will go into the hinterlands is what they said. They are going to hire people after the process has begun when they do not get the numbers. They are going to send people to the hinterlands.

Legislator Sullivan stated so they are pushing the responsibility to nonprofit organizations.

Chair Sauerbrey stated no they are not pushing off, they are looking for people.

## **Executive Session –**

With no confidential topics for discussion, an Executive Session was not necessary.

Meeting adjourned at 10:55 a.m.

TIOGA COUNTY, NEW YORK

# Legislature

Ronald E. Dougherty County Office Building 56 Main Street Owego, NY 13827

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Next worksession scheduled for Wednesday, July 3, 2019, at 10:00 a.m.

Respectfully submitted,

*Maureen L. Dougherty*

Legislative Clerk