



Tioga County Work Session Minutes **August 20, 2020 – 10:00 a.m.**

Legislators present:

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

Legislators absent:

Legislator Monell

Staff present:

Peter DeWind, County Attorney
Jackson Bailey, Budget Officer
Cathy Haskell, Clerk of Legislature
Diane Stephens, Secretary to County Attorney
Ellen Pratt, Sustainability Manager
Bethany O'Rourke, Personnel Officer
Gary Hammond, Commissioner of Public Works
Joy Bennett, Director of Probation (*arrived @ 10:08 a.m.*)
LeeAnn Tinney, Director of ED&P (*arrived @ 10:08 a.m.*)

Call Meeting to Order: Chair Sauerbrey opened the meeting at 10:05 a.m.

Budget Update: Budget Officer Bailey reported he closed the department level budget entry. The 2021 Summary of Level 1 Preliminary Budgets by Funds only includes what was submitted by departments. For the General Fund, the total amount of appropriations submitted is \$60,588,971.18 with estimated revenue of \$25,932,397.65. Not included in appropriations is the amount for the tax cap, multiple sources of revenues, and inter-fund transfers. These numbers will be updated as the budget process proceeds. Using an estimated tax cap amount of \$25,000,000, which includes the tentative amount to the General Fund and Recycle Fund, the appropriated amount that has to come from the fund balance at this time without further correction is \$12,000,000. This is very preliminary and based only on departmental entry. Salaries are based on 2020 amounts and benefit amounts have not been updated.

Mr. Bailey reviewed the Department Level 1 "54" object codes, which are the primary object codes Departments were instructed to make the 10% cut against. Amounts highlighted in

green are grants or amounts the Treasurer's Office will enter later and are amounts not entered by Departments. The amounts highlighted in pale yellow are outside agency numbers. To date, Mr. Bailey reported he has only received numbers from Newark Valley Historical Society, which reduced its budget by 10%, the Berkshire Library with no reduction to its budget, and A New Hope Center (ANHC) with no reduction to its budget. The amounts highlighted in red are mandated services. The grand total of all funds is \$30,319,177.54, which compared to the 2020 departmental budget level entry of \$41,469,025.8, is a difference of 26.89%. Mr. Bailey reported all of these numbers are very tentative.

Mr. Bailey reviewed the Preliminary Tax Cap Analysis Worksheet. Mr. Bailey used a calculation based on the past four years resulting in an estimated amount of \$25,000,000 for 2021, which is a 1.4% increase from 2020.

There was a brief discussion about the 10% reduction requested from outside agencies. It was clarified the outside agencies were told that a 10% cut is the minimum they can expect. If more is needed, then they will have to reduce their budgets by an additional amount. In addition, it was reiterated that the 10% cut was not imposed on the outside agencies in their 2020 budgets, as this pertained only to 2020 County Departmental budgets.

Legislator Mullen stated he spoke with Superintendent Eric Knolles who informed him that school districts have been notified that their State Aid will be cut by 20%. Legislator Mullen reported if the schools are being hit with a 20% reduction, the County needs to be ready for the same.

Mr. Bailey reported Departments receiving State Aid need to start preparing for how they may have to pull their expenditure lines back because of State Aid loss. Mr. Bailey stated it would be a good idea for Departments, such as DSS, MH, and PH that are tied to State Aid, to identify which lines truly would be able to cut without completely depleting services or eliminating items that simply have to be paid.

There was a discussion about the use of the fund balance, the responsibility to the taxpayers, the effect this will have for at least the next couple of years (the recovery period), not filling positions unless absolutely necessary, and staying under the tax cap.

Legislator Sullivan stated the Legislature needs to decide how much of the fund balance they are willing to use. She suggested giving numbers to the Budget Officer, have him run the numbers, and then they will know how much of shortfall still exists. If layoffs are necessary, then they will have to do that. Legislator Mullen agreed. Legislator Sullivan asked the Budget Officer to set up a "what if" scenario where he can plug in different numbers starting with a 20% cut. As more information is known regarding the actual cut, he can plug in that variable.

Legislator Weston stated they were warned a couple of years ago that the fund balance is dwindling with using a certain amount each year to stay under the 2% tax cap.

Legislator Roberts stated he believes there will be a 3-5 year recovery period. He stated if the intention is to keep the taxes under the tax cap, the County is looking at taking \$5 million out of the fund balance each year and at the end of five years, they may have to look at layoffs.

Chair Sauerbrey stated New York Association of Counties (NYSAC) does monthly updates and they currently have moderate losses for counties at \$5 million. She believes Tioga County is a little better off than that right now, but things can change.

Legislator Sullivan stated the healthy fund balance was to ensure the County was covered for the next "rainy day" event and this is a rainy day event. We need to assume this will be a multiple year rainy day situation and we cannot deplete all of the fund balance in the first year.

Legislator Weston stated he agrees the fund balance needs to be used each year, however, not all at once. Employee salaries and benefits are the biggest part of the budget.

Legislator Mullen stated positions need to be filled only if absolutely necessary and reviewed to determine if they can be filled by part-time positions, job sharing, etc. The Legislature stated their number one priority is to the people who put them in office. He believes they should look at a 25% cut, not a 20% cut.

Legislator Weston stated about 95% of the budget is mandated and they need to look at the 5% that is not and start there.

Legislator Sullivan stated within each mandated service there is some flexibility for how that service is provided, which can save taxpayer dollars.

Legislator Weston stated we need to look at the grants the County has been receiving and what grants we will no longer receive. A significant amount of money is received through grants and loss of this money will greatly impact the budget.

Legislator Sullivan stated the Legislature was elected to represent the residents in their districts and how to spend their money. She asked for a show of hands of those in favor of maintaining the tax cap (or falling beneath it), to which all agreed.

Personnel Officer O'Rourke reminded the Legislature the mechanism to start saving money as vacancies occur is to use the established backfill process. This is the opportunity for the committees to have a conversation with the Department Head to determine if filling the vacancy can be delayed. Ms. O'Rourke reported not everyone can postpone hiring, but it does create an opportunity to start looking at this right away instead of waiting until 2021. Ms. O'Rourke reported it appears the backfill forms are just signed and returned to Personnel.

Chair Sauerbrey stated most of the backfill forms have come from Public Safety and she and Legislator Mullen sign those because those positions have to be filled.

Legislator Sullivan asked if the backfill form goes through the respective Committees. Ms. O'Rourke stated the Committee Chair and the Legislative Chair sign off on them. Legislator Mullen stated many are mandated positions, especially in the Jail.

Probation Director Bennett stated Probation has some mandated services they are required to provide. Several years ago, due to budget cuts, some of these mandated services were taken out of Probation's budget and the County gave money to A New Hope Center to perform these services. She would like the Legislature to keep in mind that when they are looking at funding cuts to outside agencies such as A New Hope Center, the possibility exists that they will say they cannot perform the services any longer and the mandate will come back to the County to provide the services.

Legislator Sullivan stated when looking at outside agencies, the Committees and their Chairs need to find out about the services provided by these outside agencies and the factors that

need to be taken into account when reducing their funding. The Committees need to make recommendations based on good information.

Recycling: Sustainability Manager Pratt presented estimated 2021 budgets with and without curbside recycling noting if the County continues to have curbside recycling, it will be an 86.9% increase, without curbside recycling, it's an 85.9% decrease. The budget without curbside recycling shows a quote from Taylor Garbage for the cost to have three locations for drop off containers for recycling, an increase in advertising in order to advertise the change, and an increase in e-waste and bulbs to be able to take them to the Broome County landfill.

Ms. Pratt stated, on average, the curbside recycling cost has been \$60 per household per year. If the County went forward with curbside recycling with the new bid price, the cost would be \$114 per household per year, which would be double the amount for half the service because pickup would be bi-weekly vs. weekly.

Ms. Pratt stated she would be talking to the towns at the next Council of Governments (COG) meeting in September. Right now, they are looking at having the recycling containers in the Richford/Berkshire area, Spencer/Candor area, and Apalachin (at Taylor's material recovery facility). These areas will be secure with cameras. Ms. Pratt has spoken with DEC so they are aware of what the County is looking at doing and they are good with the plan.

Legislator Balliet asked what the cost is in other counties who have the same kind of system the County is planning on going to. Ms. Pratt explained that in counties that do not provide curbside recycling where the haulers have to provide the recycling service, the cost for doing so is set by the private hauler. It is hard to know what the increase will be to households as some haulers may charge more to pick up both garbage and recycling, and some may not.

Chair Sauerbrey stated the Legislature needs to be prepared politically for how this is going to go, but the County cannot take on a 103% increase to provide curbside recycling.

There was some discussion about households having a choice regarding garbage pickup and recycling pickup and how much it will cost them. Ms. Pratt pointed out that no household is required to have trash pickup. If they do not want to pay for trash pickup, it can be taken to the transfer station. If residents do not have trash pickup, then they will not have recycling pickup and it will have to be taken to one of the recycling sites by the homeowner.

Legislator Roberts reported the legislation states the trash hauler can charge extra for the recycling service. The amount haulers may charge for this is unknown and it is up to them to decide. The County cannot answer the question of how much this will cost the homeowner.

Chair Sauerbrey stated the solid waste tax levy would be cut, but there will be a cost involved for the three recycling sites.

There was some discussion about having the three additional recycling sites. Ms. Pratt stated she does not recommend not having the additional recycling sites since this is such a huge change. The cost for the three locations is \$140,000 per year.

Mr. Hammond stated Taylor Garbage is mandated to accept recycling at their transfer stations located in Barton and on Glenmary Drive. He pointed out that those two locations will meet the State's mandate for recycling. The three additional locations are to ease the stress on the property owners, especially those in outlying areas.

Legislator Mullen pointed out individual municipalities can contract themselves with companies to provide sites for recycling.

Ms. Pratt stated the sites do not have to be maintained by the County.

Chair Sauerbrey questioned whether they have the responsibility to communicate this change to the haulers. Legislator Roberts questioned whether this is necessary since the whole process is public. Legislator Sullivan stated she believes they should at least communicate to the haulers that they are considering this change.

Mr. Hammond stated a decision needs to be made on how to proceed because the tax levy has to be finalized accordingly.

Attorney DeWind stated Real Property needs to get the numbers from the Treasurer some time in November so it can be pushed out in the tax bills that go out in December. The Treasurer needs to know some time in October what direction they are going in and what the tax levy will need to be if the levy is left in.

Attorney DeWind stated there are two components to the local law. The first requires anyone who hauls waste to provide a recycling separation program. The second is that every waste generator (home or business) has to separate recycling. He stated Real Property Director Huseby) would like to see the tax go away. It is a regressive tax because it differentially affects properties that are vacant and/or farmland that are not waste generators. The levy could be done away with entirely and folded into the general tax levy that is collected and the additional \$140,000 can be allocated to run the three additional drop off sites.

Legislator Sullivan questioned the need for three additional sites. Her understanding was there was going to be three sites in total, not five. Knowing that anyone who has garbage pickup will also have recycling pickup, she questioned the need for five locations at a cost of \$140,000. Legislator Roberts stated those locations are for people who do not have garbage pickup.

Ms. Pratt stated Taylor Garbage has to maintain the two current locations, but they can decide to start charging for those two locations.

Legislator Mullen stated he thinks it is a "better sell" publicly to spend the \$140,000, eliminate the solid waste tax levy, have the three additional sites for one year to see how much they are used and then go from there.

Legislator Sullivan stated she is not in favor of five sites. She feels that going ahead with five locations and then pulling some back after a year will create more of a problem with the public than not having them to begin with.

There was some discussion about just adding one in the northern part of the County to serve those residents. It was decided this matter would go back to the Public Works Committee to make a recommendation to the full Legislature regarding the number of sites to provide.

The local law process to enact this change will go forward.

Chair Sauerbrey asked Ms. Pratt to provide the Legislature with answers to questions the public may have.

Approval of July 23, 2020 Worksession Minutes: On motion of Legislator Hollenbeck, seconded by Legislator Sullivan and unanimously carried with Legislator Monell being absent the July 23, 2020 minutes were approved.

Action Items:

ACTION ITEMS FROM JUNE 4, 2020:

ACTION ITEM #1– 6/4/2020 – Personnel Non-Union Salary Study

Chair Sauerbrey stated this action item would be carried forward to 2021 or 2022. **This item will be carried forward from the August 20, 2020 Legislative Worksession.**

Other:

- ***Public Hearing Ag District #1 (Towns of Barton, Candor, Spencer, and Tioga) -***
Legislative Clerk Haskell stated her need for a quorum of five Legislators to attend the public hearing at the Town of Candor Hall on August 25, 2020 at 1:00 p.m. Currently, she only has commitment from three Legislators. Legislator Sullivan agreed to attend.
- ***Department Head Evaluations -*** Chair Sauerbrey reminded everyone to work on Department Head evaluations, as they are due by September 11, 2020.

Executive Session -

Motion by Legislator Mullen, seconded by Legislator Sullivan to move into Executive Session to discuss a personnel matter. Motion carried to go into Executive Session at 11:42 a.m.

Executive Session adjourned at 12:30 p.m.

Meeting adjourned at 12:30 p.m.

Next Worksession scheduled for Thursday, September 10, 2020, at 1:00 p.m.

Minutes submitted by Diane Stephens