

**PERSONNEL AND COMPENSATION COMMITTEE  
MINUTES**

**FRIDAY, JANUARY 24, 2020  
3:30 P.M.**

PRESENT: John S. Vero, Chairman  
Leigh J. Benton, Thomas Faggione,  
Kevindaryan Lujan, Paul Ruskiewicz, Kathy A. Stegenga, Laurie Tautel

ALSO

PRESENT: L. Stephen Brescia, Chairman  
Katie Bonelli, Majority Leader  
Barry Cheney, Legislator  
Joseph J. Minuta, Legislator  
Rob Sassi, Legislator  
Antoinette Reed, Legislative Counsel  
Harold Porr, Deputy County Executive  
Steven M. Gross, Commissioner, Human Resources  
Donna McCarey, Deputy Commissioner, Human Resources  
Alison Tyack, Director of Personnel Management, Human Resources  
Darcie Miller, Commissioner of Social Services and Mental Health  
Robert Gray, Deputy Commissioner, Department of Public Works/EF&S  
Ann Marie Maglione, Director, Office for the Aging  
Deanna Crawford, Budget Analyst  
Gretchen Riordan, Budget Analyst

Mr. Vero called the meeting to order at 3:30 p.m. and asked everyone to stand for the Pledge of Allegiance to the Flag. All members were present with the exception of Mr. Sierra who was absent.

Ms. Stegenga moved request to reclassify two (2)  
Seasonal Laborer I, Grade 5 positions to two (2)  
Full-Time Laborer II, Grade 6 positions, seconded by  
Ms. Tautel.

Mr. Gray distributed an organizational chart for the Division of Environmental Facilities and Services at Orange County Sewer District No. 1. He explained that there are two seasonal laborers who can work up to nineteen hours a week. Based on the workload within the division, the two seasonal positions no longer fit the need of the department. They require more people, especially during wet weather events, at the Harriman Wastewater Treatment Plant. He added that it is funded 100% by user fees.

Motion carried. All in favor.

Ms. Stegenga moved request to create a Sr. Social Caseworker, Grade 14 and Caseworker Assistant, Grade 7, seconded by Mr. Lujan.

Ms. Miller explained that this was in response to the New York State Office of Children and Family Services request for them to have a Child Advocacy Center. They will be opening a center and will need to create the two positions to manage the center. A portion of the positions will be funded.

Ms. Tautel asked where the location of the center would be.

Ms. Miller responded that they were looking in the central county area, mainly because all law enforcement would be able to use a child advocacy center. They did a walk through at the Route 17M location that they were considering and Real Property supported it and negotiated with the landlord so it looks like that will be the location.

Mr. Benton asked what would happen once the funding was depleted.

Ms. Miller stated that they competitively apply for the funding every three years but once they fund, usually they continue to fund. If they did not, the positions would be eligible for 62% reimbursement and would allow them to continue the program without full county dollars.

Motion carried. All in favor.

Mr. Lujan moved request to create one (1) Aging Services Specialist (Spanish/English Speaking) position, Grade 9, in support of the New York Connects Expansion and Enhancement Program, seconded by Ms. Tautel.

Ms. Maglione stated that more and more people are using their services so they are in need of more staff.

Chairman Brescia commented on the nice article in the Times Herald Record and how the services offered by Office for the Aging had a big impact on that man's life.

Motion carried. All in favor.

Ms. Stegenga moved to discuss Elected Officials salaries (Legislators, County Executive, County Clerk), seconded by Mr. Vero.

Chairman Brescia stated that this went before the Rules, Enactments and Intergovernmental Relations Committee on Wednesday and it passed. These are proposed raises for the next term. The Legislature and the County Clerk froze their salaries in 2013 and have not had a raise since. It would end up being 1% over twelve-years which includes the two terms when their salaries were frozen and for the next term starting in 2022. They are proposing an 8% increase in 2022, 3.25% in 2023, 2% in 2024 and 2025. It was requested at the Rules, Enactments and Intergovernmental Relations Committee meeting to provide a comparison to counties similar in size and the number of DMVs which was distributed by Mr. Gross. He added that the raises are very modest and the surrounding counties in New York State receive a 50% raise for the current term. The Governor had a 50% increase over a two year period, the Senate and Assembly, Rockland County, Westchester County, City of Middletown all had 50% increases. They do not have as much staff as the surrounding counties have. He felt the increases were reasonable. He was sure that

there were going to be a few "No" votes today because those Legislators already informed him of that. Those Legislators advised him they cannot vote for raises but unfortunately, they are the only ones who can vote for their raises. He pointed out it was not their raises, it is for the next term, it is the office of the Legislature, the County Executive and the County Clerk.

Mr. Gross addressed the committee confirming they all had the packet of information that was handed out. Within the packet were salary schedules and some information about other counties and what they did recently. The four years for the Legislature, 8%, 3.25%, 2% and 2% equates to 13.25% total. During that duration, CSEA equated to 13.75% total so it is slightly less than what they received.

Ms. Stegenga moved a Local Law amending Local Law No. 8 of 2016, fixing the compensation for Legislators of the Orange County Legislature to be effective for the term commencing on January 1, 2022, pursuant to Section 2.02(s) of the Orange County Charter, seconded by Mr. Ruskiewicz.

Ms. Tautel stated that she would be a no vote because she does not believe in voting for something that she can personally financially gain from. They are her personal feelings towards any type of compensation and she felt there should be a compensation board that handles something like this. People should not be able to vote for a raise for themselves. Every budget season there are comments made about how tight it is and they will need to scale back on compensations and the 2% tax cap. She added that the funding would be on the backs of the taxpayers.

Mr. Vero stated that it would come out of taxation.

Chairman Brescia mentioned that is the case with every municipality.

Ms. Tautel wanted to know what the fiscal impact would be per year in totality for each position.

Mr. Gross added the amounts and it came to \$68,455.00 for the year 2022. If each column is added up that would give the total amount.

Mr. Lujan echoed Ms. Tautel's comments. He is from a city where a large majority live on the poverty line. Earlier they approved a \$41,000.00 position that they are getting funding for. What if they did not get the funding, how many positions could they create. He cannot in good conscience vote on something that he can benefit from. He planned to vote no.

Mr. Vero stated that the Legislature are the only ones that can vote on their salary adjustment for the Legislators, they cannot rely on grants or money from somewhere else, it comes out of taxation. Over the past several terms the job has increased. When he first became a Legislator six year ago, the salaries were frozen and that was when they started to contribute 12% toward their insurance. They put a lot more time in now with the laptops and they have additional meetings. In comparison to the surrounding counties, their salary is below most of them. He pointed out that it is not for this term, it is for the next term which means it is not necessarily for them, it could be for their opponents.

Chairman Brescia mentioned that the work of a Legislator is a lot more than what it was twenty-five years ago when he took office. They are not cutting services, they are not cutting

emergency responders, they stay below the cap every year, there are municipalities around them including the state of New York that are not staying below the cap. It is a shame they are not more like the private sector and have elected officials like they do with commissioner jobs and directors, they have a salary rewarded based on lack of tardiness, lack of absenteeism and seniority especially. That does not happen with elected officials. Some more senior members get chairmanships but they are not all in the same playing field. Our government is second to none in Orange County with the fine quality of services and fiscal constraint.

Ms. Stegenga agreed that they should not have to vote on their own salaries, but their job is to do this. If this was addressed earlier, back when they froze the salaries, it would be different. Now, they are looking at a larger jump to bring them up to the 1% for each one of those years, but it is their responsibility to look forward to the next term and there are no guarantees that they are voting on their salaries because they do not know if they will be there, they could have opponents and lose. Part of their responsibility is to vote on this and bring it to the full Legislature for a vote. If you chose not to vote in favor of it, that is fine, but it is their responsibility to at least address it and vote on it.

Ms. Tautel noted it was their responsibility although the system should change. It is not for them now, it is for the next term, but if they re-run there is potential for personal financial gain. They are being compared to counties such as Westchester which is twice their size and the median income was most likely much higher although she did not know the exact dollar amount, she would find out prior to the vote. She was aware this only needs to pass one committee to go to the floor for a vote by the full Legislative body. Even if there are a few no votes today, it will still pass and move forward to the full Legislature. She planned to research the median income for the other counties that Orange County is being compared to, the size of the counties and the size of their budgets. She agrees their work has increased and she has seen an increase in the past two years since she started. The argument is not about the amount of work for the compensation, and like Chairman Brescia mentioned, the merit-based system like in the private sector but they are not a private sector, they are government. They do not have merit raises for CSEA, it is all under contract. They are basically under contract by the citizens and the taxpayers of Orange County. They should be the ones to vote whether they get a raise or not, not them. Unfortunately, that is not how the system works.

Chairman Brescia pointed out that is not the way it works anywhere in municipal government. They can remove Westchester County out of the equation as a comparison but the other counties who are comparable to Orange County have less of a population and less of a workload. The Minority Leader suggested that maybe those Legislators who do not vote for the raise should not get the raise next term. He recalled former Legislator Spencer McLaughlin donated his salary years ago. He was trying to be objective and did not want this turned into a political football. A 1% raise for twelve years while everyone else in the surrounding area is getting much more than that he felt was reasonable.

Mr. Vero commented that Westchester County is a more lucrative county, but their Legislators earn \$75,000, their increase would bring Orange County Legislators to \$32,000.

Ms. Tautel addressed Chairman Brescia's remark and stated that her intent was not to turn this into a political football. Her past record shows she voted against a raise when she was on the Town of Highlands Town Board and she refused the raise, leaving it to the town coffers. She was trying to explain that they do not seem to be comparing apples to apples. They need to look at the median income of the other counties and try to equalize it in that manner.

Chairman Brescia mentioned that Legislator Anagnostakis did most of that leg work a few years ago when he proposed an increase which he recalled was a \$10,000-\$12,000 raise.

Mr. Vero pointed out that the proposed increase by Legislator Anagnostakis was much higher than that.

Ms. Reed explained that Orange County is more unique than other counties because they are a county in transition from a rural area, they have three cities and it takes a lot of time for Legislators who have special committees to deal with the issues. She does not think you could compare by size, you would have to compare by issues and there are a lot of them in this county so it is very time consuming for the executive branch, as well as the legislative branch. This is why Legislators should be compensated a little bit more for the time and effort they need to put into the job. The agendas for other counties do not compare to ours.

Mr. Benton pointed out that about seven or eight years ago they gave up mileage reimbursement.

Mr. Gross commented on Ms. Tautel remark about having a compensation board or a commission. In 2003 and 2004 when the Condrey Study was put in place, it specifically had a paragraph that said, "The compensation system for county elected officials is based on salary data collected by NYSAC." They wanted to take all the percentages of elected officials and tie them to a percentage of the state Supreme Court salary. The percentage that the Condrey Study came up with at the time was 18% of whatever the New York State Supreme Court salary was and at that time it was \$136,000 and that is how they set the salary for the Legislature in 2004. At some point they moved away from the Condrey Study and in the Condrey Plan it says by relating these salaries to the state Supreme Court judge position, each position will increase. The intention of this methodology is to de-politicize the issue of elected official compensation and at the same time provide a way to maintain adequate pay structure. If they followed that method today, the New York State Supreme Court salary is \$208,000 and 18% of that would be \$37,440 which is more than what is being presented today.

Chairman Brescia commented that would then make the base salary of a Legislator in 2018 \$37,440 and in the proposal being presented is \$34,585 in 2025. It is not even close and we are extremely far behind.

Ms. Stegenga shared some information she researched on Westchester County stating that the average salary is \$94,000. Their Legislators are being paid roughly 80% of what the average person makes. The average salary in Orange County is \$75,800 and we are at less than 30% of what the average person makes, there is a big discrepancy. Rockland County is about the same.

Motion carried. All in favor with the exception  
Legislators Faggione, Lujan and Tautel who voted No.  
5 ayes; 3 noes (Chairman Brescia cast a vote in favor).

Ms. Stegenga moved a Local Law amending Local Law  
No. 5 of 2016, fixing the compensation for the Chairperson  
of the Orange County Legislature to be effective for the  
term commencing on January 1, 2022, pursuant to Section  
2.02(s) of the Orange County Charter, seconded by Mr. Benton.

Mr. Gross stated that this was the same percentage that they spoke about before, 8% over the current chairperson's salary which is presently \$49,684 and in 2022 it would go to \$53,659.

Mr. Vero confirmed it was the same formula used for the Legislators and Mr. Gross confirmed he was correct.

Motion carried. All in favor with the exception Legislators Lujan and Tautel who voted No. 6 ayes; 2 noes (Chairman Brescia cast a vote in favor).

Ms. Stegenga moved a Local Law amending Local Law No. 6 of 2016, fixing the compensation for the Majority and Minority Leaders of the Orange County Legislature to be effective for the term commencing on January 1, 2022, pursuant to Section 2.02(s) of the Orange County Charter, seconded by Mr. Benton.

Mr. Vero confirmed it was the same percentage increase as the others, 8% increase for 2022, 3.25% increase for 2023, 2% increase for 2024 and 2% increase for 2025.

Motion carried. All in favor with the exception Legislators Lujan and Tautel who voted No. 6 ayes; 2 noes (Chairman Brescia cast a vote in favor).

Mr. Faggione moved a Local Law amending Local Law No. 7 of 2018, fixing the compensation of Party Leader, other than Majority and Minority Leaders of the Orange County Legislature effective January 1, 2022, pursuant to Section 2.02(s) of the Orange County Charter, seconded by Ms. Stegenga.

Motion carried. All in favor with the exception Legislators Lujan and Tautel who voted No. 6 ayes; 2 noes (Chairman Brescia cast a vote in favor).

Ms. Stegenga moved a Local Law amending Local Law No. 7 of 2016, fixing the compensation for Chairpersons of the Statutory Committees of the Orange County Legislature to be effective for the term commencing on January 1, 2022, pursuant to Section 2.02(s) of the Orange County Charter, seconded by Mr. Benton.

Motion carried. All in favor with the exception Legislators Faggione, Lujan and Tautel who voted No. 5 ayes; 3 noes (Chairman Brescia cast a vote in favor).

Ms. Stegenga moved a Local Law amending Local Law No. 8 of 2018, fixing the compensation for the Chair of the Green Committee, a special committee of the Orange County Legislature, effective for the term commencing on January 1, 2022, pursuant to Section 2.02(s) of the Orange County Charter, seconded by Mr. Ruskiewicz.

Motion carried. All in favor with the exception Legislators Lujan and Tautel who voted No.  
6 ayes; 2 noes (Chairman Brescia cast a vote in favor).

Mr. Gross stated that the \$1,000 is on top of the annual salary for the next term, 2022 through 2025. There were no changes to it.

Motion carried. All in favor with the exception Legislators Lujan and Tautel who voted No.  
6 ayes; 2 noes (Chairman Brescia cast a vote in favor).

Mr. Gross addressed the salary for the County Executive stating the present salary is \$182,177. In 2022 there is a proposed increase of 2.25% making the salary \$186,276, in 2023 a 2% increase and salary of \$190,002, in 2024 a 2% increase with a salary of \$193,802 and in 2025 a 2% increase with a salary of \$197,678.

Mr. Faggione moved a Local Law amending Local Law No. 9 of 2016, fixing the compensation for the County Executive of Orange County to be effective for the term commencing on January 1, 2022, pursuant to Section 2.02(g) of the Orange County Charter, seconded by Ms. Stegenga.

Motion carried. All in favor with the exception Legislators Lujan and Tautel who voted No.  
6 ayes; 2 noes (Chairman Brescia cast a vote in favor).

Ms. Stegenga moved a Local Law amending Local Law No. 10 of 2016, fixing the compensation for the County Clerk of Orange County to be effective for the term commencing on January 1, 2022, pursuant to Section 2.02(g) of the Orange County Charter, seconded by Mr. Faggione.

Mr. Gross explained that the County Clerk has the same formula as Legislators. The present salary for the County Clerk is \$107,650. The proposed increase is 8% in 2022 with a salary of \$116,262, in 2023 a 3.25% increase with a salary of \$120,041, 2024 a 2.0% increase with salary of \$122,441 and in 2025 a 2.0 % increase and salary will be \$124,890. He distributed information that Legislator Cheney asked for at the Rules, Enactments and Intergovernmental Relations Committee meeting. The information showed a comparative analysis of neighboring counties, annual salaries, their budgets, and whether there is a DMV and if so, how many offices are there.

Motion carried. All in favor with the exception Legislators Lujan and Tautel who voted No.  
6 ayes; 2 noes (Chairman Brescia cast a vote in favor).

Last on the agenda was Ms. Reed with an amendment request to Resolution No. 391 of 2019, Ethics and Disclosure Law.

Ms. Tautel made a motion to Amend Resolution No. 391 of 2019, a Resolution, pursuant to local law no. 9 of 2018 ("Ethics and Disclosure Law"), Section 8, paragraph A, amending Appendix "A," list of positions of certain county officers and local political officials required to file a Financial Disclosure Form, by deleting the current list and adopting an amended list in its place, seconded by Ms. Stegenga.

Ms. Reed explained that there was a mix up, the Orange County Agriculture and Farmland Protection Board has always been on the list to fill out disclosure forms but the most recent resolution did not have them listed on the schedule. It's important that they do fill out the ethics forms because they receive a lot of state and federal grants and on those applications there are questions about conflicts of interest.

Motion carried. All in favor.

On the motion of Mr. Faggione, seconded by Ms. Stegenga, the meeting adjourned at 4:17 p.m.