

**JOINT
PERSONNEL AND COMPENSATION COMMITTEE
AND RULES, ENACTMENTS AND INTERGOVERNMENTAL RELATIONS COMMITTEE
MINUTES**

MONDAY, OCTOBER 1, 2018

3:30 P.M.

PRESENT: John S. Vero, Chairman (Personnel and Compensation)
Leigh J. Benton, Paul Ruskiewicz, Thomas Faggione, Rob Sassi
Laurie Tautel, Joel Sierra, Kathy Stegenga

Thomas Faggione, Chairman (Rules, Enactments and Intergovernmental Relations)
Michael Amo, John S. Vero, Barry Cheney, Katie Bonelli, Kevin W. Hines,
James M. Kulisek, Michael D. Paduch

ALSO

PRESENT: L. Stephen Brescia, Chairman
Janet Sutherland, Legislator
Antoinette Reed, Legislative Counsel
Harold Porr, Deputy County Executive
Steven M. Gross, Commissioner, Human Resources
Donna McCarey, Deputy Commissioner of Human Resources
Alison Tyack, Director of Personnel Management, Human Resources
Deborah Slesinski, Deputy Budget Director
Tim Tucker, Budget Analyst

Chairmen Vero and Faggione opened the committee meeting at 3:34 p.m. by asking everyone to stand for the Pledge of Allegiance. All committee members were present.

Chairman Brescia announced that he planned on pulling all the resolutions that are before the committee today. They received a lot of phone calls and there was a lot of concern. It is a shame because he felt eight years with no salary increase for the Legislature is a long way to go. He was open for discussion today if they want to bring something back next year but that would still be mid-term and some Legislators did not like the idea of a salary change mid-term. It is never a goodtime to give the Legislature a raise. A new Condrey Study would be over \$200,000. The raises that he proposed were 9%, 3% and 3% which was a total amount of \$76,000.00. He apologized because he wanted to bring this forward in November but he did not realize it could not be done at the end of the year to go into effect in 2019. He wished that there was a third party to make that decision for them. He apologized that everyone came out today and there was not going to be a proposal unless someone wanted to make one.

Mr. Vero stated that when they first started to discuss the raises, they looked back at the Condrey Study from 2004 which is based on percentages reflecting the Supreme Court Judge's salary. After reviewing documentation to confirm the increase was a legitimate request, it was 26%, however, 26% is sticker shock to everyone. No one wants to give a raise mid-term but yet no one wants to give a raise the year they are running for election. They should have done this in the fall prior to them running for election the following May. His suggestion would be to look at it again in maybe in October, November or December of 2020 for when they run in 2021. It will be a

substantial number, not just 2% or 4% because it needs to go up somewhat. He noted that he likes the idea of the 9%, 3% and 3%, or 5%, 5% and 5%. It will not get us to where we should be but it will get them closer. When people ask him how much he makes as a Legislator, he tells them. Some people say, "Wow, I thought you made more than that" and others say, "Gee you make that much" and then there are some people who say, "Oh I thought it was a volunteer job." The reality of it is, and what they have done over the years, at least the last five years that he has been here, their duties have increased. They are doing more, they are more technically savvy, there are more meetings, more hours, high budget and there are a lot of issues. He would support looking at this again, probably in the fall of 2020.

Mr. Faggione stated that on Wednesday, September 19th the Rules, Enactments and Intergovernmental Relations Committee met and this same topic was discussed. He thanked all the members of the Rules, Enactments and Intergovernmental Relations Committee for the discussion. There was bi-partisan and tri-partisan support. He encouraged the Legislators to review the notes from that meeting because there was a lot of information discussed. He agreed with Mr. Vero that any discussions for salary increases for the future, for the next term, he would be comfortable discussing.

Mr. Amo pointed out that it has been over a decade since they adjusted salaries. In 2006 they looked at the Condrey Study, adjusted everyone's salary, it went up 19% and they were at a salary that they were supposed to be at. They sat on their hands for twelve years doing nothing, he suspected, for political reasons. He tries to use the consumer price index. They are sitting through another adjustment period and they should be making an adjustment but they cannot. He did not reflect on loss of mileage reimbursement or how they now contribute towards health insurance, he simply refers to the consumer price index, inflation and what it costs to live. If they followed that way of thinking five years ago, it would not be such a big increase today. If they took 2.5% over five years brings them to about \$34,000 per Legislator. That would be normal inflation increase. By not doing anything de-values the position of a County Legislator. There are some Legislators who take time from their salaried job and need to leave work to attend meetings. They take a lot of "hits" and he felt this was a "hit" they should take. He felt this was the right thing to do. He was disappointed that Chairman Brescia was pulling the local laws. He would support anything because he thought they need to value the position of Orange County Legislator.

Ms. Tautel disagreed. To her the job was not about the salary. She did not know what the salary was for a Legislator when she ran for office. The job to her is not about the salary, it is not about the compensation, it is about wanting to represent the people. The 2017 census reported 372,827 residents in Orange County. Nassau County has 1,369,514 residents and the salary of that county executive is \$196,375. A median household income is \$71,910 in Orange County. There are 12.6% of Orange County residents who live in poverty and in the cities it is much higher, roughly 33% in Newburgh. As a Legislator, it is not just the people in your district you represent, you represent all of Orange County. She added that a salary increase of this magnitude, whether we are playing "catch up" or not, she cannot support.

Mr. Cheney stated that the Condrey Study that was done in 2004 served its purpose at that time but at this point, to elected officials it is flawed. We can probably do it in house and see what the numbers should be. A way that we saw that being demonstrated was the salary increase that would have gone to the County Executive based on the Condrey Study which is 110% of the Supreme Court Judge, while all the counties around us were lower. He would like to review the Condrey Study and see what the numbers should be at now and come up with a better approach than what they have now. He did not think it would be a significant cost as long as they are focusing on the elected officials.

Mr. Gross explained that one of the issues with the Condrey Study is that the state did not change the supreme court salary for a period of ten years, it was frozen. When it was inactive in 2006, the salary of the supreme court judge was \$136,700 which did not change for a period of ten years, then the state played "catch up." Back in 2016, changed it from \$136,700 to \$193,000, the following year it went up another \$1,000 and this past April they adjusted it to \$208,000. If they did this back in 2016, there would not be such drastic increases. They removed the Sheriff from the Condrey Study and a new salary schedule was put in place as a result.

Chairman Brescia understands how the newer Legislators may have a hard time voting on something like this, only being here for nine months and vote on a pay raise. Some Legislators struggled with it and he understood that but he thought it had been such a long time and they needed to do something. There are some mayors in the county that received substantial raises.

Mr. Sierra stated that he is from Middletown and they believe in paying for talent, paying for what people do. When the presidential candidates ran for raising minimum wage, he supported it. When the governor spoke about raising minimum wage, he was a big advocate. He believes in paying people for their time and that is what they do in Middletown. A few months ago, the Mayor received a big raise and so did the council president. As Mr. Amo stated, this is de-valuing the position. When he first took office only 9 months ago, he had no idea how many hours this job occupies, preparing for meetings, reviewing emails, going through the documents that constantly get updated, and all of the local functions everyone goes to, as does he. He did not know what the salary was when he ran for office, he did not do it for the salary. He believes in paying people for their time. He felt that the County Clerk was underpaid and every department head in Middletown makes more than that position. He added that the Chairman of the Legislature and the Party Leaders deserve to be compensated. No one wants to raise their own salary because it is always negative press but everyone should consider at least the Chairman, Party Leaders and the County Clerk.

Ms. Bonelli commented on the very good conversation that was taking place. Although they all came today for a different purpose, the dialog has been healthy. They all do work very hard and most of the people have no idea the things that they do. When they address this again, they need to tie it to something that is independent because like some already said, no one wants to give themselves raises. If it was linked to a Condrey Study or another proposal connected to the County Executive's salary and used a percentage of that. As long as there is a methodology. She noted that this was a tri-partisan effort and everyone had a lot to say and stepped up to the plate.

Mr. Gross read a statement from the Condrey Study which supported the comment made by Mr. Amo about the consumer price index. He added that they need to remember there was a ten-year gap where there was no increase to salaries.

Mr. Amo suggested to Chairman Brescia that they do not wait until 2020. They should begin the discussion on what the right way is to compensate elected officials.

Mr. Vero recalled a few years ago in the New York State Assembly they proposed more than a \$20,000 a year raise which received a lot of push back. They did not have an increase in salary in seventeen years. Seventeen years at the same salary, they technically were taking a reduction in salary when you consider the cost of living increase. A higher salary will generate better candidates in the future.

Mr. Paduch noted the long discussion on the salary increases and he probably said this over and over, none of them would be there today if in 2015 they did not allow the salary change.

They always voted on their own salary, which is their responsibility. It should be addressed. The people know what kind of job we are doing and if they want to vote you out because over the past eight years they received nothing and the years before that it was \$800.00 a year. They all put in as much time as required for each district and some of them do a lot more. This is a big hit to go with no pay increase. They wanted to do the right thing for the county and that was why they took a cut. They set their own salaries, so they need to set it. They should all get an increase and not just 1%. The county is doing well. When they compare the notes from surrounding counties, they should think about what the next step is and not be so worried about getting re-elected. They get re-elected for doing their job.

Ms. Stegenga stated that many of their constituents do not know all that they do, and the job entails a lot more than what is seen by the public. There is a lot of behind the scenes and a lot of time that goes into this job along with personal costs they all contribute towards in their communities. If the county is in a position where there is no money, or they are in a recession then they can vote to forgo the raises for that year.

Mr. Kulisek asked if the county was to do another Condrey Study or something similar, how long would it take.

Mr. Gross told Mr. Kulisek that the original Condrey Study took over a year and they conducted interviews.

Mr. Gross stated that Condrey Management Plan has been adjusted three times, by 3%. Once in 2015, 2016 and once in 2017, and all by 3%. The Legislature votes on the salary schedule. The County Executive has the ability to give merit increases. He has done 2.75% over the last few years. The issue is if you are at the top of the cap then you do not get that raise. You will get the raise, but the salary rolls back to what it was because you can never exceed the cap.

Mr. Vero pointed out that everyone often asks, why hire people so close to the cap, the reason is because it has not moved. He agreed with many of the comments made today. They need to figure out how to get there and avoid problems while they get there. These are some things they need to think about and discuss in more detail over the next few years.

On the motion of Ms. Tautel, seconded by Mr. Sierra (Personnel and Compensation Committee) and on the motion of Mr. Paduch, seconded by Mr. Amo (Rules, Enactments and Intergovernmental Relations Committee) the Joint meeting adjourned at 4:35 p.m.