



Tioga County Worksession Minutes **June 22, 2023 – 10:00 a.m.**

Legislators Present:

Legislator Brown
Legislator Ciotoli
Legislator Flesher
Legislator Mullen
Legislator Roberts
Chair/Legislator Sauerbrey
Legislator Standinger
Legislator Weston (*Departed at 10:42 a.m.*)

Legislators Absent:

Legislator Monell

Guests:

Ian Coyle, Livingston County Administrator (*Departed at 10:40 a.m.*)
Stephen Acquario, NYSAC Executive Director (*Departed at 10:40 a.m.*)
Joan Weston (*Departed at 10:42 a.m.*)

Staff present:

Cathy Haskell, Legislative Clerk
Peter DeWind, County Attorney (*Arrived at 10:14 a.m.*)
Amy Eiklor, Deputy Legislative Clerk
Jackson Bailey, Budget Officer (*Departed at 10:40 a.m.*)
Linda Parke, Personnel Officer

Call Meeting to Order: Chair Sauerbrey opened the meeting at 10:00 a.m. with the **Second Special Legislature Meeting** for Legislature consideration of the following:

- **Ratify Collective Bargaining Agreement for TCLEA**

Legislative Clerk Haskell took roll call. Legislator Brown led in the prayer, pledge, and voting process. Special Meeting adjourned at 10:05 a.m. with regular worksession immediately following.

2024 Budget Calendar/Directives – Budget Officer Bailey: Budget Officer, Jackson Bailey, distributed the 2024 Budget Calendar and 2024 Departmental Budget Directives. Mr. Bailey presented the following 2024 Budget Calendar:

- 6/26/23 – 2024 Budget Entry opens to Departments (Level 1). Outside Agencies will be contacted for 2024 funding requests.
- 7/5/23 & 7/6/23 Committee Meetings – Capital needs and budget challenges will be discussed.
- 8/8/23 & 8/10/23 Committee Meetings – Departments will present their 2024 Budget to their Legislative Committees.
- 8/11/23 – Deadline for Budget submissions and final notification to the Budget Officer.
- 8/24/23 – Mr. Bailey to attend Worksession to give a summary of Initial Budget Requests. He will present the Initial Tax Cap, Preliminary Fund Balance & Reserve Utilization, and Outside Agency funding requests. Department Entry (Level 1) will be turned off and roll to Budget Officer Entry (Level 2).
- 9/7/23 – Mr. Bailey to attend Worksession to review the Capital Budget.
- 9/21/23 – Mr. Bailey to attend Worksession to give Management/Confidential salary recommendations and to discuss Legislative salaries. Mr. Bailey will review Departmental adjustments and give his recommendations. Budget Officer Entry (Level 2) will be turned off and roll to the Legislative Level (Level 3).
- 10/5/23 – Mr. Bailey will attend Worksession to review revisions and adjustments.
- 10/19/23 – Mr. Bailey will attend Worksession to present the Final Tax Cap and give an updated Budget Summary. Legislative Level (Level 3) will be turned off and rolled to the Tentative Budget (Level 4).
- 11/9/23 – Mr. Bailey will attend Worksession to discuss any final revisions and give a review of his Budget Presentation.
- 11/14/23 – Public Hearing on the Tentative Budget. The Tentative Budget will be published.
- 11/21/23 – Mr. Bailey will attend Worksession to discuss any post-Public Hearing adjustments. Tax Cap cannot be modified.
- 12/12/23 – The Final Budget (Level 5) will be adopted at the Twelfth Regular Legislative Meeting. The Tax Cap will be submitted to the NYS Comptroller's Office and the Final Adopted Budget will be published.

Mr. Bailey reviewed the 2024 Departmental Budget Directives and highlighted the following:

- Departments are to use their 2023 original Budget as a baseline number for the 2024 Budget.

- Departments that are requesting additional funds above their original appropriated 2023 Budget, must submit the requested amount and reason, in writing, to their Legislative Committee.
- There shall be no increase to any expense line, with the exception of salaries and employee benefits, as provided by Personnel. Any decrease in revenue shall require an offset to an expense in order to maintain a zero-base Budget.
- No new positions are to be added to the 2024 Budget without Legislative Committee and Personnel approval. Position and title changed must be reviewed with Personnel prior to Legislative Committees. Supporting documentation must be provided to the Budget Officer for review upon approval.
- Any and all Capital Budget requests must be presented on a 5-Year Plan to the Legislature in July. All Capital equipment requests must be reviewed by the Commissioner of Public Works and included in the 5-Year Capital Plan.
- All IT equipment requests for computer and technology needs must be reviewed by the Chief Information Officer and included in the IT 5-Year Plan.
- All Budget Entry requests will be reviewed by the Legislative Committee. Department Heads must send a copy, with notes, prior to their Legislative Committee and must present only:
 - Any increases or decreases in specific lines, comparing 2023 to 2024.
 - Refer and note bottom-line Local Share.
 - Highlight any new accounts and explain the need.
 - Highlight staffing changes, if any, from prior year.
 - Highlight Capital and IT requests.

Legislator Standinger inquired if Department Heads will receive a copy of the 2024 Budget Calendar and Departmental Budget Directives. Mr. Bailey responded, yes, he will send out the information after today's meeting. Mr. Bailey will present to the Legislature at the August 24th Worksession.

County Administrator Presentation – Livingston County Administrator Ian Coyle:

Chair Sauerbrey welcomed and introduced Stephen Acquario, Executive Director of the New York State Association of Counties (NYSAC). Mr. Acquario thanked the Legislators for their willingness to serve the citizens of Tioga County.

Mr. Acquario explained there were originally twelve counties, before New York officially became a State. After the New York State Constitution was created, more counties, and local governments, such as Boards of Supervisors, were established. The Constitution and Laws came into existence with Home Rule authority. After a Supreme Court ruling in the mid 1900's, New York State changed statutes and allowed for the formation of Legislatures, which created Districts. Some counties took advantage of the ruling and created County Executives, while some remained as Boards of Supervisors. Mr. Acquario explained a Board of Supervisors consists of town supervisors that also serve as representatives of county government.

Most counties throughout New York State have County Administrators, County Managers, or County Executives, as well as Legislatures or Boards of Supervisors. Currently, Tioga County

does not have either a County Manger or a County Administrator. Mr. Acquario emphasized the policy making authority does not lie with the County Administrator or County Manager. The role of a County Administrator/Manager should not be political, but professional. Having a County Administrator or County Manager allows the Legislature to focus more on community issues. Certain duties are delegated to the County Administrator or County Manager, which frees up time for the Chair to concentrate on District related tasks. A County Manager/Administrator would handle some budgetary, disciplinary, and personnel issues. Staff appointments would remain the decision of the Legislature. Mr. Acquario explained the Clerk of the Legislature and the County Administrator/Manager would work closely together, with the Legislature, to make county government successful. He believes the role of County Administrator/Manager allows for more government efficiency.

Mr. Acquario stated this is a very difficult time for New York counties. New York is run by one party in Albany and tends to focus on an agenda out of New York City. There is currently no balance of power between parties. The State has implemented changes that do not benefit local governments, such as the in-rem foreclosure moratorium. Mr. Acquario reported as of July 1, 2023, New York State implemented a moratorium on all new in rem foreclosures. New York State also passed legislation that forces certain local governments to hold their elections in even numbered years through changes to the Election Law. NYSAC fought vehemently against the legislation and views it as an assault on Home Rule. Mr. Acquario encourages all local governments to reach out to Governor Hochul conveying their displeasure with the legislation. Chair Sauerbrey reported she will contact the Governor's Office and asked Mr. Acquario if he expects lawsuits to arise from this. Mr. Acquario replied, yes, he expects numerous lawsuits as this is a violation of Home Rule. Legislator Mullen stated this violation of Home Rule is unconstitutional. Mr. Acquario agreed and stated NYSAC will continue to fight on behalf of counties.

Mr. Acquario introduced Ian Coyle, Livingston County's Administrator. Mr. Acquario described Mr. Coyle as his go-to guy for position recruiting in public service. Mr. Acquario praised Mr. Coyle for his knowledge and expertise in all things local government. Mr. Coyle explained Livingston County is in the Rochester Metro-Finger Lakes region, with a population of about 62,000. Livingston County is composed of seventeen towns and nine villages, run by a Board of Supervisors. Livingston County created its first County Administrator position in 1988 through a Local Law. Mr. Coyle is Livingston County's second County Administrator, hired in 2008, upon his predecessor's retirement. Mr. Coyle emphasized that his position as County Administrator is strictly non-partisan, apolitical. He firmly believes the position should be a practitioner of local government management that is charged with delivering effective services. He is not affiliated with a political party and does not attend or participate in political functions.

When it comes to hiring or firing of staff, Mr. Coyle works closely with Department Heads and gives his recommendation to the Board of Supervisors, who ultimately make the final decision. Mr. Coyle reported he is commonly involved with departmental budgets, revenue forecasting, distribution of public information and personnel matters. He is the Budget Officer and helps develop, and monitor, Livingston County's budget. He organizes Town Hall meetings with the public and sends out Press Releases. Mr. Coyle is involved in creating Collective Bargaining Agreements, seeking grants, and Shared Services initiatives.

Chair Sauerbrey stated county government has gotten more complicated over time, particularly with mandates from the State. She asked if the County Administrator would handle the increased duties and information coming from the State level. Mr. Coyle replied yes, the

County Administrator works closely with the County Attorney and other departments to tackle the complexities mandated from Albany. Chair Sauerbrey asked if Department Heads have to run Press Releases or communications to the public by the County Administrator or if they have some autonomy. Mr. Coyle responded, in Livingston County, there is a little of both. In general, Elected Officials have the authority to act in a somewhat autonomous fashion when it comes to relaying information to the public. Mr. Coyle tends to review departmental correspondences with the public, but major topics come directly from the County Administrator.

Legislator Standinger inquired how long it took Mr. Coyle to become comfortable and acclimated to the job of County Administrator. Mr. Coyle replied that it took six months to a year to become comfortable. Succession planning was key to becoming acclimated to the position as Mr. Coyle was able to work with his predecessor before taking over completely as County Administrator. Mr. Coyle shadowed all thirty-two county departments so he could learn and understand how they each contribute to the county. He had to learn about all the services offered, like Medicaid, Public Assistance programs, and nursing home operation.

Legislator Standinger asked Mr. Coyle if he thought Tioga County's minimum qualifications of the job description of County Administrator are realistic. Mr. Coyle stated the qualifications are in-line with what he's seen in other counties. He stressed the preference of governmental experience, a strong background in budgeting, and experience in public administration as key qualifications of an ideal candidate. Legislator Standinger commended Mr. Coyle for visiting each department when he was training for the position of County Administrator.

Legislator Flesher asked what potential savings a County Administrator could bring to Tioga County and if positions would be cut. Chair Sauerbrey reported the position of Budget Officer would no longer exist as those duties would fall to the County Administrator. The additional compensation the Chair of the Legislature currently receives would be reduced as some of their duties would shift to that position as well. Mr. Coyle stated the County Administrator position allows for more government efficiency, which in turn, leads to cost savings. Mr. Acquario explained a County Administrator finds savings in Capital planning, investment opportunities, and procurement practices. Mr. Coyle replied that shared services and cost saving insurances are other ways he has saved his county money. Legislator Flesher asked Mr. Coyle if he is involved in grant writing. Mr. Coyle explained Livingston County has one individual that offers grant assistance for all departments and municipalities.

Legislator Brown asked about the process of projects and initiatives and Legislative Committees. If a department has an idea or project that needs Legislative approval, the County Administrator would act as a liaison. That department would work closely with the County Administrator to develop the idea and present the plan to the Legislative Committee. Mr. Coyle reiterated his role is to report and provide information to the Board of Supervisors, who have the final decision on the matter.

Legislator Mullen stated he views part of the role of County Administrator as a liaison between town supervisors and Tioga County Legislators. Mr. Coyle stated communication is key in developing successful relationships with towns and villages. Legislator Mullen asked Mr. Coyle how Department Heads responded to the position of County Administrator. Legislator Mullen stated there may be some Department Heads that may not be on board with the idea of a County Administrator. Mr. Coyle responded that when he took over, the position was already solidified so he didn't have pushback from Department Heads. Mr. Coyle invites Department

Heads to meetings so they can actively participate and be involved in county business, therefore, building relationships with them. Legislator Mullen foresees the County Administrator working closely with the County Attorney.

Chair Sauerbrey asked if Mr. Coyle has an employment contract. He replied that the Local Law contains a term of office of four years. There is also an employment agreement that states his term is four years, but Mr. Coyle serves at the will of the Board of Supervisors. Chair Sauerbrey stated the candidate could have a probationary period up to 52 weeks for the position.

Legislator Ciotoli asked Mr. Coyle if he handles the bulk of public relations, particularly if organizations are looking for an opinion or stance on an issue. Mr. Coyle responded, yes, and he holds monthly Town Hall events where he travels to a different town and listens to concerns of the citizens. At the meeting, Mr. Coyle updates citizens on what goes on in the county so there is a level of transparency with the community.

Personnel Officer Parke inquired what role, if any, Mr. Coyle has with Civil Service. Mr. Coyle stated his Personnel Office handles most of the Civil Service processes. The only time he would get involved is when job descriptions need updating or a position receives few applicants. If a position is created from scratch, Mr. Coyle will assist in the request to create it.

Legislator Roberts asked how the transition from no County Administrator to having one, would look like for Tioga County. For example, some duties would be shifted from a Department Head to the County Administrator. Mr. Coyle reiterated that communication is key. He suggested conducting a needs assessment or a survey for Department Heads to convey their needs and goals. Mr. Acquario stated the County Administrator acts as an advocate from the Department Head to the Legislature. Chair Sauerbrey reported Tioga County holds monthly Leaders Meetings in order to convey changes and give important information to Department Heads. Legislative Clerk Haskell reported Tioga County previously had a County Manager for a brief period of time. The position didn't work out and a Local Law abolished the position nearly twenty years ago. Ms. Haskell believes the position did not work well due to lack of communication. For example, the County Manager would make a decision that a Department Head didn't like so the Department Head would go to their Legislative Committee Chair. Oftentimes, the Legislative Committee Chair would overturn the decision of the County Manger, causing frustration and turmoil. Legislator Ciotoli stated the right candidate should be able to effectively communicate any issues from the Department Head to the Legislators.

Legislator Mullen inquired what staff, if any, Mr. Coyle has in his office. Mr. Coyle explained there is a Secretary to the County Administrator, Clerk of the Board, and an Administrative Assistant/Purchasing Director. Chair Sauerbrey stated the Legislators are technically on-call 24/7. As the current Chair, she is in the office daily, attending to the business of the county. The growing needs of the county require someone to work daily, in an administrative capacity, with the County Attorney, Personnel Officer, and Clerk of the Legislature. Chair Sauerbrey stated, initially, she doesn't anticipate hiring any additional staff to support the position of County Administrator.

Legislator Weston asked what the typical salary of a County Administrator is. Mr. Coyle stated it depends on the county and what their needs and expectations for the position are. Mr. Acquario reported the average is between \$125,000 to \$180,000.

Legislator Flesher asked Mr. Coyle what his previous work experience was prior to County Administrator. Mr. Coyle explained he was the Village of Brockport Treasurer, then became

the Village of Brockport's Manager. Mr. Coyle was the youngest Village Manager and the youngest County Administrator in New York State. Though qualifications and education for the position can vary, Mr. Coyle believes the classes he took in college were vital for job preparation. Mr. Coyle earned a degree in Public Administration in Local Government Management. He believes candidates with prior local governmental experience is a huge plus. A background in budget, finance, and implementation of policies would be ideal skills and qualifications of a County Administrator. Mr. Coyle mentioned succession planning could be beneficial as the candidate would already have governmental experience and relationships. Legislator Mullen stated his ideal candidate would be someone that is local and familiar with the dynamics of Tioga County.

Chair Sauerbrey and the Legislators thanked Mr. Acquario and Mr. Coyle for their time and information.

Approval of Worksession Minutes: On motion of Legislator Ciotoli, seconded by Legislator Brown, the June 8, 2023 minutes were unanimously approved.

Action Items: Action Item from May 18, 2023:

ACTION ITEM #1 – 5/18/23 – County Planning Board Discussion

The Legislature will process the information presented by Planning Director Jardine and discuss the options for the County Planning Board.

This item is to be discussed under the “Other” section of the agenda.

This item is completed and will be removed from the Action Item List.

Other:

- ***Tioga County Planning Board:*** Legislator Roberts sent the Legislators a copy of the Candidate for Appointment Summary of Qualifications that is given to perspective Planning Board members. She asked the Legislators if they had any objection to the five-year minimum residency requirement question. Legislator Flesher stated he personally thought five years was a long time. Legislator Ciotoli was fine with the five-year requirement and stated if there were no potential candidates, the Legislature could go back and revise that question. On a straw poll vote, all Legislators in attendance, agreed to include the five-year minimum residency question on the Candidate for Appointment Summary of Qualifications form for the Planning Board.
- ***Offsite Location for Department Head Strategic Plan Meeting:*** Legislator Roberts reported TransPro, the company contracted to help construct Tioga County's Strategic Plan, suggested conducting an offsite Department Head meeting. The Planning Department wishes to have the meeting at the Tioga Country Club in Nichols at a cost of \$852. ED&P will cover the cost of the meeting. Department Heads will be invited to gather input about the Strategic Plan and an offsite meeting will allow for more cooperation and participation. Legislator Roberts stated the other option would be to have the meeting in the Hubbard Auditorium. On a straw poll vote, all Legislators in attendance, with the exception of Chair Sauerbrey, agreed to allow the Strategic Plan meeting to be conducted offsite.

- **State of Emergency Declaration and Orders:** Chair Sauerbrey stated the Legislature can keep the State of Emergency Order in place until it expires or keep extending it every five days. The State of Emergency Declaration itself must be renewed every thirty days. Chair Sauerbrey wanted Legislative input on what, if anything, should change regarding the State of Emergency. Legislator Mullen would like to keep extending both the State of Emergency Declaration and the State of Emergency Order. He believes the people of Tioga County should be taken care of first and there are not enough resources available to take on migrants. He explained that the issue is not about the people, but the process in which this is being handled by New York City.

With the current lawsuits brought against Tioga County, Legislator Flesher stated its key to weigh the financial impact of the lawsuits versus discontinuing the State of Emergency, which could potentially cost Tioga County future financial burdens. Legislator Brown reported most feedback he received has been to continue the State of Emergency Declaration and Orders. Legislators Ciotoli and Standinger would prefer to keep both in place but would agree to continue just the State of Emergency Declaration.

County Attorney DeWind said that many counties are maintaining the State of Emergency Declaration but are not extending the Order. Legislative Clerk Haskell agreed with County Attorney DeWind and stated feedback from her Clerk's Association, indicates many counties are letting their State of Emergency Orders expire. County Attorney DeWind explained if the State of Emergency Declaration was in place and a busload of migrants show up, Tioga County could immediately issue a State of Emergency Order. The Legislators agreed to keep the State of Emergency Declaration in place and discontinue the State of Emergency Order upon expiration.

Later in the day, on advisement of County Attorney DeWind, the State of Emergency Order will continue to renew.

Executive Session: With no confidential matters to discuss, an Executive Session was not necessary.

Meeting adjourned at 11:54 a.m.

Next Worksession scheduled for Thursday, July 6, 2023, at 1:00 p.m.

Respectfully submitted,

Amy Eiklor

Deputy Legislative Clerk