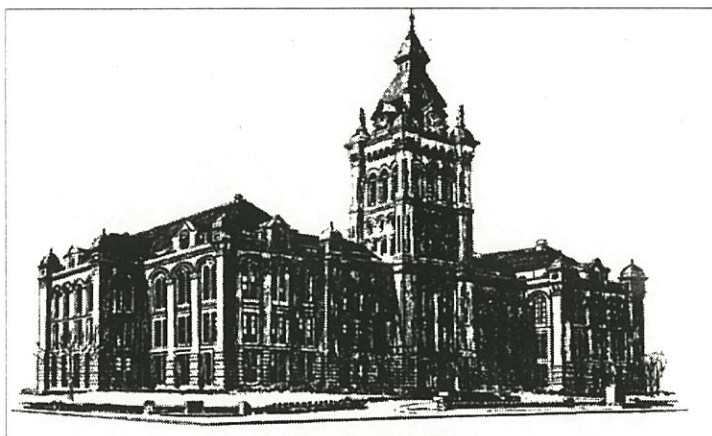


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LEGISLATURE

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ERIE COUNTY
1996 Citizen Salary Review Commission



FINAL REPORT

March 25, 1996

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I. BACKGROUND

Pursuant to Erie County Charter Section §1650 (Erie County Local Law No. 6-1986), in every even numbered year, a Citizen Salary Review Commission may be established. Its prescribed duties are to review the salaries of all elected officials of the County of Erie, except the District Attorney, and report its recommendations to the County Executive and the county legislature .

The last Citizen Salary Review Commission was convened in 1990. The 1990 Citizen Salary Review Commission was the second Commission to be activated by the Legislature.

The 1990 Commission recommendation, as adopted by the Legislature, resulted in a four percent increase in the 1992 compensation for Erie County's elected officials except the Comptroller, for which a six percent increase was recommended.

Erie County Charter Section §1650 (Erie County Local Law No. 6-1986), places three limitations or impediments upon the Legislature from increasing the compensation structure of the Erie County's elected officials:

- (a) one year for action: the county legislature has one year from the date of submission of the Citizen Salary Review Commission report, to adopt, modify, or reject the recommendations;
- (b) any increase in excess of those salaries recommended by the Citizen Salary Review Commission would require approval by a vote of at least two-thirds of all the members of the county legislature;
- (c) no salary increases may be granted in any year in which the County's real property tax levy has increased over the tax levy of the previous year.

No Citizen Salary Review Commission was convened in 1992 or 1994, due to the fact that the County's real property tax levy had increased over the tax levy of the previous year. The Legislature would have lacked authority to implement any recommendations a 1992 or 1994 Citizen Salary Review Commission might propose. The compensation structure of the Erie County's elected officials has therefore remained the same since 1992. In 1996, County real property tax levy was lower than the tax levy of the previous year (1995), and consequently, the Legislature is permitted to take action upon the 1996 Citizen Salary Review Commission recommendations.

II. COMMISSION MEMBERSHIP

The present Commission members were appointed in February 1996, and their term expires on June 30, 1998. Six of the members were appointed by the County

Executive, two by a majority vote of the majority party members of the Legislature, and one by a majority vote of the minority party members of the Legislature. The commission members represent taxpayer, civic, labor, professional, financial and minority groups in the County of Erie.

The members of the 1996 Citizen Salary Review Commission elected Mary Meacham as its chairperson.

The composition of the 1996 Citizen Salary Review Commission:

Zinna Cleague	C.A.R.E inspector GM (UAW)
James Darmstedter	Ret. Steelworker- William St. Taxpayers Association
Joseph Dobies	Administrator, Legal Services for the Elderly
Kathy Donoghue	Pres. Nat Assoc. of Women Business Owners
Mary Meacham	Executive Director Lake Shore Community Mental Health Center
Elinore Mundy	Pres. Eli Mundy & Associates, Ltd
Thomas Pecoraro	Businessman- Independence Party Chm.
Alonzo Thompson	Vice Pres. Grassroots
Peter Zaleski	Special Assistant to the President of Key Bank of New York

III. METHODOLOGY

The following sources of information were reviewed by the Commission.

A. Salary Compensation Information: (Elected Officials)

New York State Counties Monroe, Nassau, Onondaga, Suffolk, & Westchester, together with Maricopa (Arizona), Cayuhuga (Ohio), Hennipin (Minnesota), & Clark (Nevada) Counties were chosen for comparison because they have reasonable similarities to Erie County in population and total budget size; additional factors examined were the number of legislators, full/part time

status, department size, department budget, number of county employees, department head and deputy salaries.

B. 1990 Citizen Salary Review Commission Report:

Review of the methodology and conclusions arrived at six years ago by a similar commission.

C. Cost of Living Index Figures:

Statistical data maintained by the U.S. Department of Labor for the period of 1990-1996, indicating the cost of living changes and trends for the Buffalo-Niagara Falls geographic area.

D. Salary Increases of Erie County Employees: (1991-1996)

The established contractual salary increases for A.F.S.C.M.E , C.S.E.A. employees and managerial/confidential employees.

E. Interview and Questionnaire Process:

The Commission sent questionnaires to all the elected officials to solicit their written views of the salary history of their respective positions, job accomplishments and job responsibilities, and views regarding present salary adjustment. All elected officials were given the opportunity to personally address the Commission to supplement their responses.

III. FINDINGS

- The salaries of elected officials from one New York State county to another are neither identical nor within a narrow band. The five New York State representative county salaries ranged:

Executive: \$86,478 (Monroe) to \$119,085 (Westchester);
Sheriff: \$67,520 (Onondaga) to \$109,945 (Westchester);
Clerk: \$47,901 (Onondaga) to \$99,015 (Westchester);
Comptroller: \$63,925 (Onondaga) to \$103,742 (Westchester);
Legislature: \$16,850 (Onondaga) to \$47,074 (Suffolk)

- The population figures of the respective counties varied from 468,973 (Onondaga) to 1,287,348 (Suffolk).

- The county budget figures of the respective counties varied from \$750,829,165 (Onondaga) to \$2,111,305,468 (Suffolk).
- Due to the expected transfer of responsibilities from the federal and state government to the county, local elected officials have been and will be faced with increasingly heavy demands to meet the growing and complex needs of their constituents.
- Based upon testimony received during the interview process, it was indicated that the vast majority of the Erie County Legislature consider their elected position as a full-time position. It was conveyed to the committee that of the current 17 members, only 5 have outside income from another position., and that most members spend more than 60 hours a week in fulfilling their duties.
- The salary structure and disparity of the deputy salaries to their supervisor (elected official) is significant. County Executive (\$88,400) - Deputy County Executive ((\$95,636); Sheriff (\$67,600) - Under Sheriff (\$85,731); Clerk (\$67,600) - Deputy Clerk (\$75,132); Comptroller (\$68,900) - Deputy Comptroller (\$85,072). The current linkage of the deputies' salaries (managerial/confidential) to percentage increases awarded to C.S.E.A . union contract increases will continue to further widen this disparity in future years. Although recognized as available data, the consensus of the committee was that such disparity should not be a key factor in setting elected officials' salaries. Review and possible reform of the salary structure for deputies is beyond the charge of this committee. The December 9, 1991 professional management study conducted by the Peat Marwick management consulting firm, a by product of the 1990 Citizen Salary Review Commission, performed an analysis of the managerial/confidential salary data.
- The cost of living index increase from 1991 - 1996 was statistically established at 19.8% and the salaries of Erie County employees rose 20.5% for the same period (compounded at 22.2%). The salaries for the A.F.S.C.M.E employees in Erie County will increase by 4.0% in 1997, 4.0% in 1998, and 4.0% in 1999, and the salaries for the C.S.E.A. employees will increase by 3.3% in 1997, 3.7% in 1998, and 4.0% in 1999.
- Due to foreseeable cut backs in future federal and state funding to local municipalities, it is unlikely that the Salary Review Commission will meet again for several years.
- Since 1992, the salary structure for the elected officials has remained the same.

IV. SALARY RECOMMENDATIONS

It is the recommendation of a majority, six members¹, of the 1996 Citizen Salary Review Commission that there be a fixed 17% percent salary increase for the Elected Officials and that the stipend for Chairman of the Legislature be increased from \$8,320 to \$10,000, and for Majority/Minority Leader of the Legislature be increased from \$3,120 to \$5,000, effective, January 1,1996.

The recommended salaries for the elected officials are as follows:

A.	County Executive:	\$103,428
B.	County Clerk	\$79,092
C.	Comptroller	\$80,613
D.	Sheriff	\$79,092
E.	Legislature Chairman	\$52,588
F.	Majority/Minority Leaders	\$47,588
G.	County Legislators	\$42,588

VI. GENERAL OBSERVATIONS AND POLICY RECOMMENDATIONS

The members of the committee make the following observations.

- The job descriptions of the elected officials as maintained by the Department of Personnel (for Civil Service purposes) were difficult and almost impossible to analyze. The job descriptions of the elected officials do not reflect the current duties of the elected officials and should be updated.
- In all the offices of elected officials, the deputies salaries are higher than the elected officials'. The December 9, 1991 management study report, prepared by Peat Marwick, was generated in response to the 1990 Citizen Salary Review Commission Report. To date, no action to implement its recommendations have been made. The automatic annual increase for deputy salaries should be abandoned and a restructuring of their salary scale be implemented.
- The Sheppard Plan submitted by member Pecoraro contains some innovative ideas for the restructuring of County government, and may be deserving of future debate with consolidation issues.
- The Citizen Salary Review Commission law should be repealed because it does not provide an equitable method for reviewing and changing the salary of elected officials.

¹ One member recommended similar adjustments, but tied any increases to a restructure of the Legislative Branch and funding alternatives. Another member suggested a range of adjustments for specific positions. One member recommended no increase for the elected officials.

The Commission members are available if the Legislature needs clarification regarding any item in the report.

In closing, we would like to express our thanks for giving us the opportunity to serve the residents of Erie County.

Respectfully submitted,

Mary Meacham, Chairman

Zinna Cleague

James Darmstedter

Joseph Dobies

Kathy Donoghue

Elinore Mundy

Thomas Pecoraro

Alonzo Thompson

Peter Zaleski

Appendix:

Materials Reviewed by Members of the 1996 Erie County Salary Review Commission.

1. Data for salary comparisons between Erie County elected officials and officials from 5 other New York State counties and 4 other counties outside New York State.
 - Fringes
 - Number at base
 - Full/Part time status
 - Department Budget
 - Department size
 - Number of County Employees
 - Total County Budget
 - County Population
 - Deputies Salary
 - Department Head Salary
2. 1993 Salary Survey of Executive, Legislative and Administrative Positions in New York State Counties, prepared by NYS Association of Counties.
3. 1995 Salary Survey of Executive, Legislative and Administrative Positions in New York State Counties, prepared by NYS Association of Counties.
4. 1996 adopted Erie County uniform pay schedule for Managerial Confidential
5. 1996 adopted Erie County uniform pay schedule for Department Heads.
6. September 1990 Erie County Salary Review Commission Final Report.
7. 1996 Monroe County Salary Schedule for Elected officials and Summary of 1995 Monroe County Compensation Policy Commission Recommendation.
8. CPI data for percent change comparison purposes of District Attorney's salary (1992 - 1995).
9. Copy of the 1996 Erie County adopted Budget job descriptions of Erie County Elected Officials.
10. Copy of Personnel Department Civil Service job descriptions of Erie County Elected Officials.
11. Verbal testimony from Erie County Sheriff Thomas Higgins.
12. Verbal testimony from Erie County Clerk David Swarts and written documentation.
13. Verbal testimony from Erie County Legislature Chairman Leonard R. Lenihan.
14. The Shepherd Plan, submitted by Commission member Pecoraro.
15. Data Summary - Titles - submitted by Commission member Meacham
16. Cost of living in Buffalo metro area, 1975-1994 data, prepared by Business First of Buffalo.
17. Opinion Memorandum of Assistant County Attorney Gertsman, December 5, 1995
18. Proposed Plan, submitted by Commission member Meacham
19. December 9, 1991 Salary Review- Peat Marwick