

2024 CITIZENS SALARY REVIEW COMMISSION OF ERIE

March 12, 2024

Agenda

1. Call Meeting to Order (2:00 p.m.)
2. Minutes February 27, 2024 Meeting
3. Unfinished Business
 - a. Discuss on Commission Report.
4. New Business
 - a. Vote of Final Commission Report to be Sent to Legislature
4. Public Comment
6. Adjournment

Next Meeting -



COUNTY OF ERIE CITIZENS SALARY REVIEW COMMISSION MINUTES

Tuesday, February 27, 2024 Meeting #9

Present: Chair Lauri Buonanno, Alex Burgos, Gary Dickson, David Pietrowski, Fred Floss, Bill Ransom, Greg Rabb, and Mark Glasgow

Absent: Chris Stone

Support Staff: Mark Cornell, Lindsay McKay, and Natalie Nitsche.

Non-Members Present: Nate Lippitt

Meeting Notes: A quorum was present, and the meeting was called to order by Chair Buonanno at 2:02 p.m.

Chair Buonanno discussed the prior meeting's minutes. F. Floss motioned to accept the minutes as amended; A. Burgos seconded the motion. All in favor.

Chair Buonanno then asked the Commission to go around and present their proposals for just the county-wide elected officials.

F. Floss: County Executive \$175,000; Sheriff \$150,000; Clerk and Comptroller \$140,000;

G. Rabb: County Executive \$175,000; Sheriff \$150,000; Clerk and Comptroller \$140,000;

D. Pietrowski: County Executive \$175,000; Sheriff \$150,000; Comptroller \$140,000; Clerk \$130,000.

G. Dickson: County Executive \$150,000; Sheriff \$140,000; Comptroller and Clerk \$130,000;

B. Ransom: County Executive \$160,000; Sheriff \$115,000; Comptroller \$115,000; Clerk \$115,000;

M. Glasgow: County Executive \$190,000; Sheriff \$180,000; Comptroller \$115,000; Clerk \$115,000;

A. Burgos: County Executive \$175,000; Sheriff \$150,000; Comptroller \$140,000; Clerk \$140,000;

Chair Buonanno: County Executive \$175,000; Sheriff \$150,000; Comptroller \$140,000; Clerk \$130,000;

Next, Chair Buonanno asked for an explanation from the lowest and highest end suggestions. G. Dickson stated he is thinking about the public and is trying to be conservative with the numbers. M. Glasgow stated that the County Executive has a lot of visibility and works around-the-clock. B. Ransom reminded the Commission that this is his third term, and he believes that the reason the last commission was successful was because they were not so aggressive with the recommendations. There was concern about the percentage or raise being proposed for the elected officials when the average County resident does not see such a significant raise usually. The Chairwoman asked for additional comments.

F. Floss discussed that historically raises are around 3% and does not feel it appropriate for public servants to have the same raises that the private sector has. G. Rabb discussed that people do run for election to serve, but county-wide jobs are complicated and the pay should be commensurate with the work. D.

Pietrowski shared that the Mayor of Buffalo earns \$178,000, the Deputy County Executive earns \$188,000, and if the County Executive pay was higher, it could open up the pool of candidates.

G. Rabb made a motion for \$175,000 for the County Executive salary, which was seconded by A. Burgos. In favor: Chair Buonanno, A. Burgos, D. Pietrowski, F. Floss, and G. Rabb; Opposed: G. Dickson, B. Ransom, and M. Glasgow. **APPROVED 5-3. The Commission recommendation for the County Executive's salary is \$175,000.**

A. Burgos motioned for \$140,000 for the Comptroller salary, which was seconded by G. Rabb. In favor: Chair Buonanno, A. Burgos, D. Pietrowski, F. Floss, and G. Rabb; Opposed: G. Dickson, B. Ransom, and M. Glasgow. **APPROVED 5-3. The Commission recommendation for the Comptroller's salary is \$140,000.**

Next, Chair Buonanno asked M. Glasgow how he arrived at this suggestion for the Sheriff's salary. M. Glasgow commented that he would like to see if be more competitive with other counties to open it up for additional candidates. B. Ransom discussed that a raise to \$180,000 is a 68% increase, \$115,000 is a 13% increase, and he feels that all of the Sheriffs since 1995 have been qualified. G. Dickson stated that the Sheriff has control of the jail and emergency management, and he is willing to increase his recommendation to \$150,000. D. Pietrowski contributed that the Buffalo Chief of Police earns \$151,000. Chair Buonanno discussed other County Sheriffs' salaries and the numbers F. Floss came up with based on CPI.

F. Floss motioned for \$150,000 for the Sheriff salary, which was seconded by D. Pietrowski. In favor: Chair Buonanno, A. Burgos, D. Pietrowski, F. Floss, G. Dickson, and G. Rabb; Opposed: B. Ransom, and M. Glasgow. **APPROVED 6-2. The Commission recommendation for the Sheriff's salary is \$150,000.**

A. Burgos motioned for \$130,000 for the Clerk salary, which was seconded by F. Floss. In favor: Chair Buonanno, A. Burgos, D. Pietrowski, F. Floss, G. Dickson, and G. Rabb; Opposed: B. Ransom, and M. Glasgow. **APPROVED 6-2. The Commission recommendation for the Clerk's salary is \$130,000.**

M. Cornell discussed why and how the county-wide elected officials' salaries are so different. M. Cornell then provided what the salaries will look like based upon the next election with keeping the COLAs. In 2028, the County Executive will earn \$175,000; the Comptroller will earn \$148,526; the Sheriff at \$159,135; and the Clerk at \$133,900.

Next, the Commission discussed the Legislators' salaries. F. Floss stated that based on his analysis, \$64,000 is the average salary of a full-time middle manager in Erie County. G. Rabb stated that a lot of the job is analyzing the budget, and that part is complicated. G. Dickson believes that these are part-time jobs with each Legislator having a full-time aide. B. Ransom believes that the Legislators want a raise, but they are afraid to give themselves a raise. D. Pietrowski stated that all of the majority caucus indicated they work full time hours, and they get full time benefits. A. Burgos suggested this position is similar to Buffalo's Common Council, and the pay should be commensurate. Chair Buonanno stated that she was swayed by A. Burgos and M. Glashow about the Legislators being underpaid, but she believes they will not vote for a 100% increase in their salary. A. Burgos discussed that Erie County Legislators meet weekly where Monroe County meets monthly, at night. G. Dickson does not believe this raise will attract anyone new.

Chair Buonanno discussed that the Erie County Legislature has the potential to be the power house of Upstate New York and can have influence and make more of a difference in Albany. Democrats have the super-majority and that'll not change any time soon. Erie County is more moderate and is the linchpin between New York City and mid-west. Erie County needs to be stronger force in regional government. Erie County Legislature is not holding its weight in the State. EC is a trendsetter. She also believes that Alex's number is right, but will not be voted for by the Legislature. \$64,354 is a living wage for a middle manager

in local government in Erie County. Erie County needs a stable legislature with more experienced people who understand they are the powerhouse upstate. In the budget, they're full time with a pension, benefits, and healthcare.

F. Floss motioned for \$64,000 for the Legislators' salaries, which was seconded by G. Rabb. In favor: F. Floss, G. Rabb, and Chair Buonanno; Opposed: G. Dickson, D. Pietrowski, B. Ransom, M. Glasgow, and A. Burgos. **FAILED 3-5**

A. Burgos then motioned for \$70,000; there was no second to the motion. **NO ACTION.**

D. Pietrowski then motioned for \$65,000 base salary for the Legislature, and G. Rabb seconded the motion. In favor: Chair Buonanno, D. Pietrowski, F. Floss, G. Dickson, and G. Rabb; Opposed: A. Burgos, B. Ransom, and G. Dickson. **APPROVED 5-3. The Commission recommendation for the Legislature base salary is \$65,000.**

F. Floss motioned for a \$5,000 caucus leader stipend and a \$10,000 chair stipend, which was seconded by B. Ransom. All in favor; none opposed. **APPROVED Unanimously. The Commission recommendation is that caucus leader stipend will remain at \$5,000 and chair stipend will remain at \$10,000.**

G. Dickson motioned to eliminate the COLA, which was seconded by F. Floss. All in favor; none opposed. **APPROVED unanimously. The Commission recommendation is that annual COLAs end.**

Next, the question was posed about when the salaries go into effect. Per the Erie County Charter, raises can only go into effect at the beginning of a new term for each office. As such, it was confirmed that the Sheriff, Comptroller, and Legislators would receive their raises in 2026; Clerk in 2027; and County Executive in 2028 – pending approval at the Legislature.

F. Floss motioned to not adjust salaries based on the election cycle; the motion was seconded by G. Rabb. **All in favor; none opposed. The Commission recommendation is that the above recommendations are the final Commission recommendations for the next term of each office with no pro-rating for effective dates.**

There were no public comments.

A motion was made by A. Burgos to adjourn the meeting; motion was seconded by F. Floss. All in favor.

The next meeting will be held on March 12, 2024 at 2:00 p.m. (tentatively).

ERIE COUNTY

2024 Citizens Salary Review Commission



FINAL REPORT

March 12, 2024

Executive Summary

DRAFT

Acknowledgements

DRAFT

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Duties and Composition of the Erie County Citizens Salary Review Commission

Duties

The Erie County Citizens Salary Review Commission (CSRC) was established in 1986 as Article 22-B (now Article 22-A) of the Erie County Charter. Section 22-A-02: Beginning on July 1, 1986, the commission will review the salaries of all elected officials of the county of Erie, except for the District Attorney, and report its recommendations to the County Executive and the County Legislature by September 1st of that year. The committee will provide ample opportunity for public input prior to making its recommendations to the County Executive and County Legislature. Such a review of salaries must occur during every even year starting with 1986.¹

Composition

The commission consists of nine members representative of taxpayer, civic, labor, business, professional, financial and minority groups in the county of Erie. Five (5) members of the commission are appointed by the County Executive. Two (2) members of the commission are appointed by the Legislature's Majority, one (1) member is appointed by the Legislature's Minority and one (1) member is appointed by the County Comptroller.² Appendix A: The 2024 Commission contains a list of the 2024 appointees.

Article 22 – Other County Boards, Offices, Institutions and Functions³

Section 2205. Advisory Boards specifies that:

- members shall serve three-year terms and may serve no more than two consecutive terms; those who have served two consecutive terms shall be eligible again after a two-year absence.
- each advisory board shall elect one of its members to serve a two-year term as chair; no chair may serve more than two consecutive terms
- advisory boards shall meet at least four times per year

The 2024 Salary Review Process

All minutes and other information pertinent to the seating and deliberations of the 2024 CSRC are available at <https://www4.erie.gov/csrc/2024-citizens-salary-review-commission>.

Public Participation Policy

Article 22, Section 2205 (see above) requires that advisory board meetings “shall be held in compliance with the Open Meetings Law.”

¹ <https://www3.erie.gov/law/charter/article-22-citizens-salary-review-commission-charter>

² Erie County, New York (nd). Citizens Review Commission. <https://www4.erie.gov/csrc/citizens-salary-review-commission#:~:text=The%20Citizens%20Salary%20Review%20Commission,in%20the%20county%20of%20Erie.>

³ <https://www3.erie.gov/law/charter/article-22-other-county-boards-offices-institutions-and-functions-charter>

The 2024 CSRC adopted a Public Participation Policy, which was posted to the ECSR webpage. (See Box 1 for this policy.) Meetings were advertised on the Erie County website with a separate page dedicated to the “2024 Citizens Salary Review Commission.”⁴

Time was allotted at the end of each meeting for public comment.

The CSRC’s meetings were available to the public in-person or via videoconferencing through Erie County’s Webex platform, with a recurring link posted to the 2024 CSRC webpage.

Box 1 Erie County CSRC Public Participation Policy



**COUNTY OF ERIE
CITIZENS SALARY REVIEW COMMISSION**

Public Participation Policy

- A. The Erie County Citizens Salary Review Commission (CSRC) welcomes input from the general public. The Chair of the CSRC may authorize at their discretion, but is not required to allow, public participation on items on the agenda to ensure the orderly conduct of business during meetings.
- B. Request time to speak by emailing Lindsay McKay at lindsay.mckay@erie.gov or calling 716-858-6194 at least four (4) hours before the start of a meeting so speakers may be listed on the agenda to be posted in a timely manner as required by the New York State Open Meetings Law. Confirmation from Lindsay is required to be included in the agenda and be allocated time to speak.
- C. Remarks and presentations from all speakers will be limited to 5 minutes and take place at the conclusion of any new business prior to adjournment. The Chair may allow additional time if doing so will further the duties and goals of CSRC.
- D. The Chair also has the ability to limit remarks from the public which are “repetitive” or “offensive.”

Meetings

Nine meetings of the 2024 CSRC were convened. These meetings are detailed in Table 1.

⁴ <https://www4.erie.gov/csrc/2024-citizens-salary-review-commission>

Role of the County Legislature in the Process

Beyond the appointment of three (3) total members to the commission, the Legislature's role is as follows (As set forth in Section 202.3 of the Erie County Charter).

The Erie County Legislature is hereby prohibited from changing the salary of any county elected official, excluding the District Attorney, except in accordance with the following procedure:

- Prior to acting upon the Citizens Salary Review Commission's biennial report, the County Legislature shall hold at least one public hearing to solicit public input on said commission's recommendations.
- Notices of all such public hearings shall be published at least once in the official newspaper or newspapers of the county and in such other newspapers as the County Legislature may direct. At least five days but not more than ten days shall elapse between the first publication of such notice and the date specified for the hearing.
- The County Legislature shall have one year from the date said recommendations are submitted to adopt, modify, or reject the recommendations of the citizens salary review commission.
- Any salaries approved by the County Legislature in excess of those recommended by the Citizens Salary Review Commission shall be approved by a vote of at least two thirds of all the members of the County Legislature.
- The County Legislature shall specifically establish the effective date of any adjustments in the salaries of elected county officials. No increase in the salary of an elected official shall be permitted for any fiscal year in which there is an increase in the real property full value tax rate over the real property full tax rate of the previous fiscal year.
- The County Legislature's review of salaries as set forth above shall occur during every even year starting with 1986. No increase in the salary of any county elected official shall take effect until the current term of office of the elected official that is to receive an increase in salary has ended. Amended by Local Law No. 1-2017

Current Salaries

The current salaries are listed in Box 2.

Box 2 Current Salaries of Erie County Elected Officials (2024 Adopted Erie County Budget)

| | |
|------------------------------|-----------|
| County Executive | \$139,392 |
| Sheriff | \$101,811 |
| County Clerk | \$90,129 |
| Comptroller | \$107,160 |
| Sheriff | \$101,811 |
| County Legislature Chair | \$52,588 |
| Majority and Minority Leader | \$47,588 |
| County Legislators | \$42,588 |

Background to this Report

The Challenge

The members of the Commission took seriously their responsibility to represent the taxpayers in their deliberations, emphasizing both the importance of citizen “watchdogs” as provided in the Erie County Charter, but also their role in ensuring Erie County elected officials should be compensated fairly.⁵ As the summary of the meetings indicates (see Table 1) indicates, the Commission was divided as to 1) the analyses that should be adopted to recommend salaries, 2) whether county legislators should be considered full-time or part-time county employees, 3) whether there should be attempt to bring elected officials’ salaries closer to their deputies (a debate that has occurred within each seated CSRC – see previous CSRC reports as well as Monroe County’s most recent salary commission’s report),⁶ 4) whether cost of living adjustments should be considered, and 5) whether other NYS counties can be considered comparable to Erie County. Differences among the CSRC members were never (completely) overcome, with compromises made while agreeing to the 2024 salary recommendations.

Data Collection

The Commission sought to triangulate both the data collection and data analysis to ensure we considered the issue of salary levels from various perspectives.⁷ Based on internal deliberations, consultations with legislators, and a content analysis of the salary issue as reported by the media, the Commission agreed the salary analysis would need to be realistic and evidence-based. We also agreed our analyses would be informed by respect for the citizen-taxpayers of Erie County and the cost of living in Erie County.

- Salaries of elected officials in other NYS counties (NYSAC, websites, reports, and calls to counties)
- Salaries of elected officials in the Big Four and Big Five counties (NYSAC, websites, reports, and calls to counties)
- Salaries of elected officials in the City of Buffalo
- Salaries of civil servants in Erie County (Erie County Department of Budget & Management)

⁵ A citizen salary commission, for example, could have prevented the significantly higher salaries in Bell City, California, which came to light in an investigative series in the *LA Times*. Jeff Gottlieb; Ruben Vives (2010-07-14). Bell city manager could possibly be highest paid in nation: \$787,637 a year. [Latimesblogs.latimes.com](https://latimesblogs.latimes.com).

⁶ Monroe County Compensation Commission Report (2023, May 31). County of Monroe. Compensation Policy Commission Report; Erie County Citizen Salary Review Commission, 2024 documents at <https://www4.erie.gov/csrc/2024-citizens-salary-review-commission>

⁷ Public administration research strives to conduct “mixed methods” research, which combines the collection and analysis of both quantitative and qualitative data. The best research should also strive to “triangulate” the data collection, meaning we would assemble more than one type of quantitative and qualitative data and utilize them in our examination. The Commission adopted both approaches in its research methodology.

- Population, median income, and median real estate values for other NYS counties (NYSAC)
- US Census data 1996-2023 for private and local government public employee salaries in Erie County
- Annual growth rates (compounded from 1996-2023)
- Number of legislators, size of legislatures’ budgets, staff size in comparable counties
- Interviews with Erie County elected officials (provided by Erie County Department of Budget & Management)
- Duties and responsibilities of each office as outlined in the Erie County HR job descriptions provided to the Commission members (provided by Erie County Department of Budget & Management)
- Commission members meetings with elected officials
 - ECSR members met with all elected officials for which they were charged with considering salary levels. The meetings’ discussions sought to address the questions listed in Box 3.

Box 3 Interview Questions - Elected Officials

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| <ol style="list-style-type: none"> 1. Do you think Erie County elected office(s) are compensated fairly? 2. Which ones are not? Why do you believe that is the case? 3. Do you consider the Legislator position to be Part-time or Full-time? <ol style="list-style-type: none"> a. On average, how many hours a week do you work on legislative business? b. How might your commitment level to your outside employment shift if being an Erie County Legislator is considered a full-time post? 4. Do you think that the pool of qualified candidates for Erie County elected office would increase with higher compensation level(s)? 5. What do you believe is a fair compensation level for Erie County elected officials? 6. What data analysis do you need to make an informed decision on our recommendations? 7. Would raises be more acceptable to the legislature if step increases were recommended? |
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Commission Deliberations

Table 1 lists the date of each meeting and summarizes the major topic of each meeting. The meeting minutes provided the source for the “Topic” column, which are available on the Erie County Salary Commission website. Table 1 illustrates that the CSRC members expressed a wide variety of opinions as to whether salary increases were justified, whether the Legislators are part- or full-time employees, which countries are comparable (if any), whether annual growth rates should be considered, the workload of the Legislators (e.g. the extent to which the legislative staff are the “workhorses” of the Legislature, if the civil servants should earn more than the elected officials to whom they report, and the public’s likely reaction to salary increases.

Table 1 2024 CSRC Meetings & Topic

| Meeting Date | Topic |
|------------------|---|
| December 8, 2023 | Introduction of CSRC members, CSRC charge & rules of procedure explained, Salary data provided (Managerial Confidential Pay Scales, |

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| | <p>analysis of raises resulting from the 2018 CSRC recommendations, comparison of elected officials’ salaries with other county employees), L. Buonanno nominated and elected to Chair the 2014 CSRC, C. Stone and L. Buonanno shared their experiences as members of the 2018 CSRC, question of employment status (full-time/part-time) of Legislators introduced and the possibility of conducting interview with elected officials. Erie County support staff explained their roles: M. Cornell (Deputy Budget Director), L. McKay, and N. Nitsche</p> |
| January 9, 2024 | <ul style="list-style-type: none"> • Public participation policy adopted • Each member discussed their priorities/concerns, which produced consensus that the Commission needed to determine the workload and status (PT/FT) of Legislators because they hadn’t received a salary increase since 1996 and their districts had expanded since that time⁸, • Concern about the ability of the average person to run for County Legislator and how the salary should be determined (average wages? Living Wage?), benefits of Legislators • Basis for comparison (should the 2018 analysis inform the 2024 Commission, or should additional analyses be considered?) • Agreed to conduct interviews with all elected officials |
| January 23, 2024 | <ul style="list-style-type: none"> • Agreed interview questions • Discussed longevity/turnover of County Legislators – only 2 in office when 2018 CSRC conducted interviews • A running (and unresolved) theme of subsequent meetings emerged with concerns over whether Legislators would vote a raise for themselves (with some members thinking this should be a factor and others stating that whether Legislators would vote up or down shouldn’t be a factor in the salary recommendations • Comparability of County Legislators with members of Buffalo Common Council?, comparability of Erie County with rural counties? Comparability of legislative work with Westchester County (in terms of work performed rather than focusing on cost of living measures?) total Legislative budget (rather than salaries) compared to other counties? • Commission agreed to make two comparisons – Big Four and Big Five – because some members did not want to include Westchester Count • Agreed to upload documents to Google Drive to facilitate collaboration. |

⁸ In 1967, responding to the US Supreme Court decisions requiring legislative districts to be equal in population, Erie County voters approved the establishment of a 20-member County Legislature to replace the Board of Supervisors, which was first seated January 1, 1968. The Legislature’s post 1980 Census reapportionment reduced the number of seats to 17. There were 17 legislative districts in 1996 (the last time a salary increase was approved for Legislators). Based on the 2000 Census, the Erie reduced the number of districts from 17 to 15. A 2010 citizen referendum approved a measure reducing the Legislature to 11 members.

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| <p>January 30, 2024</p> | <ul style="list-style-type: none"> • Discussed county budgets being used as a comparative metric (much discussion as to whether county budgets are directly comparable and whether it made sense to gather budget data from all counties), • Time series salary analysis from Census data for the private and local government sectors in Erie County • Reports from interviews with County Legislators – <ul style="list-style-type: none"> ○ Majority Caucus – sense that Legislators are underpaid/devote a lot of hours to their job, including constituency services, Legislator from the Majority Caucus suggested \$82,500 as a fair salary based on COLAs since 1996, lack of consensus as to whether a full-time job, do not favor restrictions on earning pay for outside work, higher salary would attract more candidates ○ Minority Caucus asked the Commission to review benefits, expressed opposition to a raise under the logic of the position is public service, supported raise for the County Sheriff but no other elected positions, lowering salaries of deputies rather than increasing salaries of countywide officials, opposed to a COLA, do not favor restrictions on earning pay for outside work, higher salary will not attract more candidates • Members agreed to compare salary increases among the Big Five with County’s Department of Budget & Mgmt agreed to collect salaries of elected officials in the Big Five • Analysis of ten (charter) counties for 2018 & 2021 (latest data) to determine the total cost of the Legislature (Erie County’s costs lowest, Monroe’s total cost almost double) • Erie County Budget & Mgmt confirmed that in County’s payroll system Legislators are considered FT (they receive FT pensions and health care benefits) • Benefits discussed |
| <p>February 6, 2024</p> | <ul style="list-style-type: none"> • Suffolk County Legislators earn \$111,333 annual salary, Comptroller & Clerk earn over \$212,812, County Executive \$241,409 – but not part of the Big Five • Interviews with County Executive, Comptroller, Clerk <ul style="list-style-type: none"> ○ CE – Legislator salaries and countywide are underpaid ○ Comptroller – salary increases would not have a large impact on the County budget, elected official job are public service and aren’t comparable to the private sector ○ Clerk – County Clerk team is underpaid, six day/week job due to Auto Bureau schedule, paid much lower than comparable counties, Clerk has much more work to perform than other counties (e.g. in some counties the Clerk does not oversee the auto bureaus), all four countywide elected officials are underpaid, Clerk’s office major profit center, but underappreciated, COLA was helpful • More discussion about Legislators – various and opposing opinions: some members expressed that they are FT positions working at least |

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|-------------------|--|
| | <p>37 hours/week, staying on top of the budget requires experience and skills vs. FT staff is responsible for the budget/more pay will not increase competition or quality of candidates for Legislature: it became increasingly apparent that the Commission was not closing in on a unanimous position re Legislators' salaries</p> <ul style="list-style-type: none"> • Tour de table – Commission members expressed various opinions : <ul style="list-style-type: none"> ○ Legislators and countywide elected need raises, but unsure of increments ○ Modest raises for Legislators because FT job at PT salary, more parity among the four countywide elected ○ Increase for all, one member quite substantial for Legislators (80k range) ○ \$10k-\$20k raises for countywide and significant raises for Legislators (no \$ amount attached) ○ CE should earn more than the other three countywide elected • To what extent explanations revealed in the tour de table can be understood in terms of the several informal analyses offered (comparing counties and subset, legislatures? Cost of living adjustments (compounding salaries by annual growth rates since 1996)? • Can this Commission provide an “algorithm” for future Commissions? Discussion about the 2018’s comparative analysis not accepted as definitive by 2024 commissioners |
| February 13, 2024 | <p>Sheriff interview – base pay and OT of Undersheriff, Chief of Administration, and Superintendent of the Holding Center discussed, oversees one of the largest police forces in NYS, on call 24 hours, salary should be commensurate with the CE – suggested pay as follows: “\$200k CE, Clerk \$125k, Sheriff \$175k, Comptroller \$125k; Legislators \$75-\$80k as more in line with Buffalo Common Council</p> <ul style="list-style-type: none"> • Moved to discussing salary increases based on analyses <ul style="list-style-type: none"> ○ Legislators, costs, # of constituents, county population ○ Wage growth in Erie County in the public & private sectors since 1996 ○ Salary comparisons & other indicators for the Big Four and Big Five ○ COLA & staggered elections impacting when salary increases are implemented. • First-cut, advisory votes taken <ul style="list-style-type: none"> ○ Some members continued to express dissatisfaction with subordinates earning more than the elected officials. Agreed that Rabb would write an explanation of how the civil service system works. The Commission’s report would include a table of salaries to inform Erie County residents of the disparity in order for them to have the same data the Commission viewed. ○ Salary differentials – no unanimity |

| | |
|-------------------|--|
| February 20, 2024 | <ul style="list-style-type: none"> • Discussion of rationale for first-cut votes • Examined the history of previous salary commission recommendations as covered by <i>The Buffalo News</i>⁹ • Discussion of comparable counties – some believed Erie County was comparable to the Big Four or Big Five some thought Erie County was unique and couldn't be compared • Monroe County's salary increases (January 1, 2024) discussed – all comparable countywide higher than Erie County except Legislature • Continued concern by some members about public impressions of recommendations of large salary increases • Legislature as a “stepping stone” to other positions • Reached an impasse in terms of no new ideas emerging <ul style="list-style-type: none"> ○ Commission agreed to read the Chair's document “Fist Cut Analyses” and defend their salary recommendations at the next meeting ○ Call for a vote at the next meeting ○ Recommended salaries will be selected by the majority |
| February 27, 2024 | Individual votes taken on each salary recommendation, carried by a majority |
| March 12, 2024 | Reviewed report to be sent to the County Legislature |

Analyses

Introduce and summarize the analyses to follow.

Analysis #1: Comparable Counties

The 2018 CSRC grounded its salary recommendations in an analysis of comparative counties.¹⁰ The 2024 CSRC undertook several comparative analyses.

The idea of a comparative analysis of salaries of elected officials is informed by the idea that NYS counties were created by State legislative acts and are administrative units of the State. Counties are governed by Article IX of the State Constitution, the Municipal Home Rule Law and the Statute of Local Governments. While originally conceived of and treated by Albany as handmaidens of the State, the NYS Constitution was amended in 1935 to authorize the NYS

⁹ CSRCs were convened in 1996, 2004, 2014, and 2018. The most recent CSRC was convened in 2018. A 2004 CSRC had recommended raises, which the Legislature rejected. The Legislature in 2014 unanimously rejected CSRC recommendations for across-the-board salary increases. The Legislature approved the 2018 CSRC recommendations to increase salaries for the County Executive, Sheriff, and Comptroller. COLAs were recommended and accepted for the County Executive, Sheriff, Comptroller, and Clerk. No salary increases or COLAs were recommended for the Legislature.

¹⁰ The 2018 CSRC compared Erie County salaries with those of counties that were within one standard deviation of the mean for median income and median real estate values, thereby eliminating Dutchess, Nassau, Orange, Putnam, Rockland, Schenectady, Suffolk, and Westchester Counties from the comparative analysis.

Legislature to enact alternative forms of county government. (Discussed further in Analysis #2, below.) This legislation, originally proposed by Governor Alfred E. Smith, resulted from a recognition by Albany that counties should play a more important role in regional governance as NYS had become increasingly diverse and complex. The movement towards enhanced regional governance culminated in NYS voters approving alternative forms of county government in November 1958, permitting those counties outside of NYC to prepare, adopt, and amend their charters.¹¹ New York’s 57¹² counties located outside of the City of New York “carry out local functions specified by the State of New York. These functions, which include maintaining records, enforcing state laws, conducting elections for the state, and providing economic assistance through social services programs...reflect the role of the county as a regional government...and the structure of New York’s counties is fairly similar...”¹³

Importantly, Analysis #1 is grounded in the notion that NYS counties are more alike to one another than they are to the municipalities located within the respective counties or as Deputy Budget Director Mark Cornell clarified when asked to weigh in on the comparability question, “Erie County is probably more similar to an unlike-size county in New York State than it is to a like-sized county in another state.” Therefore, in this view, the duties for which elected officials in Erie County are responsible are more like duties of other NYS counties than they are to, for example, elected officials in the City of Buffalo.

But given comparability, which counties are MOST comparable? There were several views on this point: 1) “charter counties” are more comparable regional governmental entities, 2) the Big Five (Albany, Erie, Monroe, Onondaga, and Westchester Counties) and the Big Four (excludes Westchester County), and Monroe County as Erie’s most comparable county. The Big Five are often grouped together because each has a core urban area surrounded by suburban and rural areas. Population size, median income, and median real estate values are also considered relevant, and explains why some analysts do not think Westchester County is comparable to the Big Four. Median family income and median real estate prices are powerful indicators of cost of living; specifically, wages should be related to prices in the local area, and housing is generally the largest expense in a family’s budget. Housing costs vary considerably across counties and wages should reflect such disparities. Government salaries for elected officials should not only be consistent with the taxpayers’ ability to pay and standard of living (median family income), but also the ability of an elected official to maintain a reasonable standard of living (e.g. carry a mortgage for which median real estate value serves as a proxy).

Individual analyses follow.

¹¹ See New York State Department of State. (2023a). Adopting Local Laws in New York State, Third Edition. https://dos.ny.gov/system/files/documents/2023/01/adopting-local-laws-in-nys_1.pdf; New York Department of State. (2023b). Adopting and Amending County Charters. https://dos.ny.gov/system/files/documents/2023/01/adopting-and-amending-county-charters_1.pdf

¹² The five NYS boroughs are not considered comparable to the 57 NYS counties and are routinely excluded from comparative analyses of NYS counties.

¹³ Pratt, Anastasia L. (2015, Spring). Our Evolving Counties: A History of New York State County Government. *NYSAC News Magazine*. (p. 1) <https://www.nysac.org/media/4r2phkpn/our-evolving-counties-history-of-nys-counties.pdf>

| | | | | | | | |
|----------------|--|--|--|--|--|--|--|
| | | | | | | | |
| AVERAGE | | | | | | | |

Indeed, the 2018 CSRC had relied heavily on this more conservative analysis to arrive at its recommendations. Several of the 2024 CSRC members objected to this comparison, arguing that despite similarities in governance structure, other factors were more relevant, especially population size, median income and real estate values, size of the county budget, and mix of urban/suburban/rural (including size of the county’s primate city). Accordingly, the focus shifted to the Big Four and Big Five.

1b. Focus on the Big Four and Big Five Counties

The “Big Five” counties are Albany (Albany), Erie (Buffalo), Monroe (Rochester), Onondaga (Syracuse) and Westchester (Yonkers). The “Big Four” excludes Westchester County due to its higher median income and median real estate values. (See Table 3.)

Table 3 The Big Five & Four (Salary figures included in Counties’ 2024 Adopted Budgets)

| County | Population | Median Income | Median Real Estate Value | County Executive | Sheriff | Clerk | Comptroller |
|--------------------|------------|---------------|--------------------------|------------------|------------------|------------------|------------------|
| Albany | 315,041 | \$78,829 | \$263,800 | \$181,406 | \$166,049 | \$138,088 | \$149,539 |
| Erie | 951,232 | \$68,014 | \$197,400 | \$139,932 | \$101,811 | \$90,129 | \$107,160 |
| Monroe | 756,406 | \$71,450 | \$182,700 | \$180,000 | \$175,000 | \$115,000 | \$ |
| Onondaga | 472,637 | \$71,479 | \$172,800 | \$199,246 | \$132,894 | \$100,542 | \$127,572 |
| Westchester | 997,904 | \$114,651 | \$619,000 | \$160,760 | \$245,940 | \$213,150 | \$ |
| Average (5) | | | | \$172,269 | \$164,339 | \$131,382 | \$128,090 |
| Average (4) | | | | \$175,146 | \$143,939 | \$110,940 | \$128,090 |

Table 3 indicates that even when comparing salaries with the Big Four and Big Five, all Erie County’s countywide elected officials have lower salaries than each of the other four counties. A careful analysis reveals, however, that it is Erie County that is responsible for lowering the averages!

1d. Monroe County is the most comparable NYS county to Erie County

Monroe County is the most similar county to Erie in terms of geography (urban, suburban, rural), median family income, and median real estate value. Table 4 reports salaries for Monroe County elected officials.¹⁶

¹⁶ Monroe County Compensation Commission Report (2023, May 31). County of Monroe. Compensation Policy Commission Report.

Table 4 Monroe County Salaries (effective January 1, 2024)

| Position | Previous | Current |
|--|-------------------------|-----------|
| County Executive | \$120,000 | \$180,000 |
| Sheriff | \$149,376 | \$175,000 |
| County Clerk | \$81,000 | \$115,000 |
| County Comptroller | Not an elected position | |
| County Legislator | \$18,000 | \$28,500 |
| Legislature Chair | \$36,000 | \$45,000 |
| Legislature Majority & Minority Leader Stipend | \$5,000 | \$7,500 |

Implication: County-wide elected officials in Erie County receive lower compensation as compared to the most similar county.

1e. Population and Budget Size Suggest Erie County is Not Strictly Comparable

Erie County has the highest population of the Big Four and is ranked second among the Big Five. It also has the largest county budget of the Big Four. (See Table 5.)

Table 5 Population & Budgets in Comparable Counties

| County | Population Size (2023 Estimate) | Rank In NYS | Rank among Big Four | Rank among Big Five | County Budget (\$) |
|-------------|---------------------------------|-------------|---------------------|---------------------|--------------------|
| Albany | 315,041 | 9 | 4 | 5 | |
| Erie | 951,232 | 4 | 1 | 2 | |
| Monroe | 756,406 | 5 | 2 | 3 | |
| Onondaga | 472,637 | 6 | 3 | 4 | |
| Westchester | 997,904 | 3 | | 1 | |

Implication: Erie County is much more complex to govern than Albany, Onondaga, and even Monroe County. Erie County’s salaries should be higher than the other Big Four.

Analysis #2: The Erie County Legislature

Of the 18 counties with the county executive system,¹⁷ only two have fewer legislators than Erie County (Montgomery, 9 legislators: population 49,258 and Putnam, 9 legislators: population 99,323).

2a. Legislators’ workload

The Commission spent a great deal of time discussing the composition, workload, and duties of the legislature (see Table 1).

¹⁷ Counties with a county executive: Albany, Broome, Chautauqua, Chemung, Dutchess, Erie, Monroe, Montgomery, Nassau, Oneida, Onondaga, Orange, Putnam, Rensselaer, Rockland, Suffolk, Ulster, Westchester.

Responsibilities of Erie County Legislators

[Article 2](#) of the County Charter specifies the duties of county legislators. Nowhere in the charter is it specified whether the post is considered full-time or part-time. Box 4 summarizes Erie County Legislators' duties.

Box 4 Erie County Legislators' Duties

The County Legislature shall have, but not by way of limitation, the following powers and duties:

1. To make appropriations, levy taxes and incur indebtedness.
2. To exercise all powers of local legislation in relation to enacting, amending, repealing or rescinding local laws, legalizing acts, ordinances or resolutions, subject to veto by the County Executive in such instances as are specifically provided in this Charter.

Amended by Local Law No. 10 1974.

3. By local law to adopt, amend and repeal an administrative code which shall set forth the details of administration of the County government in harmony with the provisions of this Charter and may contain revisions, simplifications, consolidations, codifications and restatements of special laws, local laws, ordinances, resolutions, rules and regulations consistent with this Charter.
4. By local law to create, alter, combine or abolish County administrative units not headed by elective officers.
5. To adopt by resolution all necessary rules and regulations for its conduct and procedure.
6. To fix the compensation of all officers and employees paid from County funds, except members of the judiciary.
7. To fix the amount of bonds of officers and employees paid from County funds.
8. To make such studies and investigations as it deems to be in the best interest of the County, and in connection therewith to obtain professional and technical advice, appoint temporary advisory boards of citizens, subpoena witnesses, administer oaths and require the production of books, papers and other evidence, deemed necessary or material to the study or inquiry.
9. To determine and make provision for any matter of County government not otherwise provided for, including any matter involved in the transition to this charter form of government.
10. To award contracts submitted to it for approval on bids or otherwise and to determine whether acceptance of any bid or award of any proposed contract will best promote the public

interest. In the awarding of contracts, the first consideration shall be given to the best promotion of the public interest.

Subsection j. Added by Local Law No. 7 1978.

11. To confirm each appointment of the County Executive of heads of every department, division or other administrative unit not administered by another elective official, pursuant to Article III of this Charter.

Several Commissioners expressed the opinion that the workload of Erie County Legislators is much higher than that of Legislators in the most populous counties. Table 6 compares the Erie County legislative workload and costs with the 10 counties with the highest population. Erie County Legislature is an outlier with just 11 members and the highest constituency ratio (86,476 members per legislative district). This analysis suggests that the higher constituency numbers must be recognized as a factor in compensation (e.g., travel time, constituency service, complexity of district issues, committee workload). While Erie County has the fourth largest population, it has the lowest number of Legislators (Column C) and the highest number of residents per Legislator (Column D). Despite having the fifth highest salary per legislator, Erie County enjoys the lowest combined costs of Legislators (column F). Finally, Column G projects what the true cost of a Legislator for each of the ten counties if they all had the same number as Erie County (Column F divided by 11), indicating that the cost/per Legislator is lowest in Erie County (Column G).

New York State has also recognizes the increased responsibilities of County Legislatures as regional governance has taken on more importance in quality-of-life issues and the delivery of services: "The heightened responsibility of members of county legislative bodies is indicated by the fact that the budgets they must consider and adopt each year range from tens of millions of dollars in small counties to hundreds of millions in large counties. Several counties have budgets in excess of one billion dollars, and Nassau County's budget exceeds three billion dollars."¹⁸

Table 6 County Legislative District Sizes (by population)

¹⁸ Source: https://video.dos.ny.gov/lg/handbook/html/county_government.html

| A | B | C | D | E | F | G |
|---------------|-------------------|-------------------------|------------------------------------|----------------------------------|---|--|
| County | Population | # of Legislators | Constituents per Legislator | Legislative Salary (Base) | Total Cost of Legislators (F/11) | Cost per Legislator based on 11 members |
| Erie | 925,528 | 11 | 84,139 | \$42,588 | \$468,468 | \$42,588 |
| Onondaga | 465,398 | 17 | 27,376 | \$37,619 | \$639,523 | \$58,138 |
| Rockland | 328,868 | 17 | 19,345 | \$64,500 | \$1,096,500 | \$99,682 |
| Westchester | 980,244 | 17 | 57,661 | \$75,000 | \$1,275,000 | \$115,909 |
| Suffolk | 1,492,953 | 18 | 82,942 | \$107,051 | \$1,926,918 | \$175,174 |
| Nassau | 1,369,514 | 19 | 72,080 | \$84,370 | \$1,603,030 | \$145,730 |
| Orange | 382,226 | 21 | 18,201 | \$30,499 | \$640,479 | \$58,225 |
| Dutchess | 295,568 | 25 | 11,823 | \$27,500 | \$687,500 | \$62,500 |
| Monroe | 747,642 | 29 | 25,781 | \$28,500 | \$826,500 | \$75,136 |
| Albany | 309,612 | 39 | 7,939 | \$26,049 | \$1,015,911 | \$92,356 |

2b. Separation of powers in NYS charter counties

As pointed out above, Erie County is a charter county. The implication is that a strong legislature is needed to check the power of an independent executive. The importance of a professional body with expertise to check the power of the executive branch has been a topic of conversation throughout the Commission’s deliberations. So, too, in the past several years the Legislature has been called upon to provide more oversight of the Erie County Sheriff’s Office, adding another layer of complexity to the Legislator’s responsibilities. Some commissioners who advocated for higher compensation for County Legislators expressed the idea that while the comparable county analysis offers a sensible range, Erie County is *sui generis* among New York State counties due to its size, housing the second largest city in New York State, its location as the westernmost city in the State, and the more conservative political leanings of its residents as compared to New York City. The idea was expressed by some commissioners that Erie County is the only local government entity to be able to exercise the sort of regional governance on the Niagara Frontier that can act as a countervailing power to Albany. It was further expressed that Erie County is in a better position than any other county in Upstate New York to tackle problems that Albany has been reluctant to take up or has simply ignored. In this laboratory of democracy view, Erie County has the “gravitas” based on the factors noted above to provide a counterweight to Albany for other upstate counties facing similar challenges. Regional governance requires both a strong executive and a strong legislature. In this view, elected officials from both branches need adequate compensation to ensure the highest level of professionalism and skill for effective regional governance in Western New York.

2c. The ability to run for Erie County legislator open to more residents of Erie County

Some Commissioners pointed out that a base salary of \$42,588 is inadequate to attract individuals to run for this office. Interviews with Legislators suggested that those individuals who run their own business, practice law, or are in otherwise more “flexible” occupations are the only individuals who can afford to serve as County Legislators. The idea of calculating a time series minimum wage was rejected as not realistic for a mid-level management position.

Accordingly, Census Bureau data for all local government in Erie County was downloaded and an average calculated. As Table 7 indicates, if Legislators’ salaries had kept up with increments for local government employees in Erie County, their 2023 salary should be \$64,354 (the average salary for local government employees). Therefore, this salary should represent the “expected average wage” in local government in Erie County. Several Commissioners expressed the idea that a County Legislator should be compensated as a mid-level manager in local government because they are responsible for writing and passing legislation, reviewing, and passing the executive budget, and reviewing and approving contracts. Also, in line with a local government middle manager, they are responsible for supervising staff.

Table 7 Salaries (Census Bureau)

| County | Wage 1996 | Wage 2023 | Years | Index | Average Annual |
|------------------------|-----------|-----------|-------|-------|----------------|
| Local Government | | | | | |
| Erie County | \$34,696 | \$64,354 | 27 | 1.85 | 2.31% |
| Albany County | \$29,968 | \$64,965 | 27 | 2.17 | 2.91% |
| Monroe County | \$32,651 | \$59,178 | 27 | 1.81 | 2.23% |
| Onondaga County | \$28,949 | \$60,913 | 27 | 2.10 | 2.79% |
| Private All Industries | | | | | |
| Erie County | \$26,150 | \$59,122 | 27 | 2.26 | 3.07% |
| Albany County | \$27,226 | \$69,314 | 27 | 2.55 | 3.52% |
| Monroe County | \$32,209 | \$61,880 | 27 | 1.92 | 2.45% |
| Onondaga County | \$27,805 | \$60,985 | 27 | 2.19 | 2.95% |

2d. Benefits for Erie County legislators

Some Commissioners expressed the importance of comparable benefits. Erie County Legislators are considered full-time for purposes of eligibility for the NYS retirement system and health care coverage. The Erie County budget specifically includes Erie County Legislatures as full-time employees. Monroe County legislators, on the other hand, are not eligible for retiree healthcare and pension credits earned by county legislator are on a part-time basis.¹⁹ This seemed to be a fundamental difference between Erie County and its most comparable NYS county.

¹⁹ See County of Monroe, Compensation Policy Commission Report, May 31, 2023, p. 4.

2e. Size of Legislature budget

Due to the difficulty of finding comparable information on the size of legislative staffs, the Commission employed budgets as a “proxy” for Legislative staff. Table 8 indicates the Total Legislature Budget. A great deal of Erie County’s total legislature budget is devoted to staff costs rather than legislative salaries. To some Commission members this indicated that Legislators have staff as “workhorses,” but other members objected to the idea of staff being empowered with knowledge that elected officials should have to make informed decisions. Erie County may be relying excessively on legislative staff to compensate for lower salaries and the resulting necessity to retain outside employment.

Table 8 Legislative Budgets, Big 5

| County | Leg Base | # of Legislators | Legislators Total Salary | Total Legislature Budget |
|-------------|-----------------|------------------|--------------------------|--------------------------|
| Albany | \$26,049 | 39 | \$1,044,331 | \$5,283,410 |
| Erie | \$42,588 | 11 | \$488,468 | \$4,862,427 |
| Monroe | \$28,500 | 29 | \$826,500 | \$3,498,841 |
| Onondaga | \$37,619 | 17 | \$688,116 | \$2,296,114 |
| Westchester | \$75,000 | 17 | \$1,275,000 | \$9,607,672 |

Analysis #3: Earnings Considering Average Annual Economic Growth

Another line of inquiry involved cost of living adjustments. US Census Bureau data were downloaded. The base year was 1996 because that represents the last year the Erie County Legislature approved salary increases for **all** elected officials. Table 9 contains year to year calculations of what Erie County elected officials’ salaries would be if the average annual increase had been applied since 1996.

Table 9 Cost of Living Calculations

| Office | Wage 1996 | Wage 2023 | Expected Wage | Difference | Percent Change |
|------------------------|-----------|-----------|---------------|------------|----------------|
| Local Government | | | | | |
| County Executive | \$103,248 | \$131,391 | \$191,504 | \$60,113 | 45.8% |
| Sheriff | \$79,092 | \$95,957 | \$146,700 | \$50,743 | 52.9% |
| Clerk | \$79,092 | \$84,628 | \$146,700 | \$62,072 | 73.3% |
| Comptroller | \$80,613 | \$100,620 | \$149,521 | \$48,901 | 48.6% |
| Leaders | \$47,588 | \$47,588 | \$88,266 | \$40,678 | 85.5% |
| Legislators | \$42,588 | \$42,588 | \$78,992 | \$36,404 | 85.5% |
| Legislator Chair | \$52,488 | \$52,488 | \$97,355 | \$44,867 | 85.5% |
| Private All Industries | | | | | |
| County Executive | \$103,248 | \$131,391 | \$233,431 | \$102,040 | 77.7% |

| | | | | | |
|------------------|----------|-----------|-----------|----------|--------|
| Sheriff | \$79,092 | \$95,957 | \$178,817 | \$82,860 | 86.4% |
| Clerk | \$79,092 | \$84,628 | \$178,817 | \$94,189 | 111.3% |
| Comptroller | \$80,613 | \$100,620 | \$182,256 | \$81,636 | 81.1% |
| Leaders | \$47,588 | \$47,588 | \$107,591 | \$60,003 | 126.1% |
| Legislators | \$42,588 | \$42,588 | \$96,286 | \$53,698 | 126.1% |
| Legislator Chair | \$52,488 | \$52,488 | \$118,669 | \$66,181 | 126.1% |

Two sets of calculations are presented: for local government and for private industry. So, for example, using local government annual increments, the Erie County Executive should be earning \$191,504 per annum and the Legislature (base) should be earning \$78,992. (See Table 7, above, for the average annual growth rate.)

Floss agreed to write an explanation of this analysis.

Analysis #4: Internal Equity - Salaries of Non-Elected County Officials

Internal equity is the pay of an employee relative to the pay that the other employees of the same organization are receiving. It is the assurance that the employer pays salaries which are commensurate to each job's internal value.²⁰ The concern is that underpaying elected officials may lead to a situation where either only unqualified or wealthy individuals will run for these offices or will succumb to the temptation to take on additional part-time employment.²¹ In addition, underpaying for these influential roles may create an environment ripe for corruption to compensate for the lack of fair pay. For this analysis, the compensation of elected officials is compared to the compensation paid to others in the same or similar departments. The responsibilities of each job are compared and measured against the compensation differences to determine fairness. Furthermore, subordinates can increase their income beyond their base salary upwards of 50 percent through other compensation not afforded to elected officials such as overtime, shift differential, and lineup pay. Table 10 documents the disparity in internal equity across within the relevant elected offices.

Table 10 Internal Equity in Erie County

| Title | 2023 Budgeted | 2023 Actual** | 2024 Budgeted | Variance vs |
|--|---------------|---------------|-------------------|-------------|
| County Executive | | | 139,932.00 | |
| <i>Deputy County Executive</i> | \$189,363.00 | \$175,527.45 | \$188,000.00 | 34% |
| Comptroller | | | 107,160.00 | |
| <i>Deputy Comptroller (Accounting)</i> | \$144,215.00 | \$159,821.56 | 153,970.00 | 44% |
| | | | | |

²⁰ External compensation equity is the pay of an employee relative to the pay of employees of other organizations.

²¹ **MORE RECENT ARTICLES?** See, for example, *The Buffalo News*, Op-Ed (2014, July 15), "Howard Should Have Known that a Full-time Sheriff Can't Take a Part-time Job," <https://buffalonews.com/2014/07/15/howard-should-have-known-that-a-full-time-sheriff-cant-take-a-part-time-job/.ANY>

| | | | | |
|--|--------------|--------------|-------------------|-------------|
| County Clerk | | | 90,129.00 | |
| <i>First Deputy County Clerk</i> | \$126,936.00 | \$131,554.74 | 138,613.00 | 54% |
| Sheriff | | | 101,811.00 | |
| <i>Undersheriff</i> | \$138,784.00 | \$226,207.79 | 170,723.00 | 68% |
| First Deputy DA | \$161,836.00 | \$172,095.74 | 173,809.00 | |
| Legislator - Chair | \$52,588 | \$52,588 | \$52,588 | |
| <i>Clerk of the Legislature*</i> | \$121,751.00 | \$83,115.43 | 129,939.00 | 147% |
| Legislator – Majority Leader | \$47,588 | \$47,588 | \$47,588 | |
| <i>Chief of Staff (Legislature Majority)</i> | \$116,430.00 | \$130,748.12 | 125,685.00 | 164% |
| Legislator – Minority Leader | \$47,588 | \$47,588 | \$47,588 | |
| <i>Chief of Staff (Legislature Minority)</i> | \$124,415.00 | \$134,252.65 | 132,792.00 | 179% |

** served only a partial year in role
their jobs transitioned to Full Salaried positions*

There are scores of officials with a base salary higher than that of elected officials' salaries. Examples include the Under Sheriff at \$170,723 (compared to the Sheriff at \$101,811); the First Deputy County Clerk at \$138,613 (compared to the County Clerk at \$90,129); the Deputy Comptroller at \$153,970 (compared to the County Comptroller at \$107,160); and the Deputy County Executive at \$188,000 (compared to the County Executive at \$139,932).

While it may not be practicable to use internal equity as a basis from which to recommend salaries, nevertheless, the Commission – as have other citizen salary review commissions— determined it is still useful to be aware of the sometimes quite large disparities in salary between elected officials and their immediate subordinates.²² One drawback of using internal equity as a basis for salary determinations is that elected officials are often not career county employees, where their deputies often are. Furthermore, the salaries of deputies can drop substantially when an individual retires from the position and an employee with fewer years in county employment takes his or her place. How, then, do we determine what is the comparable internal equity?

Commission members also took note of Table 11, which indicates that despite salary increases for some countywide elected officials, there are now more employees exceeding those of the countywide elected officials than in 2018. The disparity between the Clerk and the Sheriff, on one hand, and the employees has increased substantially, and especially with respect to the Clerk.

²² See, for example, County of Monroe, Compensation Policy Commission Report, May 31, 2023, p. 4.

Table 11 Comparative Salaries - Elected and Subordinates

| County Employee Salaries Compared to Elected Officials | | | | |
|--|---|----------|---|----------|
| Summary | | | | |
| | # of Employees Exceeding Salary 2024 | | # of Employees Exceeding Salary 2018 | |
| Elected | Total | Own Dept | Total | Own Dept |
| County Executive | 76 | 2 | 84 | 2 |
| Comptroller | 279 | 5 | 274 | 9 |
| Sheriff | 352 | 39 | 299 | 38 |
| Clerk | 639 | 6 | 299 | 2 |

These internal salary disparities generated a great deal of discussion among the Commissioners, as it has in all previous CSRCs.²³ Some Commissioners expressed the opinion that deputies should not earn more than the elected official to whom they report. Other Commissioners suggested that effective and efficient government required an (experienced) professional civil service. In this latter view, the continuity required for an experienced civil service will inevitably produce salaries higher than elected officials.

Analysis #5: External Equity - Salaries of Elected Officials in the City of Buffalo and Comparable County Positions

Commissioners discussed compensation in other municipalities, especially in the City of Buffalo. Table 12 contains comparative salaries for the City of Buffalo and Erie County, Budget Year 2024. The Commission also discussed salaries in other municipalities located in Erie County, noting that some police chiefs earn a higher salary than the Erie County Sheriff.

Table 12 Salaries in the City of Buffalo and Erie County

| Erie County | Erie County (2024 Budget) | City of Buffalo | City of Buffalo (2023-24 Budget) | Difference |
|---|------------------------------|--|-------------------------------------|------------|
| County Executive | \$139,932 | Mayor | \$178,519 | +28% |
| Sheriff | \$101,811 | Police Commissioner | \$150,845 | +48% |
| County Clerk | \$90,129 | City Clerk | \$120,472 | +37% |
| County Comptroller | \$107,160 | City Comptroller | \$134,593 | +26% |
| County Legislator | \$42,588 | Common Council Member | \$84,472 | +98% |
| Legislature Chair | \$52,588 | Common Council President | \$99,472 | +87% |
| Legislature Majority & Minority Leader | \$47,588 | Common Council Majority Leader (Minority Leader) | \$94,472 (\$90,472) | +99% |

²³ The Commission report will include references to articles published in *The Buffalo News* and to previous ECCSRC reports.

Some Commissioners tended to lean toward the comparability of the City of Buffalo and Erie County elected officials, while others thought the responsibilities of municipalities, especially New York’s second largest city, are unique and require more local leadership than NYS counties. The idea expressed by some Commissioners is that as administrative units of the State, a good deal of the county’s work is the “pass through” function for many State (and federal) programs, particularly social safety net programs as well as enforcing/implementing NYS law.

Analysis #6: Fringe Benefits

Commissioners also undertook an analysis of fringe benefits. Data were downloaded from the US Bureau of Labor Statistics (2010 to 2023, Quarter 3). For the Year 2023, Quarter 3, benefits constituted 56.3% of the wages for public sector workers (as compared to 44.7% for all workers). These benefits also include all “mandatory” benefits such as Social Security and health insurance. **FRED NEEDS TO ELABORATE.**

Analysis #7: Complexity of Countywide Elected Officeholders’ Duties

We have discussed the Legislature (see above). Individual interviews were conducted by Commission members with each of the countywide officeholders. Some Commission members expressed interest in salary recommendations that would bridge the salary gap among the four county-wide elected officials.

Analysis #8: Consideration of Staggering of Elections

Commissioners discussed the effect of the Erie County Charter, which prohibits salary increases approved by the Erie County Legislature from taking effect until the next election. While there was some discussion of equalization of raises to take account of the election cycle, consensus began to emerge that it not only added a layer of complexity to the salary recommendations, but that given Erie County is required to seat a salary commission every even year, the next salary commission should consider this issue.

Analysis #9 Cost of Living Adjustments

According to the US Department of Labor, Bureau of Labor Statistics, “the Consumer Price Index (CPI) is a measure of the average change over time in the prices paid by urban consumers for a market basket of consumer goods and services.”²⁴ The CPI and variations in this index are commonly used for “escalation” (inflation) calculations. If no action is taken on the current salary recommendations implemented since 2018, the salaries will increase (or stay the same) as projected in Table 13. Various percentages were proffered from a range of 5-15 percent, with 3 percent selected based on current economic growth projections.

Table 13 Salary Projections based on current salaries & COLA

²⁴ US Department of Labor, Bureau of Labor Statistics. <https://www.bls.gov/cpi/questions-and-answers.htm>.

| Erie County Elected Official Salary COLA Projections 2025-2028 | | | | | | | | | | | | | | |
|--|----------|-----------|-------------------|----------|------|----------------------|----------|------|----------------------|----------|------|----------------------|----------|------|
| Position | New Term | 2024 | 2025 (Actual CPI) | | | 2026 (Projected CPI) | | | 2027 (Projected CPI) | | | 2028 (Projected CPI) | | |
| | | Salary | Salary | \$ | % | Salary | \$ | % | Salary | \$ | % | Salary | \$ | % |
| County Executive | 2028 | \$139,932 | \$ 144,690 | \$4,758 | 3.4% | \$ 149,030.38 | \$4,341 | 3.0% | \$153,501.29 | \$ 4,471 | 3.0% | \$158,106.33 | \$4,605 | 3.0% |
| Comptroller | 2026 | \$107,160 | \$ 110,803 | \$ 3,643 | 3.4% | \$ 114,127.54 | \$ 3,324 | 3.0% | \$117,551.37 | \$ 3,424 | 3.0% | \$121,077.91 | \$ 3,527 | 3.0% |
| Sheriff | 2026 | \$101,811 | \$ 105,273 | \$ 3,462 | 3.4% | \$ 108,430.75 | \$ 3,158 | 3.0% | \$111,683.67 | \$ 3,253 | 3.0% | \$115,034.18 | \$ 3,351 | 3.0% |
| Clerk | 2027 | \$ 90,129 | \$ 93,193 | \$ 3,064 | 3.4% | \$ 95,989.19 | \$ 2,796 | 3.0% | \$ 98,868.86 | \$ 2,880 | 3.0% | \$101,834.93 | \$ 2,966 | 3.0% |
| Legislature - Chair | 2026 | \$ 52,588 | \$ 52,588 | \$ - | 0.0% | \$ 52,588 | \$ - | 0.0% | \$ 52,588 | \$ - | 0.0% | \$ 52,588 | \$ - | 0.0% |
| Legislature - Maj Leader | 2026 | \$ 47,588 | \$ 47,588 | \$ - | 0.0% | \$ 47,588 | \$ - | 0.0% | \$ 47,588 | \$ - | 0.0% | \$ 47,588 | \$ - | 0.0% |
| Legislature - Min Leader | 2026 | \$ 47,588 | \$ 47,588 | \$ - | 0.0% | \$ 47,588 | \$ - | 0.0% | \$ 47,588 | \$ - | 0.0% | \$ 47,588 | \$ - | 0.0% |
| Legislator - Base | 2026 | \$ 42,588 | \$ 42,588 | \$ - | 0.0% | \$ 42,588 | \$ - | 0.0% | \$ 42,588 | \$ - | 0.0% | \$ 42,588 | \$ - | 0.0% |

Summary of Salary Comparisons of the Analyses

Table 14 summarizes the findings of the various statistical analyses for the reader’s convenience. As can be seen, salaries based on comparative counties (Analysis #1 & Analysis #2) are (generally) quite modest compared to the Average Annual Economic Growth (Analysis #3), internal equity (Analysis # 4), and external equity (Analysis #5). The only outlier are salaries of the Erie County Legislators. The combined quantitative and qualitative data discussed in Analysis #2 reveals circumstances that suggest Erie County Legislators are underpaid.

Table 14 Salary Comparisons Generated by the Analyses

| COMPARISONS | County Executive | Sheriff | Clerk | Comptroller | Legislator |
|---|------------------|------------------|------------------|------------------|-----------------|
| All Charter Counties | | | | | |
| Big Four (Average) | \$175,146 | \$143,939 | \$110,940 | \$128,090 | \$33,689 |
| Big Five (Average) | \$172,269 | \$164,339 | \$131,382 | \$128,090 | \$41,951 |
| Monroe County | \$180,000 | \$175,000 | \$115,000 | n/a | \$28,500 |
| Expected Wage based on Annual Average Growth Rate (1996-2023) | \$191,504 | \$146,700 | \$146,700 | \$149,521 | \$88,266 |
| Internal Equity (highest paid subordinate) | \$188,000 | \$170,723 | \$138,613 | \$153,970 | n/a |
| External Equity (City of Buffalo) | \$178,519 | \$150,845 | \$120,472 | \$134,593 | \$84,472 |
| Current Salaries Erie County Elected Officials (2025 budget) | \$103,248 | \$105,273 | \$93,193 | \$ 110,803 | \$42,588 |
| 2024 CSRC Recommendations | \$175,000 | \$150,000 | \$130,000 | \$140,000 | \$65,000 |

Salary Recommendations

The majority of the 2024 ECSR members were guided by a combination of the following quantitative and qualitative analyses:

- Comparative counties, especially the Big Four
- Erie County budget size & population

- Legislative responsibility in charter counties (home rule), particularly in budget, contract oversight, and constituency work
- Uniqueness of Erie County’s location in NYS and its potential for exercising regional governance as a countervailing power and trendsetter with respect to NYS Legislature and statewide elected offices.
- Census-based annual growth rates for local government employees in Erie County since 1996
- Disparities in internal and external salary equity
 1. The County Executive position have a salary of \$175,000.
 2. The County Sheriff position have a salary of \$150,000
 3. The County Comptroller position have a salary of \$140,000
 4. The County Clerk position have a salary of \$130,000.
 5. The members of the Erie County Legislature have a salary of \$65,000.
 6. The Majority and Minority Leaders of the Erie County Legislature have a stipend of \$5,000 (no change)
 7. The Legislative Chair of the Erie County Legislature have a stipend of \$10,000 (no change).

The vote tallies were as follows:

- County Executive (5-3)
- County Sheriff (6-2)
- County Comptroller (5-3)
- County Clerk (6-2)
- Legislature Base (5-3)
- Majority/Minority Leader (8-0)
- Legislative Chair (8-0)

DO COMMISSIONERS WANT THEIR VOTE RECORDED IN THE REPORT?

Conclusions

The 2024 Erie County Citizen Salary Review Commission considered many factors in arriving at its salary recommendations. The Commission employed a mixed methods approach for collecting data by utilizing both qualitative (interviews, analysis of NYS charter county responsibilities in home rule and separation of powers, urban/suburban/rural) and quantitative data (population, median income, median real estate value, budget size, comparable salaries in other counties and the City of Buffalo, and annual average growth rates). The majority of the Commission member agreed there was not one-size-fits-all methodology for achieving a balance between possible resentment of some Erie County residents for salary increases for elected officials and the crucial importance of ensuring that regional governance in Western New York attracts the best and the brightest to ensure Erie County is well governed into the future.

Appendix A: The 2024 Commission

County Executive Appointments

Dr. Laurie A. Buonanno

Elected by the Commission members to serve as Chair, is a professor of public administration and political science at SUNY Buffalo State University where she teaches in the Master of Public Administration and Nonprofit Management [MPA] program. Her scholarship focuses on New York State governance, comparative public administration and policy, particularly immigration policy.

Dr. Frederick Floss

Professor, SUNY Buffalo State University, Department of Economics and Finance. Member of the City of Buffalo Fiscal Stability Board.

Mr. William Ransom, Jr.

Forty years of broadcast experience in small, medium and large markets, in positions of Sales and Management. Last 19 years as President and General Manager of ABC Affiliate, WKBW-TV in Buffalo, New York.

Mr. Greg Rabb

Preservation Buffalo-Niagara, Emeritus Professor, SUNY Jamestown Community College, elected member of Jamestown City Council for 10 years, including the Council Chair.

Mr. Christopher Stone

President Emeritus and Business Agent, United Brotherhood of Carpenters -Local 276, retired)

Majority Legislature Appointments

Mr. Alex Burgos

Mr. Mark Glasgow

Vice-President, Citi; President of the Buffalo Urban League Young Professionals

Minority Legislature Appointment

Mr. Gary Dickson

County Comptroller

Mr. David Pietrowski

Retired President and partner in locally owned insurance brokerage. Over 35 years' experience including management and leadership. Currently serving in various positions with local non-profits.

Support Staff

Mr. Mark Cornell (Erie County Division of Budget and Management)

Ms. Lindsay McKay (Erie County Division of Budget and Management)

Ms. Natalie Nitsche (Erie County Division of Budget and Management)

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Appendix B: Salaries of Non-elected Erie County Officials

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