

**2024 ERIE COUNTY**  
**CITIZENS SALARY REVIEW COMMISSION**

**January 9, 2024**

**Agenda**

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1. Call Meeting to Order
2. Welcome Minority Caucus Appointee – Gary Dickson
3. Minutes of December 8, 2023 Meeting
4. Unfinished Business
5. New Business
  - a. Approve Public Participation Policy
  - b. Discussion on salaries for elected positions
6. Public Comment
7. Adjournment

Next Meeting - January 16, 2024



# COUNTY OF ERIE CITIZENS SALARY REVIEW COMMISSION MINUTES

Friday, December 8, 2023 Meeting

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Present: Dave Pietrowski, Fred Floss, Laurie Buonanno, Christopher Stone, Alex Burgos, Mark Glasgow, Gregg Rabb.

Absent: Minority Caucus Appointee yet to be named

Support Staff: Mark Cornell and Lindsay McKay, both from Erie County Division of Budget and Management.

Non-Members Present: Sean Mulligan & News Media

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Deputy Budget Director, Mark Cornell, recognized a quorum and called the meeting to order at 1:02pm

Introduction of commission members were made and then Deputy Director Cornell explained the history and role of the Committee, i.e. that the Committee is responsible to evaluate the pay status of various elected officials – The County Executive, Comptroller, Sheriff, Clerk and Legislature. They do not determine the District Attorney whose salary is tied to NYS Supreme Court by law. He noted the 2018 Commission's report and approval by the Legislature in early 2019.

He then went into some detail discussing the various documents included in the meeting packet that included: Managerial Confidential Pay Scales, an analysis of raises that were a result of the 2018 commission recommendations, how the various elected officials compare to all other county employees in terms of pay, etc. There was a good amount of discussion on those documents.

Next, a motion was made by Mr. Stone to nominate a chairperson and was seconded by Mr. Floss. Mr. Stone nominated Ms. Buonanno which was seconded by Mr. Floss. Mr. Cornell stated that the motion carried unanimously and Ms. Buonanno is the commission chair.

Ms. Buonanno and Mr. Stone discussed the 2018 Commission and their roles on it to give context to the new members about the process that was underwent and how they ultimately arrived at their recommendations.

Mr. Cornell then discussed the Public Meeting Law and quorums not necessarily being required for discussion meetings. Virtual meeting options were also discussed. Members of the Committee discussed meeting frequency and scheduling. It was decided that the Committee will meet weekly after New Year's until mid-February.

Next, Mr. Cornell explained his role will be an organizational one. Any meeting time changes or if there is any business requiring a vote, communication will go through him, and he will secure a quorum in advance.

Mr. Glasgow inquired as to the voting procedure. Chair Buonanno informed the group that the Committee will keep talking until a compromise is met. Chair Buonanno then discussed interviewing elected officials and, specifically, issues surrounding Legislators (full time/part time, etc.).

Mr. Rabb asked if members of the public were allowed to speak. Mr. Cornell advised that members of the public are allowed to attend but are asked to not disrupt the meetings. There will be time at the end of the meeting for them to comment.

Next Meeting: January 9, 2024, at 2:00 pm



## COUNTY OF ERIE CITIZENS SALARY REVIEW COMMISSION

### Public Participation Policy

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- 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](mailto: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."

## **Analysis of the City of Buffalo 2023 Citizen's Salary Review Commission report**

Prepared by Nathan Feist, paralegal and resident of Buffalo

Published May 8, 2023; Revised May 11, 2023

### **Executive summary**

Buffalo's elected officials currently have higher salaries than those of similar cities and average residents of Buffalo. The salary for the Mayor of Buffalo is 115% of the average mayoral salary across similar cities and 584% of the average Buffalonian's income. The Buffalo Comptroller's salary is 125% of the average comptroller salary across similar cities and 440% of the average Buffalonian's income. Salaries for Buffalo Common Council members are 187% of the average city council member salary across similar cities and 276% of the average Buffalonian's income.

Nevertheless, a commission appointed by Buffalo's mayor, comptroller, and council president recommends a 12.38% increase in salary for Buffalo's elected officials. This would produce a mayoral salary 129% of the peer city average and 657% of the average Buffalonian's income, a comptroller salary 140% of the peer city average and 496% of the average Buffalonian's income, and a council salary 211% of the peer city council average and 311% of the average Buffalonian's income. If the report's recommendations are adopted, the mayor and the comptroller will respectively out-earn 98.6% and 96.6% of the city's wage earners and 98.1% and 95.8% of full-time wage earners, and council members will out-earn roughly 87% of Buffalo's wage earners and 82% of full-time wage earners.

The commission conducted its meetings without the public in attendance and concluded its business within one week, after three meetings each lasting between one and one and a half hours. This process produced a deeply flawed report, much of which was copied from a previous report from 2019, without regard to accuracy or appropriateness. In its final meeting, the CSRC used an arbitrary and invalid process for salary adjustment, producing recommended salaries that fall in the top 18%-1.9% of Buffalo's full-time worker income distribution and that far outpace corresponding salaries in similar cities with respect to local living wage and per capita income.

### **Introduction**

At the end of April 2023, the Citizens Salary Review Commission ("CSRC") published a report<sup>1</sup> recommending a 12.38% increase in the salaries of Buffalo's elected officials, which include the Mayor of Buffalo, Buffalo Common Council members, the Buffalo Comptroller, and

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<sup>1</sup> City of Buffalo Citizens Salary Review Commission - 2023, [http://buffalony.iqm2.com/Citizens/Detail\\_LegiFile.aspx?Frame=&MeetingID=2756&MediaPosition=&ID=21488&CssClass=](http://buffalony.iqm2.com/Citizens/Detail_LegiFile.aspx?Frame=&MeetingID=2756&MediaPosition=&ID=21488&CssClass=)

Buffalo Board of Education members. The Charter of City of Buffalo requires that the CSRC produce such a report every two years. This language was written when the term of office for council members was two years. This is reflected by the provision that approved salary recommendations go into effect at the beginning of the year following each council election. The term of office for council members is now four years. The previous CSRC report was made in April of 2019, which is the previous year council members were elected.

### **Flaws and faults in the CSRC's report**

The 2023 CSRC report (“the report”) contains inaccurate information, unsupported claims, inappropriate comparisons, defective reasoning, and spurious calculations. The CSRC arrived at conclusions before conducting an evidence-based deliberative process. For instance, the report states that the CSRC identified cities comparable to Buffalo before collecting data on population, budget size, and government structure.<sup>2</sup> In doing so, the CSRC identified the same six cities that its 2019 report<sup>3</sup> did, but four of these cities—Syracuse, Albany, Yonkers, and Cleveland—are less comparable to Buffalo than are other cities that are not considered in the report.

The report claims that “the Commission identified comparable cities relative to Buffalo’s population and annual budget size,” but the populations of Saint Paul, St. Louis (Missouri), Fort Wayne, Toledo, and Madison (Wisconsin) are closer in size to Buffalo’s population than those of Syracuse, Albany, Yonkers, and Cleveland. Budget size is a poor metric for comparison since the budgets of only some of the selected cities include city schools, and only some of those cities have a form of mayoral governance of a school district. Some of the selected cities also budget for and govern public libraries, airports, municipal electric utilities, and other entities that are not budgeted for or governed by the City of Buffalo.

For instance, Buffalo allocated 69.1% of its 2022-2023 budget to the Buffalo Board of Education,<sup>4</sup> while in Rochester, New York, the Rochester City School District’s budget is distinct from the city budget. In Yonkers and Cleveland, city schools are included in the city budget, and the mayor appoints the members of the board of education, while in Buffalo, city schools are governed independently. In 2022, Cleveland budgeted \$201,542,578 dollars for Cleveland Public Power, \$166,429,311 dollars for Cleveland’s two airports, and \$1,910,848

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<sup>2</sup> *Id.* at p. 5

<sup>3</sup> City of Buffalo Citizens Salary Review Commission, <https://www.buffalony.gov/DocumentCenter/View/5800/CSRC-Final-Report>.

<sup>4</sup> City of Buffalo Combined Summary Statement, 2022 - 2023 Adopted Budget, <https://www.buffalony.gov/ImageRepository/Document?documentId=10420>.

dollars for cemeteries.<sup>5</sup> Buffalo makes no appropriations in these categories, since all such entities in Buffalo are owned and operated by private or New York State-owned corporations.

Figures relating to population and budget size expressed as total appropriations budgeted are illustrated in the tables below (*n.b.*: the CSRC reported revenues as the “budget” for some cities, reported appropriations as the budget for others, and, for some cities, only reported figures for the general fund or figures excluding capital budget appropriations).

**Table 1.** Population, percent of Buffalo’s population, budget size, percentage of Buffalo’s budget, and per capita income for cities selected by the 2019 and 2023 CSRC reports.

Cities selected by the CSRC	Population (2021)*	Percent of Buffalo’s population	Total appropriations (FY 2022-2023)	Percent of Buffalo’s budget	Per capita income (2021)*
Buffalo, NY	276,807	100%	\$1,773,182,473. <sup>6</sup>	100%	\$27,157
Rochester, NY	210,606	76.1%	\$627,392,700. <sup>7</sup>	35.4%	\$26,569
Syracuse, NY	146,103	52.8%	\$810,041,651. <sup>8</sup>	45.7%	\$24,076
Albany, NY	98,617	35.6%	\$190,656,275. <sup>9</sup>	10.8%	\$31,969
Yonkers, NY	209,530	75.7%	\$1,251,512,189. <sup>10</sup>	70.6%	\$39,086
Cleveland, OH	367,991	132.9%	\$1,872,189,259. <sup>11</sup>	105.6%	\$23,415
Pittsburgh, PA	300,431	108.5%	\$773,679,078. <sup>12</sup>	43.6%	\$37,655

\* Reported by the United States Census Bureau

<sup>5</sup> City of Cleveland 2022 Budget Book, [https://www.clevelandohio.gov/sites/default/files/forms\\_publications/2022BudgetBook.pdf](https://www.clevelandohio.gov/sites/default/files/forms_publications/2022BudgetBook.pdf).

<sup>6</sup> City of Buffalo Combined Summary Statement, 2022 - 2023 Adopted Budget, <https://www.buffalony.gov/ImageRepository/Document?documentId=10420>.

<sup>7</sup> City of Rochester 2022-2023 Budget, <https://www.cityofrochester.gov/uploadedFiles/Departments/OMB/Documets/F2022-23%20APPROVED%20BUDGET.pdf>.

<sup>8</sup> Budget for the City of Syracuse for the period of July 1, 2022 - June 30, 2023, <https://www.syr.gov/files/sharedassets/public/2-departments/budget/budget-links/2022-2023-budget.pdf>.

<sup>9</sup> City of Albany 2022 Adopted Budget, <https://www.albanyny.gov/DocumentCenter/View/6880/2022-Adopted-City-Budget-PDF>.

<sup>10</sup> City of Yonkers Revenue and Expenditure Summary, <https://www.yonkersny.gov/home/showpublisheddocument/31248/637800850661270000>.

<sup>11</sup> City of Cleveland 2022 Budget Book, [https://www.clevelandohio.gov/sites/default/files/forms\\_publications/2022BudgetBook.pdf](https://www.clevelandohio.gov/sites/default/files/forms_publications/2022BudgetBook.pdf).

<sup>12</sup> City of Pittsburgh 2022 Budget in Brief, [https://apps.pittsburghpa.gov/redtail/images/17824\\_2022\\_Budget\\_in\\_Brief.pdf](https://apps.pittsburghpa.gov/redtail/images/17824_2022_Budget_in_Brief.pdf).

**Table 2.** Population, percentage of Buffalo’s population, budget size, percentage of Buffalo’s budget, and per capita income for cities similar to Buffalo but not included in CSRC reports.

Cities neglected by the CSRC	Population (2021)*	Percent of Buffalo’s population	Total appropriations (FY 2022-2023)	Percent of Buffalo’s budget	Per capita income (2021)*
Madison, WI	269,196	97.3%	\$758,840,003. <sup>13</sup>	42.8%	\$42,693
Toledo, OH	268,508	97.0%	\$1,626,649,646. <sup>14</sup>	91.7%	\$23,795
Fort Wayne, IN	265,974	96.1%	\$271,859,363. <sup>15</sup>	15.3%	\$29,268
St. Louis, MO	293,310	106.0%	\$1,232,851,506. <sup>16</sup>	69.5%	\$33,326
Saint Paul, MN	307,193	111.0%	\$741,325,670. <sup>17</sup>	41.8%	\$35,547

\* Reported by the United States Census Bureau

The report fails to offer a quantitative definition of “comparable city,” such as by defining ranges for population and budget size that the CSRC considered to be proximate. The report’s “Data Analysis” section states that “cities chosen were based on population, economy, geographic location, and relatively comparable scope of governmental responsibilities,” but the report does not identify any economic factors with respect to other cities, nor does it specify the extent to which geography limited its definition of “comparable city,” nor does it detail the responsibilities of other city governments or explain what makes them “relatively comparable.”

Despite that the governments of three of the report’s comparable cities do not budget for school districts (and the fact that school funding makes up the majority of city budgets for those that do), the report claims that fiscal responsibilities are “proportionally the same” in its selected cities and that elected officials’ pay is “significantly higher” in those cities. Like almost all of the text in the report, this statement is copied from the 2019 CSRC report. The statement was roughly true in 2019 (all of the selected cities paid their mayors a lower salary than Buffalo did), but four years on from the 2019 salary increases, the Mayor of Buffalo has a higher salary than do the mayors in all six of the selected cities, and only Cleveland and Pittsburgh—the two

<sup>13</sup> City of Madison 2023 Adopted Budget,

<https://www.cityofmadison.com/finance/documents/budget/2023/operating/adopted/Adopted2023.pdf>.

<sup>14</sup> Summary of Revenues and Expenditures – All Funds, <https://stories.opengov.com/toledooh/published/-qlh7EsDCcN>.

<sup>15</sup> City of Fort Wayne 2023 Budget,

[https://www.cityoffortwayne.org/images/stories/finance\\_and\\_administration/controllers\\_office/docs/bb/2023\\_Budget\\_Book\\_Publication.pdf](https://www.cityoffortwayne.org/images/stories/finance_and_administration/controllers_office/docs/bb/2023_Budget_Book_Publication.pdf).

<sup>16</sup> FY24 Budget Summary - All Departments by Fund, <https://www.stlouis-mo.gov/government/departments/budget/documents/upload/Summary.pdf>.

<sup>17</sup> 2023 City of Saint Paul Adopted Budget, [https://www.stpaul.gov/sites/default/files/2023-02/2023%20Adopted%20Budget%20City%20of%20Saint%20Paul\\_1.pdf](https://www.stpaul.gov/sites/default/files/2023-02/2023%20Adopted%20Budget%20City%20of%20Saint%20Paul_1.pdf).

selected cities larger than Buffalo—have higher paid council members (\$80,133 dollars and \$76,544 dollars, respectively, to Buffalo’s \$75,000 dollars).

The following table gives salaries from the seven cities most comparable to Buffalo plus averages and standard deviations for each position across the cities. The average mayoral salary of \$137,941 dollars is less than the average mayoral salary for the report’s selected cities, \$143,774 dollars (*n.b.*: the report’s listed mayoral salaries for Albany, Cleveland, and Pittsburgh are each lower than actual).

**Table 3.** Mayor, Comptroller, and Council Member salaries and their percentage of per capita income for cities similar to Buffalo, plus averages and standard deviations across the cities.

City	Mayor	Per capita income %	Comptroller	Per capita income %	Council Member	Per capita income %
Madison, WI	\$157,548	369.0%	-	-	\$14,904	34.9%
Toledo, OH	\$136,000	571.5%	-	-	\$27,500	115.6%
Fort Wayne, IN	\$141,881	484.8%	-	-	\$24,581	84.0%
St. Louis, MO	\$131,820	395.5%	\$112,190	336.6%	\$37,299	111.9%
Pittsburgh, PA	\$120,322	319.5%	\$79,521	211.1%	\$76,544	203.3%
Rochester, NY	\$157,019	591.0%	-	-	\$36,939	139.0%
Saint Paul, MN	\$121,000	340.4%	-	-	\$63,000	177.2%
Average	\$137,942	438.8%	\$95,855	273.9%	\$40,110	123.70%
Standard deviation	\$15,289	110.7%	\$23,101	88.7%	\$22,003	56.42%

The salary that the report cites for Rochester’s council members is for Rochester, Minnesota’s city council, whose council members are not defined as part-time positions.<sup>18</sup> Rather, the council members of Rochester, Minnesota have \$55,840 dollar salaries since they have twice voted down salary increases for the city council and the mayor in order to keep these salaries in line with the area median income.<sup>19</sup>

While board of education stipends will not be a subject of this analysis since their size and the magnitude of their proposed increase is much smaller, it is worth noting that the report’s \$633 million dollar figure for Cleveland’s \$1.5 billion dollar school budget is wildly inaccurate.

<sup>18</sup> Randy Peterson, “Is Rochester’s council part time? Not officially,” *Post Bulletin* (December 7, 2019), <https://www.postbulletin.com/news/md/is-rochesters-council-part-time-not-officially>.

<sup>19</sup> Randy Peterson, “Rochester council salaries stay flat as new year starts,” *Post Bulletin* (January 9, 2023), <https://www.postbulletin.com/news/local/rochester-council-salaries-stay-flat-as-new-year-starts>.



The report compares three salaries to the Buffalo Comptroller's and notes that "some of the other cities do not have an elected office similar to that of the Comptroller of the City of Buffalo" (p. 8). One of the three salaries is for the City of Yonkers Budget Director, which is also not an elected office. This is the only salary of the three which is higher than the Buffalo Comptroller's. The report later claims that Buffalo's comptroller has a lower salary than the Deputy Comptroller. This is false. The report's claim that Buffalo's comptroller "has multiple staff appointees who earn a higher salary" is only true insofar as two of the comptroller's staff members, the City Accountant and the Investment Debt Manager Officer, have salaries \$500 dollars higher than the comptroller's (p. 11).

One of the report's repeated rationales for recommending salary increases is so that "proper talent is attracted to the City of Buffalo" (p. 12). However, the positions of mayor, council member, and comptroller all require candidates to have lived in Buffalo for the year immediately prior to their election or appointment. This is the only required job qualification for these positions, whereas many civil service positions require formal training, professional certification, and years of relevant experience, which is a factor in determining compensation which the CSRC failed to raise.

Perhaps the most important reason to set modest salaries for elected officials is that their primary duty is to represent the interests of regular constituents. Representatives whose income is many times greater than the typical person they represent risk becoming disconnected from the lifestyles, challenges, and experiences shared by most of their constituents. This compromises their ability to fairly represent the citizens who elected them, but the report does not raise this point either. Rather, the report makes tendentious and unsubstantiated claims that salary increases for elected officials are "warranted to bolster the public's confidence that their elected officials are providing adequate leadership and supervision" and would achieve "proportionally equal distribution of pay" (p. 10), but neglects to identify any scale to which such a distribution would be proportionate.

### **Current and proposed salaries are in the top percentiles of Buffalo's income distribution**

The report uses the U.S. Department of Labor's Consumer Price Index in attempt to adjust salaries of elected officials for inflation. The resulting figures are not representative of wage growth in Buffalo, since the Consumer Price Index is a national metric, and in 2022, wages slightly decreased in the Buffalo metro area.<sup>20</sup> In 2020, the decline in wages was steeper—10.6% in Erie County—due to high unemployment.<sup>21</sup>

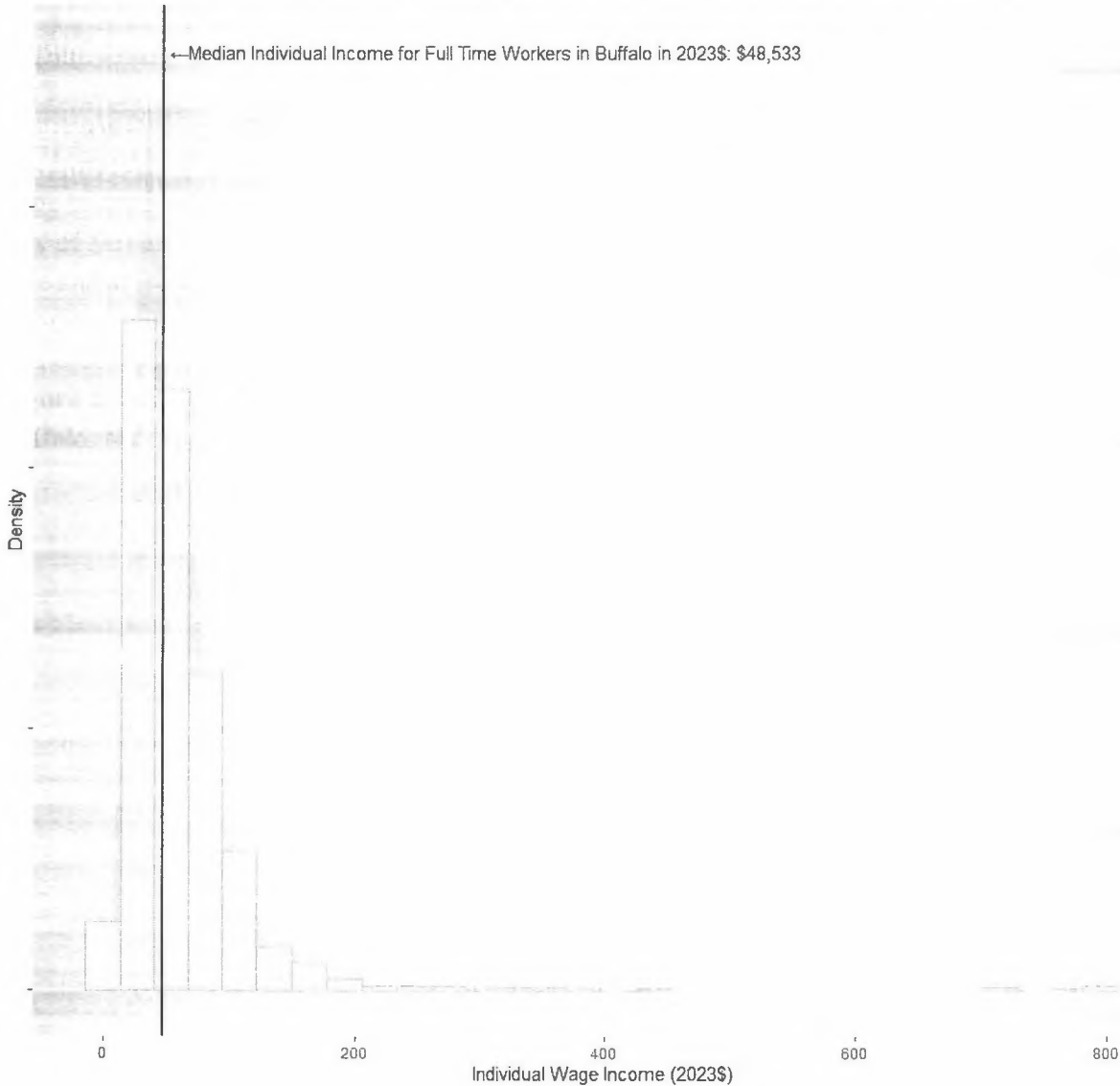
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<sup>20</sup> Ty West, "Average wages fell in Buffalo metro area over last year," *Buffalo Business First* (February 21, 2023), <https://www.bizjournals.com/buffalo/news/2023/02/21/pay-localization-buffalo-cheektowaga-niagara-falls.html>.

<sup>21</sup> G. Scott Thomas, "Business Next: Local wages are up, yet they're down. How is that possible?" *Buffalo Business First* (December 8, 2020), <https://www.bizjournals.com/buffalo/news/2020/12/08/wage-trends-in-wny.html>.

According to the current (2017-21) U.S. Census American Community Survey Public Use Microdata Samples (“ACS PUMS”)<sup>22</sup> and after adjusting for inflation,<sup>23</sup> the median annual wage income in 2023 dollars for full-time civilian wage earners (“FT earners”)<sup>24</sup> living in the City of Buffalo, NY is \$48,533 dollars. The corresponding figure for all workers (including part-time and seasonal employees) \$37,217 dollars per year. The income distribution for employed full-time civilian workers is plotted in Figure 1 below.

**Figure 1.** Distribution of annual income for employed full-time civilian workers living in Buffalo, NY, in thousands of 2023 dollars (source: 2017-21 U.S. Census ACS PUMS).



<sup>22</sup> United States Census Bureau, <https://www2.census.gov/programs-surveys/acs/data/pums/2021/5-Year/>.

<sup>23</sup> US Inflation Calculator, CoinNews Media Group, <https://www.usinflationcalculator.com/>.

<sup>24</sup> For the purposes of this analysis, “full-time” is defined as working at least 32 hours per week and at least 48 weeks per year. Self-employed workers are excluded from the analyses.

According to the ACS PUMS income distribution, the Mayor of Buffalo and the Buffalo Comptroller are among the highest-paid residents of Buffalo. They out-earn 95.4% to 98% of the city's wage earners and 93.5% to 97.3% of FT earners. Buffalo's current mayoral salary of \$158,500 dollars ranks in the top 2% of Buffalo's wage earners and the top 2.7% of Buffalo's FT earners. Buffalo's current comptroller salary of \$119,500 dollars is in the top 4.6% of Buffalo's wage earners and the top 6.5% of FT earners.

Buffalo's current council member salary of \$75,000 dollars ranks in the top 18% of Buffalo's wage earners and in the top 24.4% of FT earners. Buffalo Common Council members out-earn over 80% of Buffalo's wage earners and over 75% of FT earners. This does not include outside income, such as from rental properties, paid board memberships, or part-time positions held by elected officials, some of whom are also employed as educators or clergy.

The CSRC's proposed mayoral salary of \$178,518.55 dollars would place the Mayor of Buffalo in the top 1.4% of Buffalo's wage earners and the top 1.9% of FT earners. The proposed comptroller salary of \$134,592.85 dollars ranks in the top 3.1% of Buffalo's wage earners and in the top 4.2% of FT earners. The proposed council member salary of \$84,472.50 dollars ranks in the top 13.4% of Buffalo's wage earners and in the top 18.1% of FT earners.

In short, the substantial salary increases proposed by the CSRC would further estrange Buffalo's mayor, comptroller, and council members from the vast majority of workers living in Buffalo. If the report's recommendations are adopted, the mayor and the comptroller will respectively out-earn 98.6% and 96.6% of the city's wage earners and 98.1% and 95.8% of FT earners, and council members will out-earn roughly 87% of Buffalo's wage earners and 82% of FT wage earners.

### **Current and proposed salaries far exceed those of peer cities relative to living wage**

According to the Massachusetts Institute of Technology's Living Wage Calculator, a living wage is "what one full-time worker must earn on an hourly basis to help cover the cost of their family's minimum basic needs where they live while still being self-sufficient."<sup>25</sup> To estimate local living wages, MIT's Living Wage Calculator uses data collected each year on local costs of basic needs in counties and cities throughout the United States. Categories of basic need expenses included in the annual calculations include food, childcare, health care, housing, transportation, civic engagement, broadband internet services, other necessities, and income and payroll taxes.<sup>26</sup>

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<sup>25</sup> Living Wage Calculator Methodology, <https://livingwage.mit.edu/pages/methodology>

<sup>26</sup> *Id.*

Any analysis aimed at better aligning public service salaries in Buffalo with those of peer cities must acknowledge and engage with living cost differentials between Buffalo and those other cities. For instance, the cost of living for a single adult with no children in Yonkers—a city identified as being in Buffalo’s peer group by the CSRC—is 26.3% higher than it is for a similar worker in Buffalo, according to the Living Wage Calculator.

In consideration of that caveat, Table 4, below, presents the current (2023) living wages for Buffalo and selected cities (both those identified by the CSRC and those introduced in Table 3 of this analysis) alongside measures which express elected officials’ salaries as a percentage of the local living wages. Data for the CSRC-proposed mayoral, comptroller, and council member salaries in Buffalo are presented in the first row. Salary data for remaining cities were obtained from the city budget documents previously cited in this document.

**Table 4.** Comparison of the CSRC’s proposed salaries for Buffalo’s elected officials against those of selected cities relative to the local living wage for a single adult with no children.

City	Living wage for a single adult with no children working full-time <sup>27</sup>	Mayoral salary as a % of local living wage for a single adult with no children	Comptroller salary as a % of local living wage for a single adult with no children	Council member salary as a % of local living wage for a single adult with no children
Buffalo, NY*	\$34,092	523.6%	394.8%	247.8%
Rochester, NY	\$32,989	476.0%	-	136.4%
Syracuse, NY	\$32,549	399.4%	-	92.2%
Albany, NY*	\$35,526	404.3%	288.3%	94.4%
Yonkers, NY <sup>‡</sup>	\$43,051	362.6%	434.2%	111.5%
Cleveland, OH <sup>‡</sup>	\$32,469	479.1%	-	246.8%
Pittsburgh, PA	\$33,387	360.4%	246.8%	238.2%
Madison, WI	\$36,371	433.2%	-	41.0%
Toledo, OH	\$30,248	449.6%	-	90.9%
Fort Wayne, IN	\$32,252	439.9%	-	77.5%
St. Louis, MO <sup>‡</sup>	\$33,571	392.7%	334.2%	111.1%
Saint Paul, MN*	\$36,798	328.8%	-	171.2%

\* Living wage calculation sourced from metropolitan area data

<sup>‡</sup> Living wage calculation sourced from county-wide data

As shown in Table 4, the CSRC-proposed salary for the Mayor of Buffalo is 523.6% of the local living wage for a single adult with no children, by far the highest such ratio in the table. The second highest living wage ratio belongs to Cleveland, Ohio, where the mayoral salary of \$155,552 dollars is equal to 479.1% of the local living wage.

<sup>27</sup> Living Wage Calculator, <https://livingwage.mit.edu>.

The data for comptroller salary are less robust, since only four of these cities have comptrollers or elected city auditors (Table 4 includes data for the City of Yonkers Budget Director position identified by the CSRC, even though this is not an elected position). The available data again show that the CSRC-proposed salary for this elected position exceeds the local living wage for a single adult with no children at a far greater rate than in peer cities. When considering the Yonkers Budget Director alongside the four elected positions, the Buffalo Comptroller has the highest living wage ratio among upstate New York and Rust Belt cities, which are arguably better comparators than the downstate city of Yonkers, whose local living wage is over \$6,000 dollars more than any of the other eleven cities.

Finally, the CSRC-proposed salary of \$84,472.50 for Buffalo Common Council Members is 247.8% of the local living wage for a single adult with no children. Remaining consistent with the findings thus far, this ratio is the maximum observed value in this category. The second highest living wage ratio occurs in Cleveland, where full-time council members earn 246.8% of the local living wage for a single adult with no children.

The data in Table 4 demonstrate that the CSRC-proposed salaries exceed local living wages by magnitudes that are well ahead of peer cities. While attempting to align local salaries with those of comparable cities, the CSRC ignored a basic principle of salary adjustment: accounting for geographic variation in costs of living. When variation of living wage is considered, it becomes clear that the CSRC proposals are overly generous and not consistent with salaries in other upstate New York and Rust Belt cities.

### **CSRC used an arbitrary and invalid process for salary adjustment**

The posted minutes for CSRC meetings indicate that the CSRC decided to recommend salary increases independent of a data-driven process of salary adjustment. The minutes for the first CSRC meeting state: “[CSRC Chair David] Franczyk repeats that the commission is in agreement that there should be some adjustment to the salaries, just unsure right now how much that is.” The minutes for the final CSRC meeting state that “the group has already determined that there should be raises given, but unsure as to how much at this point.”

The report outlines an arithmetical scheme that the CSRC eventually used to produce its recommended salary increase of 12.63%. The scheme is not based on any logical, statistical, or analytical process for making a salary adjustment but is rather a post hoc and arbitrary means to produce a percent increase which the CSRC felt to be high enough, according to meeting minutes.

The CSRC averaged a purported “4-year rate of inflation” with a purported “4-year rate of union member raises in the City of Buffalo” (neither the report nor meeting minutes cite

where or explain how these figures were calculated). The CSRC then averaged the resulting figure with the purported inflation rate that had just been used to produce the first average. This redundancy can be plausibly explained by the minutes of the final CSRC meeting, which recount suggestions by CSRC members that the salary increase be at least 12% after an initial computation produced a smaller increase.

Table 5, below, compares Buffalo’s current salaries and the CSRC’s proposed salaries to peer city salary averages and Buffalo’s per capita income. With the exception of the Buffalo Board of Education members, all elected positions are poised to substantially increase their already outside pay compared to peer city salary averages and Buffalo’s per capita income.

**Table 5.** Current and proposed salaries for Buffalo’s elected officials and their percentages of average corresponding salaries across similar (peer) cities and of Buffalo’s per capita income.

	Mayor	Comptroller	Council Member	Board of Education
Peer city average salary*	\$137,942	\$95,855	\$39,431	-
<b>Buffalo’s current salary</b>	<b>\$158,500</b>	<b>\$119,500</b>	<b>\$75,000</b>	<b>\$15,000</b>
Percent of peer city salary average	114.9%	124.7%	187.0%	-
Percent of Buffalo’s per capita income	583.6%	440.0%	276.2%	55.2%
<b>Buffalo’s proposed salary</b>	<b>\$178,519</b>	<b>\$134,593</b>	<b>\$84,473</b>	<b>\$16,894</b>
Percent of peer city salary average	129.4%	140.4%	210.6%	-
Percent of Buffalo’s per capita income	657.4%	495.6%	311.1%	62.2%
ΔPercent of peer city average	+14.5%	+15.7%	+24.0%	-
ΔPercent of per capita income	+73.8%	+55.6%	+34.9%	+7.0%

\* Calculated in Table 3

### Poor transparency of CSRC deliberations

The public had no reasonable way of knowing that the CSRC began meeting in April 2023. In the Buffalo Common Council’s April 18, 2023 meeting, Council Member Joseph Golombek objected to the late-filed resolution appointing members of the CSRC. Council Member Rasheed Wyatt questioned Council Member Golombek’s use of procedure for objecting to the late-filed item and President Darius Pridgen requested that Buffalo’s corporation counsel consult the council’s rules before the council reconvened.

Despite the dispute preventing the council from adopting the resolution, the CSRC began meeting three days later, on April 21, 2023. The council did not announce the CSRC or any of its

meetings on social media. The CSRC's webpage<sup>28</sup> contains a "media advisory sent for this meeting," but it is not stated to whom it was sent. Neither the media nor the public were present at this meeting according to its minutes.<sup>29</sup>

On April 24, 2023, the CSRC held a "Forum & Workshop" attended by CSRC members, city employees, and WIVB News 4 Buffalo but no members of the public.<sup>30</sup> No media organization reported on the CSRC until May 1, 2023<sup>31</sup>—six days after the final CSRC meeting and following its submission of the report to the Buffalo Common Council. The minutes for this meeting reflect that the CSRC held discussions behind closed doors during a 48-minute executive session. The minutes do not reflect the reason that the body entered the executive session, which was taken on a motion and second. New York State's Open Meeting Law only allows public bodies to conduct an executive session upon majority vote and pursuant to a motion "identifying the general area or areas of the subject or subjects to be considered," provided such subject(s) conform with at least one of eight criteria enumerated in the law.

On April 25, 2023—the day of the final CSRC meeting—the Common Council held a two-minute special meeting appointing two persons to replace two CSRC members.<sup>32</sup> The reason for this action is not stated in the special meeting materials, its recording, the CSRC minutes, or its report, but it is presumably because nine of the ten members of the CSRC were voters enrolled in the Democratic Party. Buffalo's charter states: "At no time shall the commission consist of more than six citizens of one political party." The two appointments made on April 25 replaced two Democratic members with one Republican member and one Conservative member. However, this left seven Democratic members—one more than permissible.

The minutes for the final CSRC meeting do not show anyone in attendance besides current and former CSRC members and city employees.<sup>33</sup> In this meeting, the CSRC formulated and then approved its recommended salary increase by a unanimous vote of the meeting's five present voting members.<sup>34</sup> The CSRC submitted its report to the Common Council shortly before the May 1 deadline provided by Buffalo's charter. In all, the CSRC's activities lasted less than

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<sup>28</sup> City of Buffalo Citizens Salary Review Commission, <https://www.buffalony.gov/1608/City-of-Buffalo-Citizens-Salary-Review-C>.

<sup>29</sup> Citizens Salary Review Commission Summary of Actions for 4/21/23, [https://www.buffalony.gov/DocumentCenter/View/11764/CSRC-Minutes-4\\_21\\_23--1?bidId=](https://www.buffalony.gov/DocumentCenter/View/11764/CSRC-Minutes-4_21_23--1?bidId=).

<sup>30</sup> Citizens Salary Review Commission Summary of Actions for 4/24/23, [https://www.buffalony.gov/DocumentCenter/View/11765/CSRC-Minutes-4\\_24\\_23?bidId=](https://www.buffalony.gov/DocumentCenter/View/11765/CSRC-Minutes-4_24_23?bidId=).

<sup>31</sup> Tara Lynch, "Padding pockets at City Hall? New report recommends raises for mayor, council," *WIVB News 4 Buffalo* (May 1, 2023), <https://www.wivb.com/news/local-news/buffalo/padding-pockets-at-city-hall-new-report-recommends-raises-for-mayor-council/>.

<sup>32</sup> Pridgen - Amendments for Appointments to the City of Buffalo Citizens Salary Review Commission, [http://buffalony.iqm2.com/Citizens/Detail\\_LegiFile.aspx?Frame=&MeetingID=2761&MediaPosition=&ID=21420&CssClass=](http://buffalony.iqm2.com/Citizens/Detail_LegiFile.aspx?Frame=&MeetingID=2761&MediaPosition=&ID=21420&CssClass=).

<sup>33</sup> Citizens Salary Review Commission Summary of Actions for 4/25/23, [https://www.buffalony.gov/DocumentCenter/View/11770/CSRC-Minutes-4\\_25\\_23?bidId=](https://www.buffalony.gov/DocumentCenter/View/11770/CSRC-Minutes-4_25_23?bidId=).

<sup>34</sup> *Id.*

one calendar week and for about four business days. The durations of its three meetings total about four hours.

On May 2, 2023, the Common Council referred the report to its finance committee. On May 8, the first draft of this analysis was published in the Facebook group “Buffalo Residents for Council Accountability.”<sup>35</sup> Also on May 8, the New York Coalition for Open Government, Inc., wrote a letter to the Common Council arguing that the appointment and proceedings of the CSRC violated the Common Council’s rules, Buffalo’s charter, and the New York State Open Meetings Law, that the hurried pace of its activities was a disservice to the public, and that these deficiencies expose the city to legal liability.<sup>36</sup> The next day, the Common Council’s finance committee tabled the report without discussion at its May 9, 2023 meeting.<sup>37</sup> Pursuant to Buffalo’s charter, the Common Council “must adopt, modify or reject the report of the commission by June 15.”

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<sup>35</sup> Buffalo Residents for Council Accountability, <https://www.facebook.com/groups/282710596381782/permalink/953412775978224/>.

<sup>36</sup> Nate Benson, “Open government group questions legality of Buffalo’s salary review commission,” WGRZ-TV (May 9, 2023), <https://www.wgrz.com/article/news/local/open-government-group-questions-legality-of-buffalos-salary-review-commission-money/71-79b37c75-6788-4a96-ab65-f3ac274b8881>.

<sup>37</sup> The City of Buffalo NY Agenda Item 23-690 Citizens Salary Review Commissions 2023 Recommendations, [http://buffalony.iqm2.com/Citizens/Detail\\_LegiFile.aspx?Frame=&MeetingID=2756&MediaPosition=&ID=21488&CssClass=&fbclid=IwAR2w9DRCL6XF\\_zEaUEHpEdlKHqk8ofyvXPsv\\_nYvc8E-Py2mH7x7vca\\_CA](http://buffalony.iqm2.com/Citizens/Detail_LegiFile.aspx?Frame=&MeetingID=2756&MediaPosition=&ID=21488&CssClass=&fbclid=IwAR2w9DRCL6XF_zEaUEHpEdlKHqk8ofyvXPsv_nYvc8E-Py2mH7x7vca_CA).





## COUNTY OF ERIE CITIZENS SALARY REVIEW COMMISSION

### Public Meeting Notice

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The Erie County Citizens Salary Review Commission will meet on the following Tuesday afternoons from 2:00pm-3:30pm:

January 9, 2024  
January 16, 2024  
January 23, 2024  
January 30, 2024  
February 6, 2024  
February 13, 2024

All meetings will be held in the Comptroller's Office's Conference Room in the Edward A. Rath County Office Building, Room 1101, 95 Franklin Street, Buffalo, NY 14202.

Additionally, all meetings will be available to the general public in person or virtual via the below WebEx webinar information:

Join link:

<https://erie.webex.com/erie/j.php?MTID=mf0663c4e02b557bb24b096c32fa2c6f0>

Webinar number:

2495 283 3431

Webinar password:

szQkUPwW435 (79758799 from phones and video systems)

Join by phone

+1 716-858-2250 United States Toll (Buffalo)

+1-415-655-0003 United States Toll

Access code: 249 528 33431

More information about the Citizens Salary Review Commission is available at

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