

Minutes

Public Safety Committee

August 18, 2021, 4:00 pm, Rm #331

Gerace Office Building, Mayville, NY

Livestreamed on Chautauqua County's Facebook

Members Present: Niebel, Bankoski, Hemmer

Members Absent: Pavlock, Whitford

Others: Tampio, Ames, Chagnon, Dennison, Carrow, Contiguglia, Thomas, Crow, Riley, Quattrone, K. Engstrom

Chairman Niebel called the meeting to order at 4:00 p.m.

Approval of Minutes (7/21/21)

MOVED by Legislator Bankoski, SECONDED by Legislator Hemmer

Unanimously Carried

Privilege of the Floor

No one to speak during the privilege of the floor.

Proposed Resolution – Amend 2021 Budget – District Attorney – Presented by Madeline Contiguglia

Mrs. Contiguglia: The resolution I have for you today is to amend the 2021 District Attorney budget. In 2020, we received a coronavirus emergency supplemental funding from the Department of Justice from a period of January 20, 2020 through January 31, 2022. However we did not have any incremental expenses related to COVID 19 in the year 2021 so we wouldn't be able to make any claims for reimbursement to the Department of Justice so the resolution is proposed to reduce the personal services that we're allocated to the grant and as well as the contractual expenses. There was assumed to be an increase in overtime expenses for 2021. They didn't have an idea of what was going to be going on. All the extra cleaning and safety measures were able to be done during normal working hours so there was no overtime expense for the D.A's office. Right now our overtime is zero so we're just going to remove that line in our personal services. We also did not have any contractual expenses associated with COVID 19 in 2021. So it's to remove the contractual expenses. This funding is all Federal through the DOJ so

we're going to decrease the revenue in that account to zero and we just wanted to remove this revenue to have accurate year-end projections. We will not be receiving reimbursement from the DOJ.

Chairman Niebel: Any questions?

Legislator Bankoski: You said that you'll be moving it, where is it going to – obviously this money was appropriated for that. Where is that going back to, contingency?

Mrs. Contiguglia: It was just extra revenue that we had anticipated so it's not going to reduce any of our accounts or anything, it was essentially an increase that we were not expecting. So it shouldn't have any effect on our local share.

Chairman Niebel: And it doesn't have any effect on the budget.

Mrs. Dennison: Obviously we're going to reduce revenue and expenditures by a matching amount.

Chairman Niebel: Thank you. All those in favor?

Unanimously Carried

Proposed Resolution – Approving Labor Contract with Deputy Sheriffs' Association of Chautauqua County (DSACC) – Presented by H.R. Director Riley, Finance Director Crow, and Sheriff Quattrone

Mrs. Riley: The resolution for consideration and approval today is for the tentative bargaining unit agreement with the Deputy Sheriff's Association also known as DSACC. You'll probably hear me referring to it as DSACC as we go through. I'm going to go through the highlights of the agreement, the tentative agreement, and then Kitty is going to go through and give you the financial back-up. I'm going to give justification for certain things as well. So the Deputy Sheriff's Association of Chautauqua County also known as DSACC, it's comprised of approximately 66 bargaining unit members. The current bargaining unit agreement expires on December 31, 2021. We started negotiations on April 30, 2021 and we reached a tentative agreement on July 27, 2021. The union did vote on August 4, 2021 and unanimously accepted the tentative agreement. The main points in the tentative agreement include, it's a four year agreement that will begin on January 1, 2022 and expire on December 31, 2025. There was a minimal increase agreed to on their boot reimbursement, clothing allowance for non-uniformed personnel and ballistic vests to be replaced as needed. Again, Kitty is going to review the financial impact on that. The proposed annual wage increases that have been agreed upon in the tentative agreement for 2022, would be a 3% increase to wages, in 2023 it would also be a 3%, in 2024 it would be a 2.5% and in 2025 it would be a 2.5%. We agreed to adjust Step 8 which is the highest step by an additional – on top of the general wage increase, 2021, 2022, would adjust the Step 1%, 2023 would be 1.5%, 2024 is 1.5%, and 2025 is 1.5%. We also agreed to, on the longevity payment, to beginning year 16 through 20, currently the longevity starts at year 10, so basically what they were asking for was to receive nothing in year's 10 through 16 and then

beginning their 17th year the longevity would begin. It really kind of compressed it to put longevity towards the end of their career if you will so if they retire it affects the retirement. The justification for these increases and the Step increment adjustments and longevity was really based on salary market data of 11 other local police departments and counties. So we had data that we received from other counties and local police departments. Chautauqua County was at the bottom on the longevity compared to the other counties and local police department and we were in the bottom three on the overall wages. The wage increases to Step 8 and the adjustments, will put us more in line in the middle. We're not trying to achieve to be the highest paid County for our Sheriff's but we would like to be in the middle so that we can attract and retain our Sheriff's. The Step adjustments would be gradual which is typical what you would do when you are trying to play catch-up if you will, so that's where those Step 8 increment adjustments weren't coming in, to try and get the Sheriff's more in line with the surrounding counties and agencies. Just for reference, the Federal government is proposing 2.7% wage increases for Federal law enforcement next year and private employers are projecting a 3% increase for 2022. So, these percentage amounts that we've agreed upon with the union are really in line with what other agencies and Federal agencies will be administering for next year. In order again, for us to play catch-up, we're going to try and do a little bit of an adjustment. In the end too, with those longevity payments, even by compressing (*inaudible*) putting a longevity in at the end with larger amount, it's still only going to put us about average with the rest of the groups that we surveyed. So that's pretty much it on the wages. For benefits, we did agree to basically calculating their health savings account funding at the same rate we calculate all the other County employees. They were being calculated differently and Kitty will talk a little more about that. We think that by putting them on the same program that the rest of the County is on, really for future contract negotiations, there really shouldn't be much discussion at all about benefits. It really should just focus on wages and I think these changes today, if agreed upon with the Legislature will really take that off the table and we would just be looking at standard cost of living increases in the future. We also just cleaned up some language throughout the contract. Took out old language or expired language and we also are - we have an expense reimbursement that all the County follows per executive policy bulletin so we're also agreeing to have them reimbursed for expenses the same as we do for everybody else in the County. The negotiation team, we believe that this is a fair agreement and it recognizes and acknowledges the value, the community, the scrutiny that the Sheriff's get in today's environment, the risks that they take, and the important role that they play in our community. So that's the highlights of the agreement and then Kitty, if you want to run through the numbers.

Chairman Niebel: Before we go to Kitty, committee, do you have any questions of Jean?

Legislator Hemmer: You are going to adjust Step 8, just the 1% or 1% in 2022, 1.5% in – but you are also adjusting the longevity 1%?

Mrs. Riley: No, the longevity percent – they get a flat amount today. They get \$45.00 for every year of service.

Legislator Hemmer: Oh, o.k..

Mrs. Riley: So we did agree that we would give them \$50.00 for every year of service but we wouldn't start it until their 17th year instead of their 10th year. So the money that they would have gotten from 10 to 16, it's going to be put aside and then when you hit your 17th year, you are going to get that \$50.00.

(Cross talk)

Ms. Crow: We took what you earn today and in years 10 through 20, took that total dollar amount and divided that by four so that they would four lump sum payments year 17, 18, 19, and 20. After that, they get – year's 21 until they retire, if they stay on beyond 20 years, it reverts back to \$50.00 per every year of services. So it actually reduces after the 20th year.

Legislator Bankoski: Based on *(cross talk)*..

Chairman Niebel: So they would start getting \$50.00 after the year 20?

Ms. Crow: Fifty dollars for each year of service, yes. Currently in their contract that is expiring this year, they get \$45.00 for each year of service but it begins to be paid at year 10. So nothing for any of the members will be paid until their 17th year of service.

Chairman Niebel: Any other questions for Jean?

Legislator Bankoski: I have a question for Jim. She was talking about we were at the bottom of the wage scale, where are we as far as call responses and stuff like that? Where is our work volume?

Sheriff Quattrone: Jamestown is considerable higher but then after that, we had the most calls within the County.

Legislator Bankoski: So I guess what I am saying is, the money that we're going to give you is deserving because of -

Sheriff Quattrone: I feel the amount of work and as Jean had mentioned, the work that they are doing. Times are different than when I started and when you started so they are dealing with more issues. Quite frankly, it's been difficult to hire people. Right now we're struggling. Our academy has only 10 people from Chautauqua County and that's if they all make it.

Mrs. Riley: If they make it and we normally would have well above that.

Chairman Niebel: I was going to say back a few years ago when Tom Drake was an instructor down there, he had 20 to 30 or more. *(cross talk)*.. exactly, I mean, three or four times as many as we have now and that is a problem.

Mrs. Riley: We're very concerned and our applicants for taking exams is probably about half of what it used to be. I think we had 60 people take the exam.

Sheriff Quattrone: I'm not sure of the number. We just got those results back. To be quite honest, I think the people of Chautauqua County are appreciative of our law enforcement. When we did the police reform package, we saw the surveys that came from the people in the community and they are very supportive of law enforcement as a whole. I like to put that out there because we see the national narrative and unfortunately that's what a lot of the people see, the national narrative so a lot of our potential applicants have seen that and not really seeing how much our Chautauqua County supports us.

Chairman Niebel: Jean, is this your first contract that you've worked with?

Mrs. Riley: It is, with the County, yes.

Chairman Niebel: Nice job and nice presentation. Just one comment. The proposed rate increases for each year, these four years, they are considerably higher than the last contract. Some of the rate increases are evened up but you based these rate increases on the 11 municipalities that you took an extensive look at, correct?

Mrs. Riley: Yes and we were in the bottom three.

Chairman Niebel: For wages.

Mrs. Riley: For wages and we would like to be maybe half, like in the 5th spot and these –

Chairman Niebel: The middle is not bad.

Mrs. Riley: Right and these increases would probably put us, when somebody would hit year 20, their salary would be probably right in the middle.

Ms. Crow: I did calculate it and it is right at the midpoint.

Mrs. Riley: And we based it on if these other agencies only gave 2% raises so we did kind of stretch –

Ms. Crow: To your point about the last contract versus this contract. I was a part of that negotiation team last contract and the negotiation between the changes in the retirement plan going from 25 to 20 years played a significant role in the negotiation of wages. Their unit accepted a much lower wage increase over that contract because they recognize the value of what they were getting at retirement.

Chairman Niebel: Able to retire five years sooner.

Legislator Bankoski: I appreciate you guys getting out in front of this instead of waiting until December. *(cross talk)*....

Chairman Niebel: Jean, thank you. Kitty.

Ms. Crow: I do have a hand out from the purpose of this meeting which I will collect back when we are finished. This breaks down the components, the cost component that Jean outlined. It just shows you the cumulative affect over the total contract. So the first section there is just a reflection of the 3%, 3%, 2.5%, and 2.5% wage increase that impacts all members of the bargaining unit. In next section is the change for the increase in the clothing allowance. The cost associated with the vest and the boot reimbursements which is barely minimal in the big picture. Then the following section there is the impact of the adjustment for the Step 8 (*inaudible*). One, there is going to be no waiting period. There used to be a longer waiting period when you went from Step 7 to Step 8, so there won't be a waiting period and then we're also doing an escalation at Step 8 so that over the four year contract we can get to that (*inaudible*) point of the range that we're hoping to get to. We specifically just talked with the union that we can't do this all in one year, we have to do this gradually and they totally understood that point and certainly weren't expecting the one-time adjustment. So, we built that in over the four years. Like I said, the longevity payment, this is showing kind of a net savings because compared to what we're paying annually now for the people that is getting the longevity starting at year 10, they won't be – it's almost a break-even to what we're paying now to what we're going to pay in the future because we're just paying it at a later date. Then the health insurance contribution, as Jean said, from an administrative perspective, everyone will have the same contribution calculation and I think that's good for the County as a whole to have equity among all employees in terms of their benefits. The plan hasn't changed itself. So a couple of the comments there on the bottom, some of these costs for wage increases are - when I do our 5 year projections are kind of built in. We include an assumption for what our wages might grow and the total effect of this agreement would increase those projections by about \$1.5 million over the four years. I want a full disclosure on that. The wage increases for 22' and 23' are consistent with other recently settled contracts with CSEA and CCSEA which is the Sheriff's jail employees. I already mentioned (*inaudible*) the administration of trying to calculate different health insurance rates for different bargaining unit members and as Bob already eluded, we really started these negotiations earlier in the year with the hope that we could bring you an agreement before we submitted the tentative budget so this agreement be adopted next week at your full Legislature meeting, we will be able to include the changes in the tentative budget.

Chairman Niebel: Any questions of Kitty?

Legislator Bankoski: Thank you for all your work.

Legislator Hemmer: So, what did you say, it was a \$1.5 million per year over the –

Ms. Crow: No, not per year. In total. So over the four year agreement, if you look at our - once we update our five year projection, it would increase the total amount (*inaudible*) four years by \$1.5 million. So we already have some of the wage increase built into our assumptions because we did a little bit more with the Step 8 and things like that. It's more than what we include in our normal projections.

Chairman Niebel: And those increases Kitty, that you had in the projections, would have been 2-2.5% perhaps?

Ms. Crow: Roughly because it's – (*cross talk*), we do it in aggregate rather than by bargaining unit, but yes, there is always turnover but we always try and come up with an average percentage that would be inclusive of increments and wage increases. But then you also have turnover with people retiring and someone replacing them at a lower Step.

Chairman Niebel: In the paper today, they had the total wage increase about \$1.5 million and that was attributed to somebody but actually its closer to \$1.8, just the wage part.

Ms. Crow: Yes, the wages.

Chairman Niebel: So with the other changes and stuff, we are looking at \$2.8 increase over the cost of the four years and that includes the Step adjustments and health adjustments.

Ms. Crow: Yes, that's over what the pay structure is for the current contract.

Chairman Niebel: Understood.

Ms. Crow: That's why I say, you see the \$2.8 million here total but some of that is already built into our projections and that's why I'm saying, the \$1.5 million would be an increase –

Chairman Niebel: Over the projections.

Ms. Crow: I didn't read the paper unfortunately but they might have misunderstood my comments to say that it was a \$1.5 million dollar wage increase. It is not, it is the affect over our projections.

Chairman Niebel: Any other questions of Kitty? Kitty, nice job.

Sheriff Quattrone: I would like to make a comment. I do appreciate all the work that Jean, Kitty, Allison, and Ken put forth on this and the union and their representation. It really helped us to move on and I think we all have the same goals to get this settled but it was a pleasure working with these ladies and Ken. Very professional and well done.

Chairman Niebel: Jim, to only have 10 people at the academy that is a pretty low amount of people applying for jobs in law enforcement in Chautauqua County. I think you're right, a lot of it is attributable to the press and criticism that we've had over the last 18 months. So, in order to attract good young people from Chautauqua County to go into law enforcement and occupy these critical positions, I just think we're going to have to increase the wages and going to have to make it more attractive for these people. As far as a fiscal conservative, I am concerned about the percentage increase because they are significant over the last contract but unfortunately I think this is the situation that we're at.

Legislator Bankoski: It's not just us, everyone is (*cross talk*)...

Chairman Niebel: I understand, it's not just here. So, I'm 100% behind law enforcement. I'm pretty sure the Public Safety committee is and the Legislature is too so, thanks to you and your department and the Sheriff Deputies for everything you do. We appreciate it. I will be voting in favor of this proposed resolution. Committee, anything else? All those in favor?

Unanimously Carried

Other

Chairman Niebel: Anything under "other"? Seeing none –

MOVED by Legislator Bankoski, SECONDED by Legislator Hemmer to adjourn.

Unanimously Carried (4:29 p.m.)

Respectfully submitted and transcribed,
Kathy K. Tampio, Clerk/Olivia Ames, Deputy Clerk/ Lori J. Foster, Sr. Stenographer