



## **Tioga County Work Session Minutes**

**July 9, 2020 – 1:00 p.m.**

### **Legislators present:**

Legislator Balliet  
Legislator Hollenbeck  
Legislator Monell  
Legislator Mullen  
Legislator Roberts  
Chair/Legislator Sauerbrey  
Legislator Standinger  
Legislator Sullivan  
Legislator Weston

### **Staff present:**

Peter DeWind, County Attorney (*departed @ 1:55 p.m.*)  
Jackson Bailey, Budget Officer  
Cathy Haskell, Legislative Clerk  
Diane Stephens, Secretary to County Attorney  
Ellen Pratt, Sustainability Manager  
Gary Hammond, Commissioner of Public Works  
Mike Simmons, Director of Emergency Services

### **Guests:**

None

**Call Meeting to Order:** Chair Sauerbrey called the meeting to order at 1:00 p.m.

### **1. Budget Update: Jackson Bailey, Budget Officer**

Budget Officer Bailey reported the following:

- The 2021 budget is open for departments and they have been given the new directives regarding entering the budget.
- Mr. Bailey received the final numbers from departments for the 2020 budget cut, which resulted in a \$1.8 million cut. His plan is to prepare a deficit remediation plan for 2020 to show where we are, what we are doing, and how we are progressing for a place marker to show exactly what has been done. Once it is presented to the Legislature and approved, that will give them the ability to pull the funds out of the 2020 budget and appropriate accordingly. This plan should be ready in two weeks for Legislators to vote next month. Legislator Sullivan asked what percentage of the total budget expenditures (other than salaries) is represented by the 10% departmental cuts. Mr. Bailey reported he believes it's close to 2.5%. When the 2021 budget numbers come in or if any requests

come from outside agencies, Mr. Bailey reported he would bring them to the worksession for presentation to keep everyone informed.

At this point, Chair Sauerbrey reminded everyone that any hiring has to be approved by both the Committee Chair and Legislative Chair.

**2. Employees Working Remotely:** Chair Sauerbrey brought this matter up for discussion. During the 50% reduction in workforce, many employees were able to work from home. She suggested that consideration be made to making a policy for employees to work remotely from home. The Personnel Office would research this and evaluate how it works or how it could work. However, if the Legislature is not interested in considering the option of employees working remotely from home, then the Personnel Office does not want to undertake the task of researching.

Chair Sauerbrey stated there are two parts to this:

- A policy needs to be established stating ITCS works from home so there is insurance protection. Currently, work is done from home when something goes down on a weekend or after hours so that the problem can be fixed. Having a policy will show an auditor that we are covered. Legislator Sullivan stated she recommends the policy be more specific as to the positions in ITCS that are allowed to work from home. Legislator Hollenbeck asked if there are people that actually want to work from home that cannot. Chair Sauerbrey stated there was an employee in that department that worked from home that they did not think could work from home.
- There was a discussion at the Leaders' Meeting about working from home. About 50/50 stated they thought they could work from home. Work production was discussed. Chair Sauerbrey reported there was a certain segment of employees who had to work from home during the shutdown (telemedicine - MH) and contact tracers (PH), so there are instances where this works. There is also the concern that if schools do not open this fall, then there will be a childcare issue for employees.

Chair Sauerbrey asked the Legislature if they are open to doing research and investigation into allowing, under specific circumstances, employees to work from home.

Legislator Sullivan reported the issues need to be tackled in two completely different steps. The first step is to immediately prepare for the possibility that schools will not re-open and then tackle the bigger topic of do we want to allow working from home.

Discussion followed and some of the concerns and points voiced were:

- **Union Concerns** – Some positions are suitable for working at home and others are not thus potentially posing an issue with the union.
- **Accountability** - Keeping track of people actually doing work while home.
- **Department Head Determination** - Department heads making decisions based on whether they feel an employee will self-supervise and whether they have the personality type for successfully working from home. Legislator Sullivan reported this cannot be a subjective decision based on a personality type.

- **Trial Period** – Consideration of a six-month trial period and employee evaluation to determine whether this is a successful arrangement. If not, then the employee would need to return to working on County premises.
- **Safe Work Environment** - Providing a safe work environment and coverage of the County's liability (workers' comp) for those working at home. Attorney DeWind stated that the County would still be liable for workers at home, although a contract could be drawn up between the County and the employee setting forth the conditions for working at home. A degree of trust is needed in this situation.
- **Ability to Work Beyond Defined Job Description** – Many employees perform work outside their defined job descriptions while working on-site, as they see a need and go above and beyond whereas this would not present itself if they were working off-site.
- **Objective** - Are we doing this because the schools may not re-open in the fall? What are parents doing now during the summer months? Is the schools not re-opening and childcare availability a County issue? Chair Sauerbrey stated the County is still under emergency orders and if schools do not re-open, a plan needs to be in place for working from home.
- **Changing Needs** – Chair Sauerbrey reported it was pointed out in the Leaders Meeting that to keep younger working people employed, changing needs should be addressed. One of these is the flexibility of working from home.
- **Fairness** - Employees will complain that some are allowed to work from home while others are not afforded the same opportunity. Concern expressed of potentially opening a "Pandora's box" if some are allowed to do this and some are not.
- **On-Call** - On call already takes place in some departments, which is different.
- **Work Availability/Productivity** - How does an employee do their full day's work and watch children at the same time?

After much discussion, it was the consensus of the Legislators not to go forward with the research into the feasibility of allowing employees to work from home. Currently, some ITCS employees are, under emergency situations, working from home, so a written policy regarding that will be put in place.

3. **Travel Advisory:** Chair Sauerbrey reported that last week the Governor put into place a travel advisory. Anyone traveling to or from certain "hot spot" states (currently 19 states), are required to quarantine for 14 days. In regards to the County employees, this means if an employee chooses to travel to one of these states, upon return to New York, they immediately go into mandatory quarantine and the County has to continue to pay the employee and no leave time is charged against them.

Legislator Monell asked how this is going to be enforced if someone does not tell you where they are going on vacation.

Legislator Weston stated this happened during the 2011 flood. The County was shutdown, people were on vacation, but their vacation leave time was not charged against them due to the County shutdown.

Legislator Sullivan stated we are being informed of a couple of facts that we must abide by because the Governor decided them and we cannot change that.

Chair Sauerbrey also reported there is NY on Pause, which is a phone number anyone can call to report incoming travelers to NY from one of these states, as well as complaints of businesses and individuals not complying with mask wearing and social distancing. People from these states that do not quarantine themselves while here, can be turned into the State and Public Health issues a mandatory quarantine for them.

There was some discussion regarding the County's responsibility for housing quarantined travelers from those states to New York. Emergency Services Director Mike Simmons stated CARES money is available for housing quarantined people, if needed, and the State does have places for them to stay. Attorney DeWind stated the County could potentially have to pay for people's room and board if nothing else is available to them.

**4. Approval of June 18, 2020 Worksession Minutes:** On motion of Legislator Monell and seconded by Legislator Hollenbeck and unanimously carried the June 18, 2020 minutes were approved.

**5. Action Items:**

**ACTION ITEM #1– 6/4/2020 – Personnel Non-Union Salary Study -**

Chair Sauerbrey reported this action item would be carried forward to 2021, as we await the outcome of the Statewide Pay Equity Study the Governor tasked NYS Civil Service Department to conduct.

**ACTION ITEM #1– 6/18/2020 – Public Health Recognition**

Legislator Standinger previously requested the Legislature recognize the Public Health Department for all their hard work during this COVID-19 pandemic. Chair Sauerbrey reported this recognition is anticipated to occur at the August 11, 2020 Legislature meeting.

**6. Legislative Support – Legislative Clerk Haskell –**

On motion of Legislator Hollenbeck, seconded by Legislator Sullivan and unanimously carried the Legislative Support minutes of June 4, 2020 were approved.

Legislative Clerk Haskell reported the following:

- The July Legislative Meeting is on July 14, 2020 at 12:00 p.m. in the Hubbard Auditorium with Finance/Legal Committee commencing at 10:30 a.m.
- Legislator Sullivan will lead the Legislature in prayer, pledge, and start the voting process at the July 14, 2020 Legislature Meeting.
- **Sales Tax Extender Bill** - Sales tax extender bill is completed. The Legislative Office received acknowledgement from NYS Taxation and Finance. This will go into effect December 1, 2020 and be effective through December 2023.
- **Board of Ethics Vacancies** - Two vacancies remain on the Board of Ethics.
- **County Policies Annual Review Attestation & Financial Disclosures** – Still a few outstanding forms to be completed.

- **Ag District #2 Public Hearing** – Public hearing for Ag District #2 will be at the Town of Owego Hall on July 27 at 1:00 p.m. and a quorum of five Legislators is required. Legislators Sullivan, Standinger, Hollenbeck, Roberts and Weston will attend.
- **Vacant Deputy Legislative Clerk Position/Job Sharing** – In light of the current vacancy, the following are being handled through job sharing:
  - **Worksession Minutes** – Diane Stephens is taking the minutes at both monthly worksessions.
  - **Munis Accounts Payable Backup** – Met with County Treasurer McFadden and Chief Accountant Jerzak in June to discuss backup options with the Treasurer's Office. Ms. Jerzak agreed to be the Munis backup and Ms. Haskell met with Ms. Jerzak in July for training.
  - **Office Coverage** – Contacted Personnel Officer O'Rourke and ED&P Director Tinney regarding possible office coverage for vacation purposes. Ms. Haskell reported both secretaries covered the Legislative Office on June 29<sup>th</sup> and this worked well. Ms. Haskell plans to do the same on three upcoming Fridays in order to use her remaining vacation time prior to her anniversary date of August 9.

#### **Recognition Resolutions (5) –**

- **Recognition of Jean Slocum's 30 Years of Dedicated Service to Tioga County** - Legislator Standinger will read and present this resolution to Ms. Slocum at the July 14, 2020 Legislative Meeting.
- **Recognition of Steve DuVarney's 32 Years of Dedicated Service to Tioga County** – Legislator Mullen will read and present this resolution to Mr. DuVarney at the July 14, 2020 Legislative Meeting.
- **Recognition of Susan Fortier's 32 Years of Dedicated Service to Tioga County** - Legislator Mullen will read and present this resolution to Ms. Fortier at the July 14, 2020 Legislative Meeting.
- **Recognition of Judy Keil's 19 Years of Dedicated Service to Tioga County** – This resolution will just be noted, as Ms. Keil will not be attending the July 14, 2020 Legislative meeting.
- **Recognition of Paul Garlitz's 18 Years of Dedicated Service to Tioga County** – This resolution will just be noted, as Mr. Garlitz will be attending the July 14, 2020 Legislative meeting.

#### **Proclamations (2) –**

- **Lyme Disease Awareness Month** – This resolution has been presented in year's past, therefore, will just be noted in the July 14, 2020 Legislative meeting minutes.
- **Employee Recognition and Appreciation Week (July 13<sup>th</sup> – 17<sup>th</sup>)** – Employee Recognition Committee member, Steve Palinosky will read and present these proclamations to this year's 25 and 30-year honorees.

#### **Employee Recognition Committee Presentation – 25 & 30 Years of Service**

Steven Palinosky will emcee the presentation honoring six employees who have attained 25 and 30 years of service with the County.

7. **Resolutions** – Ms. Haskell reviewed all resolutions for the July 14, 2020 Legislative meeting.

## 8. Other:

**Board of Elections Update:** Legislator Balliet provided the following update:

- Looking to request security for early voting evening hours and weekend hours and Election Day.
- Beginning a desk audit for four full-time positions.
- Absentee ballot count performed. The new software and equipment was used to do this and it was done within a day, which normally would have taken four days.
- Post- election audit performed with the same software, which took two hours instead of two days.

**Elected Official Visits:** Chair Sauerbrey informed the Legislators of the following upcoming visits:

- Senator Schumer will be speaking at the Owego Elementary School on Friday, July 10 at 3:15 p.m.
- Senator Akshar will be hosting a virtual town meeting for the western part of Tioga County on Wednesday, July 15, at 5:45 p.m.
- Congressman Reed will be hosting an event at the County Office Building, Hubbard Auditorium, on Thursday, July 16, at 12:00 p.m.

## 9. Executive Session -

On motion of Legislator Hollenbeck, seconded by Legislator Monell and unanimously carried, the meeting went into Executive Session at 2:00 p.m. to discuss contract negotiations with Sustainability Manager Pratt and Commissioner of Public Works Hammond remaining in attendance. Motion carried to go into Executive Session at 2:00 p.m.

Executive Session adjourned at 2:25 p.m.

Meeting adjourned at 2:25 p.m.

Minutes submitted by Diane Stephens