



COUNTY OF ERIE

MARK C. POLONCARZ
 COUNTY EXECUTIVE

February 13, 2013

James Sampson, Chairman
 Erie County Fiscal Stability Authority
 295 Main Street, Room 946
 Buffalo, New York 14203

Re: Comptroller Mychajliw's Comments to the ECFSA Finance Committee on Position Count and Personal Services

Dear Chairman Sampson:

On February 11, 2013, Erie County Comptroller Stefan Mychajliw made an oral comment to the Erie County Fiscal Stability Authority's ("ECFSA") Finance Committee stating that he was conducting some form of analysis of the County workforce. In his comment, he seemingly stated that since 2011, the County had created 218 new full time positions. This figure was startling and abnormal and seemed out of line, leading my office to re-review position count.

SAP records reveal that between the Adopted 2011 Budget and the Adopted 2013 Budget, the County incurred a net increase of 161 full time positions for all funds. Of that number, 112 positions were restored or created by the County Legislature in December 2011 in their amendments to the proposed 2012 Budget issued by the Collins administration. Many of these positions were restored by the Legislature in the 2012 Budget after being deleted from the 2011 Budget by the Collins administration. For instance, this included 7 positions in the County Comptroller's Office.

Comparing the Adopted 2012 Budget to the Adopted 2013 Budget reveals that there are 48 net new full time positions across all funds. In 2012, through mid-year adjustments, the County was compelled to add 30 positions in the Sheriff's Division of Jail Management to comply with the New York State Commission of Correction ("CoC") mandate. An additional 17 positions are in the Adopted 2013 Budget pursuant to the CoC directive. There were other adjustments in mid-year 2012 or in the 2013 Budget approved by the Legislature adding full time positions for other departments including the County Clerk Auto Bureau (18 new full time positions), Sheriff Division and Department of Law.

An exhibit showing the data is attached for your review.

The attached exhibit shows a major discrepancy compared to 218 positions. As I am sure you will agree factual accuracy is critical when the chief financial officer of the County makes public statements, including to ECFSA. I am troubled by Mr. Mychajliw's comments which cannot be traced in

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SAP and which appear to be factually wrong and certainly were made without any context to explain the reasons for the new positions (such as the CoC directive).

Comptroller Mychajliw made further comments to the effect that he was conducting some form of a review documenting County employees earning more than \$100,000 per year. Those comments mirrored remarks he has made publically to the media.

Based on a limited review conducted by the Division of Budget and Management, we found that there were approximately 135 persons in Erie County government during the State Fiscal Year 2011-2012 who earned over \$100,000 in salary. For instance, of that number, records show that 86 were employees of the Sheriff Office, including 64 employees in Jail Management; 14 employees worked in the Office of the District Attorney; and five employees worked for the Department of Public Works' Division of Highways. Many of these employees' salaries, particularly for Jail Management, were significantly enhanced by paid overtime. The highest-paid County employee in 2011-2012 was the County's chief medical examiner followed by a deputy sheriff officer in Jail Management.

I hope that this information is helpful and will help address certain factual inaccuracies in the Comptroller's February 11th comments to ECFSA. If you have any questions, please do not hesitate to contact me.

Sincerely,



Robert W. Keating
Director of Budget and Management

RWK/tcc

Attachment: 2011-2013 Position Count Changes

cc: Erie County Legislature
Erie County Executive Mark C. Poloncarz
Erie County Comptroller Stefan Mychajliw

Full Time Position Count

Fund	Department	2011 Adopted	2012 Adopted	2013 Exec Reco	2013 Adopted		Notes
					2013 Adopted	to 2012 Adopted	
110	100 Legislature	41	34	33	33	(1)	
	105 DISS	40	42	41	41	(1)	
	116 Jail Management	688	685	731	731	46	*
	120 DSS	1,404	1,454	1,435	1,435	(19)	
	163 Senior Services	12	11	10	10	(1)	
	10110 County Executive's Office	8	9	13	13	4	
	10210 Budget & Mgmt.	7	6	7	7	1	*
	10310 Labor Relations Div.	3	2	2	2	-	
	10610 Bureau of Purchase	5	6	6	6	-	
	10710 Fleet Services	2	2	2	2	-	
	10810 Eq.Emp.Opportunity	2	4	3	3	(1)	
	10910 Office of Public Advocacy	1	1	1	1	-	
	11110 Department of Real Property Tax	10	13	12	12	(1)	
	11200 Comptroller	27	34	33	34	-	
	11310 Co ClerkRegistrar Div	51	51	51	51	-	
	11320 Co Clerk Auto Bureau Div	47	48	66	66	18	*
	11400 District Attorney	118	119	122	122	3	*
	11510 Sheriff Division	151	151	153	153	2	*
	12210 DPW Commissioner	4	4	4	4	-	
	12220 DPW Building & Grounds	119	120	116	116	(4)	
	12230 DPW Weights & Measures	9	11	11	11	-	
	12410 MH - Program Admin.	14	13	13	13	-	
	12420 Forensic MH Services	21	23	23	23	-	
	12520 Youth Detention	65	78	78	78	-	
	12530 Youth Bureau	2	2	4	4	2	*
	12610 Probation Divn	102	110	115	115	5	*
	12700 Health Division	74	101	47	47	(54)	
	12720 Emergency Medical Services	2	3	3	3	-	
	12730 Public Health Lab	65	74	74	74	-	
	12740 Medical Examiner	32	32	20	20	(12)	
	12750 Special Needs	25	27	27	27	-	
	12760 Corr Health	-	-	65	65	65	
	13000 Veterans' Services	1	3	3	3	-	
	15000 Board of Elections	76	76	76	76	-	
	16010 Law Division	16	17	23	23	6	*
	16110 Personnel	20	23	23	23	-	
	16200 Env.&Planning Divn.	13	12	12	12	-	
	16410 Parks	36	51	51	51	-	
	16500 Central Police Srvc	8	11	10	10	(1)	
	16700 Emergency Services	8	8	8	8	-	
1650060	Traffic Safety/DWI	4	4	4	4	-	
	Total Fund 110	3,333	3,475	3,531	3,532	56	
140	12110 Utilities Fund-(DPW)	1	1	1	1	-	
210	123 Highways (DPW)	163	165	159	159	(6)	
230	11510 Sheriff Division	-	-	16	16	16	*
230	12720 Emergency Medical Services	15	15	15	15	-	
230	16500 Central Police Srvc	50	59	43	43	(16)	
820	420 Library	225	184	182	182	(2)	
	Total Other Funds	454	424	416	416	(8)	
	Total All Funds	3,787	3,899	3,947	3,948	48	

*See explanations on certain staffing increases on the next page.

Full Time Position Count

***Notes on certain departmental staffing adjustments from 2012 Adopted to 2013 Adopted**

10210 Budget & Management

The additional position is created for DSS fiscal oversight and is significantly reimbursed.

116 Jail Management

Staffing increases comply with the mandated NYS Commission of Correction staffing plan.

11320 Auto Bureau

The full time staff increase is offset by an equal number of regular part time position decreases resulting from a CSEA labor charge and based on the recommendation of the County Clerk.

11400 District Attorney

Position increase based on 2012 District Attorney request, approved by the Legislature, to move positions to the general fund which had previously been budgeted in the grant fund but were discontinued by the State.

11510 Sheriff Division

Two deputy positions were added in 2012 to provide Rath Building security and are reimbursed through Social Services.

12530 Youth Bureau

Two positions, added in 2012, serve to divert youth from costly placements and are reimbursed through State funds.

12610 Probation

Positions added in 2012 are reimbursed through a combination of State Probation funding or with revenue obtained in the Department of Mental Health and Social Services based on interdepartmental billing claims.

16010 Law

3 positions, fully funded by NYS, were added in 2012 to establish the Medicaid Antifraud Unit. One new Assistant County Attorney position is 50% reimbursed through Department of Mental Health State Aid.

Fund 230 E-911 - 11510 Sheriff Division

16 positions were transferred from 16500 Central Police Services to the Sheriff in the E-911 fund.