

**Auburn City Council  
Regular Meeting  
Thursday, March 26, 2020 5:00 P.M.  
City Council Chambers  
Memorial City Hall  
24 South St.  
Auburn, NY 13021**

**Minutes**

The meeting of the Auburn City Council was called to order at 5:00PM in the City Council Chambers 24 South St. Auburn NY by Mayor Quill.

1. **Roll Call** – The City Clerk called the roll. Mayor Michael D. Quill and Councilors Debra McCormick, Jimmy Giannettino, Terry Cuddy and Tim Locastro were all present. Councilors McCormick and Cuddy participated by teleconference due to the COVID-19 crisis.

**The following City Staff was present for the regular meeting:**

- City Manager, Jeff Dygert
- Corporation Counsel, Stacy DeForrest (tele-conference)
- City Clerk, Charles Mason

2. **Pledge of Allegiance to the Flag** – Mayor Quill led the Pledge of Allegiance.

3. **Moment of Silent Prayer or Reflection** – Mayor Quill asked for a moment of silent prayer.

4. **Public Announcements** –

- Public meetings that are schedule for the Living Willow project to be installed later this year at the Miles Lepak Park also known as the permaculture Park have been postponed and will be rescheduled at dates to be in the future.
- The firefighter memorial service which was scheduled for next week on Monday March 30th at the Willard Memorial Chapel has been canceled
- Planning board meeting for Tuesday April 7th 2020 has been canceled
- Board of assessment review will not be having open to the public 2020 tentative roll viewing dates on March 26th or Saturday March 28th due to the covid-19 emergency.
- Board of assessment review public hearings schedule for April 1st through 4th will not be held in are still awaiting a final course of direction from the New York State Office of all the real estate. Property owners that want to file an assessment complaint will need to mail in assessment Complaint Form rp-524 available on the city's website. The form along with evidence supporting the assessment complaint will need to be postmarked and mailed to the Auburn City Board of assessment review attention assessor's office at 24 South Street Auburn New York 13021. The form may also be submitted at the Dropbox located at the front or back entrance of Memorial

**5. Ceremonial Presentations and Proclamations. none**

**6. Public to be Heard - none**

**7. Approval of Meeting Minutes - none**

**8. Reports of City Officials**

**A. City Manager's Report**

- Thanked management staff and Senior Management that have worked really hard over the last couple of weeks with the sudden disruption of our Workforce.
- Auburn fire department has taking lead and has been our liaison to the Health Department, Cayuga County Emergency Management office, Auburn Community Hospital, TLC ambulance, AMR Ambulance and the 911 Center. They have been working on things related to PPE need and make sure that we're all as much on the same page as we can be and we're preparing for these things
- First Responders have been providing fit testing for those n95 masks that many people have heard about but might not even know exactly what those are but those masks are supposed to be fit tested to the individuals wearing them. They have developed and deployed an employee screening procedure and to that and what we're doing is we're monitoring our own employees when they come and go so that we make sure that somebody that sick doesn't end up getting the rest of our Workforce sick.
- Employees the Fire Department did a Facebook live presentation on Wednesday to educate the public and entertain all the students that are home. It got great reviews from children and adults alike that are stuck at home. They're going to do another one on Saturday.
- City operations - city buildings are closed to the public. All critical information that is found on our webpage. We ask the public to be patient and understanding of the restrictions and the changes that have been imposed the state level. If there are any questions are on a variety of numbers on those Communications whether or the timeline or post it on the doors if you have business to do with the city we have people able to take your call take your questions and provide guide
- Non-essential employees are working from home. We also have some rotating shifts to try to reduce our number of employees working as was mandated by the state.
- We have continued to work with a variety of Human Services organizations along with the county and the state and try to put the right resources in place so they can continue to provide services
- APD has some changes in place. Low priority calls may be answered by a telephone or a conversation with a police officer rather than a face-to-face interaction. The police department also asked that in certain cases when they arrive that they are met outside to reduce the risk of exposure. The 911 centers communicating to the caller with a complaint that they watch for a PD to show up and that's an officer will meet them outside.
- APD has signed on three new recruits who next week. They're going to be going to do the Binghamton Police Academy that's still on at this point.
- Public Works department depending on the situation or reduced to working with reduce staffing. Landfill functions and Refuse collection functions are working as normal as scheduled. Please check the their streamline or on the city web page.
- Municipal Utilities Department - the Water Treatment Facility and Wastewater Treatment Facility have to be staffed twenty-four hours a day as per our operating permits from New York State DEC and Department of Health. With the current situation, it's even more important that the community not to flush things down the toilet that shouldn't be flushed down the toilet. We've already seen an uptick in problems. It creates expensive problems that could create a problem for you your neighbors or an entire neighborhood. The Sewer department going around they know that there's some problem spots around the city that need more attention than others. Sewer Plumbing is trying to stay ahead of

those issues right now but we ask the public to be respectful and not flush anything but toilet paper. Water Treatment facility has provided sanitizing solution and disinfectant solution not only to the city but other agencies throughout the county, private and public, and will continue to do that to the extent that we can has one little thing that were able to do in the house and meet a need that that was previously on map out the community.

- Corporation counsel continues to keep up with the ever-changing laws coming in from New York State and the federal government related to labor issues, public gatherings, the occupancy of buildings. That's a constant thing to keep up on those items
- Finance - the situation hasn't created a huge financial burden on the city as far as what we expend on a day-to-day basis so we're in fairly good shape. There's been just a little expense related to the response to the situation that we're in right at the moment we have restarted our budget meetings with individual department heads and those meetings that happened prior to the shutdown of local government. We're going to revisit those so that we can revisit the proposed budget of those departments and preparation to have counseling a draft budget to look at here in a few weeks.
- IT department - since we have a department of one here recently, it has been very very busy trying to do their best to get things like this set up these teleconferencing things and video conferencing and setting up folks working remotely from home they've been extremely busy but doing a good job of making that happen.
- Planning and Code Enforcement - Code Enforcement is up and running. They are considered an essential service in the eyes of New York State. They have got some of them doing some adjustment to their functions but they are open and available and doing business.
- Last week I reassign Planning to keep an eye on what's coming our way literally and figuratively to keeping an eye out for the literally hundreds of emails that we get every day from various organizations with new updates on the situation to try to weed out what's important and to advise our Management Group on what's happening. They are listening to the governor's phone calls every day so the city to make sure we're keeping up with any changes there and communicate with our legal counsel. Planning department also has been working with CEDA the Chamber of Commerce they've been working with their CDBG Partners Federal level to try to do their best to get a handle on what the needs are and our particular community and start to align that and put together some local programs based on helping local businesses get through this situation. Planning Department's been a big part of people stepping up to help private businesses. They've been reaching out to our local businesses to see if they have any needs themselves whether it's services that they need to provide their employees, questions related to what some of these new initiatives or changes in the state law, or what they need to continue production.
- Also, what they may have to offer our local First Responders and medical providers due to the shortage of certain medical equipment in certain protective personal protective equipment. I'm happy to say we have a list of several local manufacturers have stepped up and in big ways to do what they can to provide personal protective equipment from their own stocks that they use for their own employees at one point and we have several local manufacturers that have either started or looking to start very soon the production of personal protective equipment for use locally and potentially throughout the state. We're trying to communicate that all through the appropriate channels get to the manufacturers that want to have the ability to change what they're doing trying to get them in touch with the proper folks to get the authorization to do so and so that they can establish that supply chain
- Engineering department - we've had them utilize their contacts in the construction industry to reach out to find out what our construction Partners need and what they may have that can help us out and again we've had several construction companies that were able to step up and provide personal protective equipment that will get used by our First Responders and medical professionals.
- City Clerk has been working with us trying to help set up meetings like this and keep notices going out to the public, coordinate with the county what messages are being sent out. We're trying to do a 2 to 4 week look ahead from all of our departments to determine what's to stay on the schedule was coming off the schedule what things are priorities that we need to try to find accommodations for. For example, several of our boards and commissions have canceled this month meeting. We're going

to have to figure out how we accommodate those things. Also things like the Annual Easter egg hunt and Downtown events that have been planned in the near-term future.

- The CDBG Loan program - the Planning department has been able to confirm that we are able to defer some of those loan payments during this time for the CDBG program so that's been communicated to businesses that they are not waving the payment it's just deferring it. United Way is working on some things for 501c and not-for-profits
- We've got new information out this afternoon about the federal government stimulus package and what that means for the CDBG program and some other things so along the way we've had discussions and teleconference is with Senator Helming Congressman Katko, some other folks out there to try to express our concerns, our needs to them at the state level, on the local level and trying to pick their brains for what they know about these programs and the changes to these programs.
- The functions of the City of Auburn are moving along their chains. They are a little more cumbersome than they typically are. There's a few things that are going to create some inconvenience, we will get through it. As we get a better feeling for how long this might last things will continue to change will do our best to communicate those changes. We asked everybody and appreciate everybody's patience through this. If you have questions, there are multiple numbers to call based on what the question is to best to accommodate the needs of the community.

## **B. Reports from members of Council**

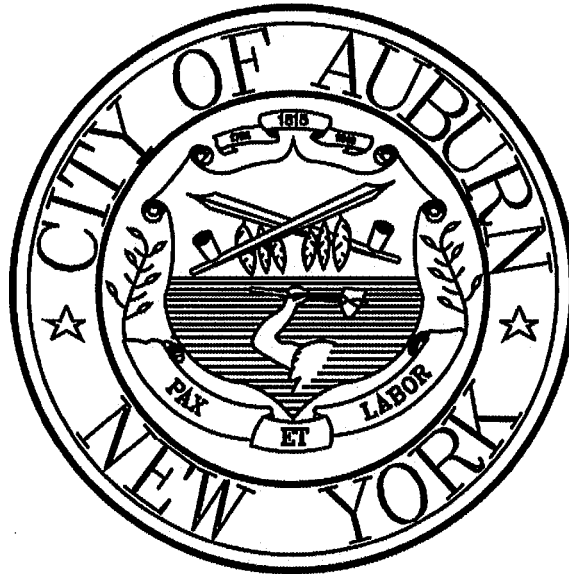
- Councilor Cuddy - I want to make sure of a couple things, appreciation of the Governor Cuomo who is really become one of the leaders and to do what's right for public health and for the public welfare. We can see what's happening in the efforts of our city staff and what our city manager is doing and just want to mention these are the kinds of things needed for public safety & public health. I think I do want to stress that we are supposed to be pretty much staying inside and practicing social distancing. I do see too many people in public congregating. I really need to say that please practice social distancing. Please be safe out there.
- Mayor - It is remarkable how our departments have always pulled together and kept the city going and how they're bending over backwards for this & for the citizens of our community, working with each other, remarkable job Mr. Dygert. Local businesses - I did ask the city manager to keep track of everyone in the community who has tried to help our departments. I also listened in on one of the county conference calls. These meetings are every other day. We have heard from Senator Schumer's office and Senator Gillibrand and Senator Helming. We are so appreciative of the calls. I did have the opportunity to meet the three new police officers today. They were getting their paperwork. I don't envy them having to drive to Binghamton every day an hour and a half down, and an hour and a half back. For the public, we do still receive your email. If you send in your request, your question in, we do answer all of our email. We're working to do our very best to respond everything so please keep us in mind.
- Dygert - we'll be catching up here soon and get things back on track so that I know I normally would go through a bar graph reports and bunch of stuff and I haven't had a chance to look at that looked at it really quickly and I noticed a couple things together little narrative on that and I'll get back to council sometime tomorrow

## **9. Matters to Come Before Council – none**

**Adjournment:** By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 5:49 p.m

Minutes submitted to the City Council on April 16, 2020 by:

Charles Mason  
City Clerk



# **SENIOR MANAGEMENT PERSONNEL POLICY**

A POLICY OF THE CITY OF AUBURN, NEW YORK, TO PROVIDE WORK RULES AND A COMPENSATION AND BENEFIT PLAN FOR SENIOR MANAGERS AND NON-UNION EMPLOYEES.

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The Senior Management Policy is designed to provide a plan for fair and competitive compensation and benefits in order to attract and retain senior management employees at the City of Auburn who are not represented by collective bargaining agreements.

This Policy is a revision of the current Senior Management Policy adopted by Resolution #8 on July 17, 2017 and is designed to achieve the following:

- Update benefits and compensation for non-represented employees to attract and retain high quality management employees.
- Reestablish a salary schedule that provides a defined progression of steps tied to performances and longevity.
- Address the potential wage and benefit compression and disparity that can occur between non-represented managers and their subordinate employees who are represented by collective bargaining agreements.

## **1. COVERED EMPLOYEES**

Employees considered Management Personnel; covered under this Policy, fall under the following categories:

**Department Heads - DH**  
**Management & Professional - MP**  
**Management Support - MS**

A specific list of job titles is provided in Attachment A.

## **2. WORKWEEK**

The work week for Management Personnel shall be the hours necessary to fulfill their responsibilities and meet the needs of those working under their supervision. Management Personnel are required to use Kronos to document hours worked. DH and MP Personnel shall normally be present (mandatory for MS Personnel) during core hours, which are equivalent to the work hours of the primary employees under their direct supervision, i.e., 8:00 a.m. to 4:00 p.m. for City Hall based operations; 7:00 a.m. to 3:30 p.m. or other field based work schedule as appropriate for MP and DH with field operations. However, it is understood that DH and MP Personnel may adjust their time to meet the needs of the City, their Department, and their personal schedules (within reason). The City Manager may authorize special work weeks or hours consistent with these standards. DH or MP Personnel are expected, as part of their job, to occasionally work outside of normal work hours without expectation of extra compensation in time or wages.

### **3. COMPENSATORY TIME/OVERTIME**

Management Personnel may be required to work in excess of their normal work week because of an emergency situation, Departmental needs, or as requested by the City Manager. Only MS Personnel will be credited with compensatory time off or paid overtime, at the employee's option. Compensatory time and paid overtime shall be earned, accrued, and utilized as described herein.

Employees must request approval of his/her Department Head or the City Manager before working overtime in excess of one (1) hour or on a non-regularly scheduled work day.

Any current carryover hours at the time this Policy goes into effect, will be "grandfathered" to the credit of the employee. MS Personnel will be allowed the same options as related to compensatory time as employees in the CSEA Unit #6251-00.

Overtime shall be paid for at the employee's time and one half hourly rate or, at the option of the employee, compensatory time shall be granted at the rate of one and one-half times for all hours in excess of seven (7) hours per day or thirty-five (35) hours per week [except as provided hereafter and which an employee is required to be at work in excess of his/her regularly scheduled workday or work week;] such pay shall be calculated in segments of not less than one-quarter (1/4) hour. Compensatory hours accumulation shall not exceed a total of one hundred (100) hours. An employee's request for a particular day or days of compensatory time off shall not be unreasonably denied by the Employer. If an employee's requested compensatory time off is denied, the employee, at his/her option, may elect to receive payment for the overtime worked instead of compensatory time off. Compensatory time off can be taken in segments of no less than one-quarter (1/4) hour per day. The receipt of holiday, vacation, compensatory leave, or personal leave pay for non-shift employees will be considered as having worked for the purpose of calculating overtime.

Any compensatory time accrued at the time that this Policy goes into effect, which was permitted prior to this Policy, shall be used or cashed out by December 31, 2020. Thereafter, compensatory time accrued shall be used or cashed out on an annual basis.

### **4. VACATION**

All Management Personnel shall be eligible for of vacation in the first year. Vacation accruals will be based on the following chart.

#### **Required Service**

#### **Time Off**

#### **Department Heads / Management & Professional:**

Less than 10 years	26 Days
10 years, but less than 20 years	30 Days
20+ Years	35 Days



### Management Support Staff:

Less than 2 years	11 days
2 years	12 days
3 years	14 days
4 years	16 days
5 years but less than 7 years	20 days
7 years but less than 10 years	23 days
10 years but less than 15 years	26 days
15 years but less than 20 years	29 days
20 years but less than 25 years	32 days
25 years and thereafter	35 days

Existing City Employees who are promoted into management positions covered by this policy shall carry any accrued leave forward into the new position.

New employees to the City in the position of DH or MP shall accrue vacation based on the same schedule as promoted employees, however, the City Manager may grant up to four weeks of vacation as part of a negotiated compensation package to be available to the employee upon appointment to assist in relocation. If a new employee terminates employment within 12 months, any advanced leave used in excess of the normal accrual schedule shall be withheld from the final paycheck, and if there is a deficit the employee shall pay the City the difference.

Any negotiated vacation benefit for a new employee exceeding four (4) weeks must be approved in writing by the Mayor and Council. A week is defined as five (5) days.

Vacations must be taken in the calendar year following the calendar year in which they were earned, except that a maximum of fifteen (15) days may be carried over into the next calendar year. More than fifteen days may be carried over into the next calendar year upon approval of the City Manager.

## **5. HOLIDAYS**

The following days shall be recognized as paid holidays:

- New Year's Day
- Martin Luther King, Jr.'s Birthday
- Presidents Day
- Good Friday
- Memorial Day
- Fourth of July
- Labor Day
- Columbus Day
- Veteran's Day
- Thanksgiving Day
- Friday after Thanksgiving
- Christmas Day

DH required to work on a holiday, will be granted a floating holiday in exchange for the worked-holiday, which shall be used within sixty (60) days from the date of the worked holiday.

MS Personnel required to work on a holiday, will be compensated following the Holiday Policy of the CSEA Professional and Administrative Unit.

As provided for by Section 63 of the Public Officers Law, veterans who work on Veteran's Day or Memorial Day may request, shall be granted a floating holiday in exchange for working the holiday or, if eligible, shall be credited with a compensatory day for working on the holiday, both of which shall be used within sixty (60) days of the holiday that was worked.

Holidays falling on Saturday will be observed on the preceding Friday and those falling on Sunday will be observed on the following Monday. In accordance with Public Law 90-363, Presidents Day will be recognized as falling on the third Monday in February and Memorial Day on the last Monday in May.

## **6. PERSONAL LEAVE**

Each employee covered by this Agreement shall be entitled to take up to three (3) paid personal leave days during each contract year, or a pro-rated amount if the employee has not been employed for the full twelve (12) month period; such leave shall not be cumulative from contract year to contract year. Leave will be granted in segments of one-quarter (1/4) hour, if such leave does not impair the efficiency of the operations.

There shall be no restrictions on when personal leave time may be used by an employee.

## **7. BEREAVEMENT LEAVE**

DH and MP shall follow the Funeral Leave Policy of their subordinates. MS shall follow the Funeral Leave Policy of the CSEA Professional and Administrative Unit.

## **8. SICK LEAVE**

### **A. ACCRUALS**

Each full time employee shall accumulate up to two hundred sixty (260) working days of sick leave, to be applied toward time off due to illness or injury which is not work related. After a minimum of twenty (20) years of continuous service, Management Personnel shall be allowed to accumulate unlimited days of sick leave. Such leave shall be reduced by one day for each day paid. Sick leave will be granted in no less than 1/4 hour segments.

Each full time employee will earn sick leave credit at the rate of one-half (1/2) day per biweekly pay period, provided, however, that he/she is in full pay status for at least five (5) work days during such biweekly pay period.

Accumulated sick leave shall not be payable at the time of termination of employment, except for the following:

(a) A physician selected by the Employer certifies that the termination of the employee was necessitated by debilitating illness or injury, and then only so long as such illness or injury continues and the employee permits physical examination at reasonable intervals; and

(b) After a minimum of ten (10) years continuous service and upon termination or leaving their position with the City, said employee having a minimum of 75 days accumulated sick leave, shall be paid for 25 days; and

(c) When an active employee dies after twenty (20) years of service and prior to retirement from the New York State Retirement System, the Employer shall pay to the estate any unused accumulated sick leave up to a maximum of twenty-five (25) days.

(d) After six (6) weeks and to a maximum of four (4) months, and upon certification from the employee's physician that the employee is unable to work for medical reasons pertaining to the employee, the employee, at the option of the Employer, may be granted a leave of absence, or the employee may utilize any accumulated sick time or vacation time.

The Employer reserves the right, in any dispute as to the employee's medical condition, to have the employee examined at the cost of the Employer by a physician selected by the Employer.

Where the Employer selects a physician for the examination of an employee, such examination will be paid for by the Employer.

## **B. PROCEDURE**

Sick leave is provided to protect an employee against financial hardship during an illness, injury or medical procedure. An employee may use sick leave accruals for personal illness, injury or medical procedure that inhibits the employee's work. An employee may use up to five (5) days of sick leave accruals in a revolving twelve-month period for family illness or injury if the employee must provide direct care to an immediate family member. An "immediate family member" includes the employee's parent, spouse, or child, including step-child or foster-child.

The Employer may require, as a condition of payment for sick leave in case of chronic absenteeism, a statement from the employee's physician's office that the employee is under the physician's care and the probable period of absence from work. When an employee has used in excess of twelve (12) equivalent full days of paid sick leave and/or family illness, as referenced in Article XXVI, which are not verified in the prior twelve (12) months, the Employer may require a statement from the physician's office or a statement from the family member's physician's office for any future payments of sick leave during the subsequent twelve (12) month period. For purposes of this paragraph, verified shall be defined as medical documentation from a physician's office and/or medical facility, etc., or any other reasons acceptable by the employee's Department Head.

When continuous sick leave is more than five (5) days, the Employer may require, as a condition of payment, a statement from the employee's physician's office certifying that the employee is under the physician's care and the period of disability. When continuous sick leave exceeds thirty (30) calendar days, the Employer may require a physical examination by a physician selected by the Employer. Any false representation made by the employee in connection with a claim for sick leave benefits shall be deemed just cause for discipline.

### **C.DONATION**

The following guidelines shall be utilized for Sick Leave Donation Program:

- a) The recipient for donation must contact the City Manager to initiate the plan.
- b) Only non-union employees may donate time.
- c) Recipients wishing to utilize the sick leave donation program will have their situation reviewed on a case-by-case basis.
- d) The recipient must exhaust all accruals prior to utilizing donated sick leave.
- e) The recipient must provide proper medical documentation to the City.
- f) Only sick leave may be donated, not other types of leave.
- g) Donors cannot contribute more than five (5) days and the wage differential will have no bearing on the day-for-day exchange.
- h) Donors must have a minimum of forty-five (45) sick days accumulated to remain at the 40-day minimum after the donation.

Any time unused by the recipient will not be returned to the donor.

## **2. LONGEVITY PAY**

Each employee shall receive longevity pay of Six hundred dollars (\$600.00) annually for each consecutive four (4) years of service. In calculating consecutive service for purposes of longevity pay, only resignation, discharge, or other termination of employment shall be considered as terminating consecutive service. However, no accumulation of consecutive service shall occur while an employee is suspended for period of two (2) weeks or more, or while on leave of absence without pay for two (2) weeks or more. A City employee who voluntarily resigns his/her employment with the City, and who returns to employment with the City within one year, shall be entitled to all longevity payments previously enjoyed.

## **10. HEALTH and DENTAL INSURANCE**

The Employer shall provide health, vision and dental insurance for full-time employees covered under this policy. Employees hired on or before June 30, 2017 have the option of any plan offered by the City. Employees hired on or after July 1, 2017 shall be required to participate in the PPO Option J plan if they desire City health insurance.

Management Personnel contributions shall be adjusted periodically to reflect the average of contributions set forth in the City's collective bargaining agreements. Effective July 1, 2017, The City shall provide an annual \$500 incentive to all employees opting into an individual PPO Option J plan and \$1,000 incentive to all employees opting into a family PPO Option J plan. All employees hired after the date of this Policy shall not receive the foregoing PPO incentive.

Employees may elect to decline the City's health insurance benefits, provided they can demonstrate proof of continuous coverage under a non-city plan. Any employee who exercises this option will be eligible for a \$ 4,000 yearly stipend, payable in two semi-annual installments and pro-rated for partial year coverage. An exception is made when two married individuals are both eligible for coverage under the City health plan. If one employee opts to participate in the City health plan (with family coverage) and the other employee opts for the buyout, they will be eligible for a \$2,000 yearly stipend. Installments will normally be paid in the first payroll in January and the last payroll in June of each year. The employee must demonstrate continuous coverage throughout the non-coverage stipend period and prior to opting back into the City health coverage. Employees may opt back into City coverage, with proof of continuous coverage, during annual open enrollment or upon a qualifying event. If the employee experiences a lapse in coverage, the employee may not opt back into City plan and will then no longer be able to obtain the stipend.

Employees may elect to forgo the vision and/or dental insurance benefits under this Policy, provided they can be covered as an eligible dependent under another plan. Any employee who exercises this option will be eligible for an annual stipend pro-rated for partial year coverage. Said annual stipend shall be equal to the actual annual composite rate(s) due under this contract and shall be deposited into the employee's flex spending account administered by the City of Auburn. An employee may opt back into City coverage, with proof of continuous coverage, during annual open enrollment or upon a qualifying event. If the employee experiences a lapse in coverage, unless and until such coverage may be afforded under the terms of, and in accordance with, the applicable plan and in any event, will then no longer be able to obtain the stipend during the period for which coverage has lapsed and will return to the City any stipend paid for the period for which coverage has lapsed. Said employee will have the opportunity to return to the City plan during the next open enrollment period.

Employee Wellness: On July 1, 2005, the City began an annual employee health and wellness program. As a part of this program, Management Personnel shall receive a maximum reimbursement, per employee, per verified participation in wellness programs to be identified by Management and agreed upon by the City-Wide Wellness Benefits Committee, in the amount of one hundred dollars (\$100.00) each year of this Policy. All claims for reimbursements shall be reviewed and approved by either the City Manager or the Chair of the City-Wide Wellness Committee.

## **11. RETIREMENT BENEFITS**

The appropriate Retirement Plan will be available to all employees in accordance with the New York State Retirement System.

Upon retirement, Management Personnel who are employed by the City as of the date of this Policy may utilize unused sick leave time as payment toward future health insurance premiums as follows:

- Sick leave will be credited toward an employee's future health insurance premium costs at a dollar value equivalent to one (1) accrual leave day to one (1) paid work day. In no case shall DH and MP receive less than their subordinates.

Upon retirement, Management Personnel who are hired by the City after the date of this Policy may utilize unused sick leave time as payment toward future health insurance premiums, as follows:

- Sick leave will be credited towards an employee's future health insurance premium costs at a dollar value equivalent of two (2) accrued leave days to one (1) paid workday.

Management Personnel may cash out their sick leave at retirement at a rate of one (1) day pay for every two (2) days accrued with a written acknowledgement that the retiring employee waives their rights to City provided health insurance in retirement.

## **12. CELLULAR PHONE ALLOWANCE**

DH and MP Personnel, who have, because of their work hours and on-call status, been assigned City owned cellular phones, may elect, with the approval of the City Manager, to receive a cellular phone allowance in lieu of a City owned cellular phone. Said allowance shall be set at \$45/month until such time as it is revised as part of a new budget. The number of that phone must be available as would a City owned phone.

## **13. RESIDENCY REQUIREMENTS**

All Department Heads are required to reside within the City of Auburn, except as otherwise exempted by Statute. MS and MP Personnel not living within the City at the time this Policy was originally adopted may continue to do so, but must comply with this Policy upon promotion to a new position covered by this Policy. Within 90 days of appointment (new hire) or promotion (existing employee), employees must comply with this Policy unless there are extenuating circumstances, which prohibit compliance. A waiver may be granted in writing by the City Manager with the consent of the City Council. MS Personnel covered by this Policy shall follow the residency requirements of the CSEA Professional Bargaining Unit.

The City Manager may approve Management Personnel to reside outside the City limits, but within a 10 mile radius of Memorial City Hall.

## **14. FAMILY AND MEDICAL LEAVE**

The terms of the Federal Family Medical Leave Act apply to all employees covered by this Policy. Additional agreements may be arranged at the discretion of the City Manager.

The City will provide up to 3 weeks of paid leave for new parents under the following conditions:

- Employee has been in continuous full time employment with the City for the previous twelve (12) months
- Employee must return to a full time, continuous work schedule within 12 weeks

## **15. DISCIPLINE AND DISCHARGE**

Personnel covered by this policy, except for those persons entitled to Civil Service Law, Section 75 Rights, are considered "at-will" employees, meaning they can be discharged at any time for any reason. The City desires to provide discipline and discharge procedures and disciplinary appeal process for management employees. The following procedures shall be utilized for disciplinary and discharge matters.

Disciplinary action shall include, but is not limited to, written reprimands, suspension, demotion, discharge, fines, or any combination thereof or other such penalties as may be deemed appropriate by the Employer.

An employee shall be entitled to representation by an attorney or other representative at each step of the Discipline and Discharge Procedure. An employee shall be entitled, upon request, to have an attorney or representative present if, as a result of an investigation, an employee is asked by the Employer to sign a statement for purposes of attesting to or admitting incompetence or misconduct.

Service of the Notice of Discipline shall be made by personal service to the employee within 30 calendar days of the alleged act creating such discipline. If service cannot be effectuated by personal service, it shall be made by registered or certified mail, return receipt requested to the employee

The Notice of Discipline shall contain a detailed description of the specific acts and conduct for which discipline is being sought including references to dates, times, places and state any proposed penalty being sought. The Notice of Discipline shall also state that the employee has the right to appeal the disciplinary action by filing a written grievance with the City Manager within five (5) workdays after receipt of Notice of Discipline if he/she disagrees with it.

A grievance meeting shall be convened by the City Manager within five (5) working days after receipt of a grievance, as provided above. The City Manager shall render a decision, in writing, to resolve the matter within seven (7) calendar days. Failure to file a grievance within the time frame hereinabove specified will constitute acceptance of the penalty, as proposed by the Employer, by the employee, and settle the matter in its entirety. The decision of the City Manager shall be final.

Subject to a mutual written agreement between the employees covered under this policy and the City of Auburn, the time limits hereinabove specified may be waived.

## **16. WAGES**

Compensation for Management Personnel shall be in accordance with a 10 step wage schedule (Attachment B). The wage scale shall be adjusted for CPI annually and approved as part of the City Budget.

Management Personnel shall in any case receive a cost of living salary increase equal to the inflation and allowable growth factors as computed and published by the NYS Comptroller for the given fiscal year. If the inflation and allowable levy growth factor for any given year is one percent (- 1.0%) or less, he or she shall receive an increase of one percent ( 1.0%) of base salary for that given year.

In order to attract qualified candidates, the City Manager shall have the authority to negotiate at which step management personnel will be appointed (**1** through 10). All employees, regardless of the step level at the date of hire, will be eligible for a step increase on January 1 the year following the date of hire and will be eligible for future step increases every twelve (12) months thereafter, until the top step is achieved. The City Manager shall have further authority and discretion to negotiate additional step increases at any time.

DH salaries shall be at least 10% more than comparable subordinate salaries at the same Step. For example, there shall be no comparison of salaries at different Steps, but rather a DH who is at Step 2, shall only compare themselves against the salary held by the highest paid subordinate at Step 2.

## **17. PERFORMANCE EVALUATION**

Management Personnel shall be evaluated on an annual basis. Job Performance criteria are set forth in Attachment C.

## **18. RETIREMENT INCENTIVE**

This policy includes a provision for a retirement incentive for full-time employees. Said retirement incentive will be \$10,000 cash payout or \$12,500 toward health insurance premiums. The requirements for eligibility are as follows:

The following requirements for participation in this retirement incentive program apply:

The employee must file an application for the retirement incentive program within forty-five (45) calendar days of becoming eligible to retire without penalty.

The employee must retire from service within seventy-five (75) calendar days after filing the retirement incentive program application.

There is only one opportunity to apply for the retirement incentive after reaching eligibility to retire without penalty. If an employee becomes eligible to retire without penalty but chooses not to retire they cannot apply in future years. If an employee becomes eligible to



retire without penalty but does not apply within the forty-five (45) day calendar period the incentive will not be available.

If an employee wishes to retire with penalty, they will be eligible for this incentive.

## **19. OTHER**

A. All Management Personnel: All benefits not specifically mentioned in this Policy shall parallel those of the subordinate employees' bargaining unit contract.

B. Police and Fire Chiefs: Management Personnel in the Police and Fire Departments shall receive all the benefits afforded under this Policy, subject to the following exceptions:

1. With respect to Holidays: Police and Fire Management Personnel shall follow the same policy and receive the same pay for holidays as their uniformed subordinates;

2. With respect to Personal Leave, Sick Leave and 5/2 Days: Police and Fire Management Personnel shall follow the respective policies of their uniformed subordinates;

3. With respect to Longevity: Police and Fire Management Personnel shall be granted the Longevity granted in this Policy, but also Longevity Days equal to those afforded to sworn personnel, up to a total of five (5) days;

4. With respect to Wages: In order to ensure that qualified candidates in the Police and Fire Departments continue to aspire to the Chief positions, the Chiefs of Police and Fire Chief shall be excepted from the wage schedule set forth in this Policy and the following wage criteria shall apply to them in lieu of that schedule:

- The Deputy Police Chiefs base pay shall be 6% above the base pay of the most senior Police Captain.
- The Police Chiefs base pay shall be 6% above the base pay of the Deputy Police Chief.
- The Fire Chiefs base pay shall be 6% above the base pay of the most senior Assistant Fire Chief.
- The Chiefs' shall receive line up pay in an annual stipend in January of each year equal to the amount that they would receive under the terms of the bargaining agreements of their subordinates.

## **20. RELATIONSHIP BETWEEN MANAGEMENT POLICY AND EMPLOYEE HANDBOOK**

In the event an expressed and explicit provision set forth in the Senior Management Personnel Policy should conflict with an employee benefit, personnel policy, personnel procedure, or other provision set forth in this Employee Handbook, the expressed and explicit provision of the Senior Management Personnel Policy will control. Unless expressly excluded, the Employee Handbook will be applicable to all employees.

## **21. EDUCATION BENEFITS**

The City shall reimburse any management employee for the cost of tuition and related fees to attend professional and technical courses at accredited institutions of higher learning at a cost not to exceed \$10,000.00 per year. Coursework does not necessarily need to result in a certificate or degree, but the employee must obtain a grade of at least "B" or equivalent to be eligible for reimbursement.

Courses must be approved in advance by the City Manager and must reasonably relate to the job of the employee or to the advancement of the employee's career at the City. Coursework attendance shall be on the employee's own time. Travel expenses to and from the institution shall be at the employee's sole cost.

In the event an employee resigns from the City within 2 years of completing coursework the employee must repay reimbursed costs and expenses. For every six months of employment after completion of the coursework the employee's obligation for reimbursement shall decrease by 25%.

## **22. DEFERRED COMPENSATION PROGRAM**

All Management employees shall be eligible to join the City's deferred compensation program. If approved in the annual city budget the City will match the first \$2,000 of an employee's contribution to their deferred compensation account on an annual basis.

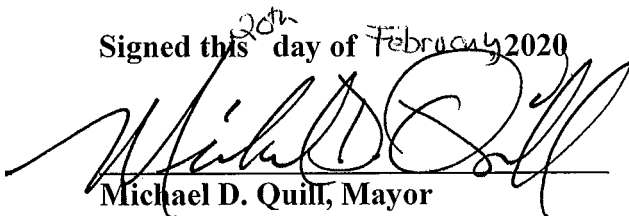
## **23. EXTENDED PAYMENT OF HEALTH INSURANCE PREMIUMS**

Should an employee be in unpaid leave status for a period of more than 30 days and unpaid status is not a result of disciplinary action (for example FMLA) the City Manager may approve payment of the employee's premium contribution for up to three months.

## **24. EFFECTIVE DATE**

**This Policy shall take effect on January 1, 2020, and remain in effect until such time as an Amendment or new Policy shall take its place.**

Signed this <sup>20<sup>th</sup></sup> day of February 2020

  
Michael D. Quill, Mayor

## **ATTACHMENT A**

### **EMPLOYEES COVERED UNDER MANAGEMENT POLICY**

#### **Department Heads**

Corporation Counsel

Comptroller

Police Chief

Fire Chief

Superintendent of Public Works

Superintendent of Engineering Services

Director of Planning and Economic Development

Director of Municipal Utilities

City Clerk

#### **Management & Professional Staff**

Director of Capital Projects & Grants

Assistant Corporation Counsel

Deputy / Assistant Police Chief

Deputy Director of Community Planning and Development

Information Technology Systems Administrator

Assistant Comptroller

Technical Director of Municipal Utilities

#### **Management Support Staff**

Secretary to City Manager

Secretary to Corporation Counsel

Civil Service Clerk

Secretary to the Mayor

**The City Clerk is also covered by this Management Policy with the following exceptions:**

1. The City Clerk is appointed by and reports to the City Council; therefore, procedures for discipline and/or discharge shall be established by the City Council.
2. A performance evaluation for the City Clerk will be required on an annual basis, following a process as determined by the City Council.

**ATTACHMENT B**

**Wage Schedule**

	1/1/20 - 6/30/20									
	1	2	3	4	5	6	7	8	9	10
<b>Department Heads</b>										
Corporation Counsel	98,924	100,933	102,982	105,074	107,208	109,384	111,606	113,874	116,187	118,549
Comptroller	94,311	96,226	98,180	100,172	102,206	104,282	106,399	108,561	110,765	113,016
Superintendent of Public Works	84,685	86,403	88,156	89,944	91,770	93,632	95,532	97,472	99,451	101,470
Superintendent of Engineering	84,685	86,403	88,156	89,944	91,770	93,632	95,532	97,472	99,451	101,470
Director of Planning and Economic Development	84,685	86,403	88,156	89,944	91,770	93,632	95,532	97,472	99,451	101,470
Director of Municipal Utilities	84,685	86,403	88,156	89,944	91,770	93,632	95,532	97,472	99,451	101,470
City Clerk	64,292	65,594	66,923	68,278	69,661	71,072	72,512	73,981	75,481	77,011
<b>Management and Professional Staff</b>										
Assistant Corporation Counsel	79,894	81,515	83,167	84,854	86,575	88,332	90,124	91,953	93,819	95,723
Director of Capital Projects and Grants	79,894	81,515	83,167	84,854	86,575	88,332	90,124	91,953	93,819	95,723
Deputy Director of Community Planning and Development	75,580	77,113	78,676	80,271	81,899	83,559	85,255	86,984	88,749	90,552
Information Technology Systems Administrator	66,836	68,494	70,194	71,935	73,721	75,552	77,427	79,350	81,321	83,341
Assistant Comptroller	66,836	68,494	70,194	71,935	73,721	75,552	77,427	79,350	81,321	83,341
<b>Management Support Staff</b>										
Secretary to the City Manager	46,910	48,251	49,632	51,053	52,513	54,015	55,561	57,151	58,786	60,468
Secretary to the Corporation Counsel	45,315	46,611	47,944	49,315	50,726	52,177	53,670	55,206	56,786	58,409
Civil Service Clerk	41,262	42,441	43,656	44,905	46,189	47,511	48,870	50,269	51,706	53,186
Secretary to the Mayor	40,171	41,320	42,503	43,719	44,970	46,256	47,579	48,941	50,341	51,780

**ATTACHMENT C**

**Performance Evaluation Criteria**

## Senior Management Policy Performance Criteria

Employee Name \_\_\_\_\_

Rating Period \_\_\_\_\_

**1. Efficiency of Operations-** Regularly reviews department operations and implements changes to reduce cost of operations through changes in procedures, equipment, technology and utilization of staff resources. Supports E-Government initiative. Reviews procedures and workflow to eliminate redundant and superfluous steps.

4 Outstanding	3 Competent	2 Needs Improvement	1 Unsatisfactory
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Comments: Provide specific examples of performance related to this topic to support rating

**2. Customer Service** - Regularly evaluates service being provided to customers by monitoring complaints, conducting satisfaction surveys, auditing response times and soliciting customer input. Implements changes to enhance customer service through training, technology, improved communications and best practices.

4 Outstanding	3 Competent	2 Needs Improvement	1 Unsatisfactory
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Comments: Provide specific examples of performance related to this topic to support rating

**3. Cost Containment-** Regularly reviews department budget and makes proactive adjustments to operations to control and reduce costs. Where cost containment actions may affect customer service consults with City Manager prior to implementation. Promptly informs City Manager of potential budget concerns along with recommendations for remedial action. Monitors overtime and makes staff and operational adjustments to reduce overtime costs.

4 Outstanding	3 Competent	2 Needs Improvement	1 Unsatisfactory
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Comments: Provide specific examples of performance related to this topic to support rating

**4. Communications** - Prepares timely and accurate oral and written reports as requested by the City Manager for communications to the City Council, the public and city staff. Initiates reports as necessary to communicate issues and concerns to the City Manager. Effectively and properly uses e-mail, telephone, meetings, memos and other methods of sharing information in a professional manner. Documents should be spell checked, proofed for errors and formatted to be legible for the intended use e.g. PowerPoint slides versus printed documents. Ensures that department employees are kept informed of significant city issues. Proactively engages the public to learn of concerns, as well as to

educate and inform on issues relevant to the community. Responds to media inquiries and uses social media within the framework of the City Manager's public information procedures.

4 Outstanding	3 Competent	2 Needs Improvement	1 Unsatisfactory
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Comments: Provide specific examples of performance related to this topic to support rating

**S.Performance Management** - Defines performance indicators and establishes performance measures for significant department operations using benchmark data and other criteria. The goal is to use performance metrics to determine how well a department is utilizing available resources to meet goals set by the City Manager.

4 Outstanding	3 Competent	2 Needs Improvement	1 Unsatisfactory
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Comments: Provide specific examples of performance related to this topic to support rating

6 Teamwork-Works effectively across department lines and with outside agencies. Initiates teams where appropriate to investigate, analyze and address issues. Breaks down silos to enhance city operations through open communication and sharing resources.

4 Outstanding	3 Competent	2 Needs Improvement	1 Unsatisfactory
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Comments: Provide specific examples of performance related to this topic to support rating

7. **Leadership** -Continually demonstrates leadership in department, community and profession. Sets an example for other to emulate in terms of professionalism, quality of work, positive attitude, teamwork, honesty, integrity and service. Develops leadership skills in subordinates.

4 Outstanding	3 Competent	2 Needs Improvement	1 Unsatisfactory
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Comments: Provide specific examples of performance related to this topic to support rating

8 **Staff Development**- Provides training, counseling and mentoring of subordinates to assist them in defining and achieving career growth with the City. Seeks cost effective training opportunities to expand employee skills and capabilities.

4 Outstanding	3 Competent	2 Needs Improvement	1 Unsatisfactory
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Comments: Provide specific examples of performance related to this topic to support rating



9. **Safety**- Leads safety effort at a department level to reduce city worker injuries and lost time accidents. Addresses safety issues promptly and ensures compliance with required use of personal protective equipment and safety procedures in the workplace. Promptly addresses safety issues for the public, especially on city owned or controlled property.

4 Outstanding	3 Competent	2 Needs Improvement	1 Unsatisfactory
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Comments: Provide specific examples of performance related to this topic to support rating

10. **Sustainability-Supports** and advocates for energy and resource efficiency in city procurement, construction and operations. Reduces waste and enhances recycling at the department level. Minimizes the use of paper wherever possible.

4 Outstanding	3 Competent	2 Needs Improvement	1 Unsatisfactory
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Comments: Provide specific examples of performance related to this topic to support rating

Total Points

Average Score

\_\_\_\_\_  
City Manager

\_\_\_\_\_  
Date

Employee Comments:

\_\_\_\_\_  
Employee comments here  
\_\_\_\_\_

\_\_\_\_\_  
Employee

\_\_\_\_\_  
Date