

MAYOR MARVIN'S COLUMN

In the process of crafting a Village budget, the differences in operation between corporate America and government is never more apparent. Since the Trustees and I had limited experience working in government prior to our election, it has required us to adjust our thinking within a new paradigm.

For example, the New York State Public Employees' Review Board, or PERB, has a manual inches thick instructing us as to what must be a mandatory or non-mandatory topic subject to collective bargaining. An honest mistake can easily morph into an unfair labor practice. Since we are currently in labor negotiations with our library staff, we cannot provide any goods or services to enhance their working environment without review and concurrence from regional union leadership. We are also approaching \$20,000 in legal costs to negotiate with a nine member bargaining unit. Then there is the Taylor Law - a section of the New York State Civil Service Law which defines the rights and limitations of public employee unions in New York - which affects our uniformed employees and mandates binding arbitration. We most recently saw the effect of this provision when one arbitrator awarded a pay raise to MTA employees totaling \$100 million dollars even though their operation is on the brink of insolvency.

The Civil Service Law also determines who can be hired and fired and a standardized test is the only indicator of quality. A municipality in urgent need of an employee with a particular skill set must interview the top three scorers on a test and choose one of the three. If the municipality does not believe these candidates meet their needs or standards, the only alternative is to leave that job vacant until someone else hires them and thereby reopens the list to the next three available candidates.

And, if a government wants to let someone go, either as a cost cutting measure or simply because they did not perform their duties, a seniority system or "bumping rights" governs. The end result is that performance is not the measure, rather the "last in", no matter how exemplary, is often the first one out. So net-net seniority often trumps merit.

Our day-to-day operations are also quite regularized and I would argue constrained by the overlay of State laws only germane to municipalities. For example, when purchasing goods, we must receive responses as sealed bids and accept the lowest one. We have no opportunity to negotiate among the interested bidders to produce an even lower price.

And when initiating construction projects, the Wick's Law governs, requiring all trades to bid separately so a project would have not just one contractor, but separate contracts for electrical, heating and cooling, general construction and plumbing work.

Studies have proven that dividing up a project into multiple contracts can increase costs by as much as 30%. Just as importantly, these multiple contractors present a coordination nightmare and when things go wrong, fingers are pointed at each other, often leading to costly lawsuits.

Also, regardless of the financial health of the State or a local municipality, the New York State Constitution guarantees that a government pension is a vested right. As a result, in this year alone, we received a bill from the State for almost a quarter million dollars as our portion of the funds needed to make the pension fund "whole". The State Legislature just created a new tier of employees (Tier 5) which requires a mandatory contribution from future retirees, but the benefit of this change will not be felt for many years to come.

Even the rules regulating sharing of documents with the public are fraught with expense and confusion. A staff member may spend hours searching for a ten year old document in the archives and yet we are only permitted to charge 25¢ per page as a copying fee. The cost incurred for time spent retrieving the document is borne by the taxpayer. In a small village with a skeleton staff like our own, requests for volumes of documents has a great effect on the staff's ability to get their daily work completed.

Even though comparing corporate structure to the municipal government framework is comparing apples to oranges, common sense methods of controlling costs still apply with a recognition that the greatest savings come from the trimming of positions, however unpleasant that may be.

As we near completion of our budget work for this fiscal year, I assure you, as your elected officials, we are very aware that we are only stewards of your money. Our obligation to spend it wisely is our number one priority.