

THOMAS P. GORDON
County Executive



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For Immediate Release
April 17, 2015

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NEWS RELEASE

County Executive's Veto of Council Staff Pay Raise Staff Affirmed by County Attorney

NEW CASTLE, Del. – County Executive Tom Gordon's veto of legislation that would have paved the way for pay increases for staff members of New Castle County Council has been upheld.

County Executive Gordon vetoed Ordinance No. 15-015, which would have added annual, compounded cost of living pay increases for staff members of County Council, regardless of performance.

Councilman George Smiley, who sponsored the ordinance, claimed that the County Executive lacked the statutory authority to veto the pay plan ordinance, citing a section of the State Code related to appropriations. Ordinance 15-015, however, was not an appropriations ordinance. It was an amendment to a pay plan.

On Thursday, County Attorney Bernard Pepukayi issued a legal opinion which affirmed the County Executive's veto was effective.

"... Del. C. subsection 1156(d) does not trigger any limitations to the County Executive's authority to issue his written disapproval for Ordinance 15-015," County Attorney Pepukayi wrote in his conclusion, in part. "Ordinance 15-015 concerns an adjustment to an employee pay plan, not the disapproval or reduction of County Council's internal operating expenses."

The County Attorney also noted that the County Executive had "properly expressed his disapproval" of the ordinance in question, pursuant to Delaware Code.

In his veto message, the Executive noted his concern on the move's impact on the County's upcoming negotiations with union employees.

"The substance of this Ordinance, if enacted, creates an unreasonable expectation that all New Castle County employees should expect the same treatment," County Executive Gordon said in his veto message, in part. "... The money that would be required is not available to fund such an expensive, new, countywide initiative. ... Until the stagnant economy begins to expand, the impact of inflation on salaries will continue to be a difficult problem to solve."