

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: **PERSONNEL**

DATE: **AUGUST 10, 2011**

Committee Members Present:

Supervisors Conover
Kenny
VanNess
Goodspeed
Sokol
Taylor
Strainer

Others Present:

Daniel G. Stec, Chairman of the Board
Paul Dusek, County Attorney/Administrator
Joan Sady, Clerk of the Board
Kevin Geraghty, Budget Officer
Supervisor Bentley
Supervisor Loeb
Supervisor McDevitt
Supervisor Monroe
Supervisor Wood
Kathy Barrie, Personnel Officer
Todd Lunt, Director, Human Resources
Frank O'Keefe, Treasurer
Rob Lynch, Deputy Treasurer
Pat Auer, Director, Public Health
Deanna Park, Director, Countryside Adult Home
Barbara Taggart, Administrator,
Westmount Health Facility
Jeff Tennyson, Superintendent,
Department of Public Works
Suzanne Wheeler, Deputy Commissioner,
Department of Social Services
Jon Alexander, *The Post Star*
Nicole Livingston, Deputy Clerk

Committee Members Absent:

Supervisors Belden
Merlino

Mr. Conover called the Personnel Committee meeting to order at 9:02 a.m.

Motion was made by Mr. Kenny, seconded by Mr. Taylor and carried unanimously to approve the minutes of the July 6, 2011 Committee meeting, subject to correction by the Clerk of the Board.

Copies of the Personnel Agenda were provided to the Committee members, and a copy of same is on file with the minutes.

Commencing the Action Agenda review, Mr. Conover apprised Item 1 was a referral from the County Treasurer, requesting to fill the vacant position of Senior Account Clerk #4, annual salary of \$29,031, Grade 7, Employee No. 11529. He noted this position was not mandated or reimbursed.

Motion was made by Mr. Kenny, seconded by Mr. Sokol and carried unanimously to approve Item 1 as outlined above, and the necessary resolution was authorized for the

next board meeting. A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.

Mr. Conover stated Items 2A through C were referrals from the Criminal Justice Committee. Item 2A, he said, was referred from Assigned Counsel, requesting to amend Resolution No. 336 of 2010 with regard to the vacation policy, to extend the date to use carryover vacation time from June 1st to September 1st.

Motion was made by Mr. VanNess and seconded by Mr. Strainer to approve the request as presented.

Mr. Kenny opined that the policy was already generous as written and he did not think it should be changed for one particular employee. Mr. Strainer countered that due to the fact it was a one employee department, he felt the request was justified. Mr. Kenny interjected that the employee had not requested the time off and had stated that she did not realize it until July. Mr. Taylor agreed with Mr. Kenny and added that there was a policy in place that allowed for a six month carryover time frame, which he agreed was generous.

Following discussion, Mr. Conover called the question and the motion failed due to the lack of a majority vote.

Mr. Conover added Item 2B was referred from the Public Defender, requesting to authorize salary stipends for attorneys handling indigent appeals in the Public Defender's Office, for a total amount of \$16,500.

Motion was made by Mr. Kenny and seconded by Mr. VanNess to approve the request as presented.

Mr. Kenny asked if this would result in a savings to the County and Mr. Goodspeed responded that this would access other funding and would net save the County money every year through the appeals.

Mr. Conover called the question and the motion was carried unanimously to approve Item 2B as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Conover noted Item 2C was referred from the District Attorney, requesting to fill the vacant position of 6th Assistant District Attorney, annual salary of \$42,423, Employee No. 11588, due to resignation. He said this position was not mandated or reimbursed.

Motion was made by Mr. Taylor, seconded by Mr. Goodspeed and carried unanimously to approve Item 2C as outlined above, and the necessary resolution was authorized for the next board meeting. A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.

Mr. Conover apprised Items 3A through D were referrals from the Health Services Committee. Item 3A, he said, was referred from Health Services, requesting to fill the vacant position of WIC Coordinator, annual salary to be determined, Employee No. 10861, due to retirement. He stated this position was not mandated, but was 100% reimbursed.

Motion was made by Mr. Strainer and seconded by Mr. Sokol to approve the request as presented.

Mr. Sokol informed that following the appropriate research, the Committee determined the salary would be set at \$43,606, which was lower comparable to other counties.

Mr. Conover called the question and the motion was carried unanimously to approve Item 3A as outlined above with the salary set at \$43,606, and the necessary resolution was authorized for the next board meeting. A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.

Mr. Conover remarked Items 3B through D were referred from Westmount Health Facility. He noted Item 3B was a request to fill the vacant position of Building Maintenance Mechanic #1, annual salary of \$34,564, Grade 13, Employee No. 562, due to retirement. He added this position was mandated and 57% reimbursed.

Motion was made by Mr. Taylor, seconded by Mr. Strainer and carried unanimously to approve Item 3B as outlined above, and the necessary resolution was authorized for the next board meeting. A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.

Mr. Conover reported Item 3C was a request to fill the vacant position of Clerk, part-time, annual salary of \$23,706 (pro-rated to \$11,449), Grade 2, employee No. 11473, due to resignation. He said this position was not mandated, but was 57% reimbursed.

Motion was made by Mr. Sokol and seconded by Mr. VanNess to approve the request as presented.

Mr. Kenny questioned if this request had been reviewed by Paul Dusek, County Attorney/Administrator and Mr. Dusek replied affirmatively, noting the he had extensive discussions with the staff at the Facility and he was convinced that this position was needed.

Mr. Conover called the question and the motion was carried unanimously to approve Item 3C as outlined above, and the necessary resolution was authorized for the next board meeting. A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.

Mr. Conover informed Item 3D was a request to create the position of LPN #4, annual salary of \$32,516 plus 10% shift differential, Grade 10, as approved by the County

Administrator; thereby amending the Department's Table of Organization.

Motion was made by Mr. Sokol and seconded by Mr. Strainer to approve the request as presented.

Mr. Dusek advised that he had encouraged this request. He further stated that he had performed a review of staffing at the Facility and due to the nature of the work, this position was important for the Facility.

Mr. Taylor expressed his concern with creating positions prior to the budget process and suggested that these types of requests could be handled during the budget process. Mr. Dusek responded that normally he would agree with Mr. Taylor; however, he said, in this particular case though, due to the staffing difficulties of the Facility and the importance of the work, he felt that it was vitally important that this position be addressed. He added that the assistance was needed at the Facility.

Following discussion, Mr. Conover called the question and the motion was carried unanimously to approve Item 3D as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Conover advised Item 4 was a referral from the Human Services Committee, Office for the Aging, requesting to fill the vacant position of Meal Site Manager #2, thirty-five hours per week, annual salary of \$23,706 (pro-rated to \$20,743), Grade 2, Employee No. 10674, due to the inability to return after one year of cumulative leave. He noted this position was not mandated, but was 25% reimbursed.

Motion was made by Mr. Sokol and seconded by Mr. Strainer to approve the request as presented.

In response to an inquiry, Joan Sady, Clerk of the Board, explained that the former employee had been out on medical leave and the position had to remain open for one year.

Mr. Conover called the question and the motion was carried unanimously to approve Item 4 as outlined above, and the necessary resolution was authorized for the next board meeting. A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.

Mr. Conover stated Items 5A and B were referrals from the Public Safety Committee, Sheriff & Communications. Item 5A, he said, was a request to fill the vacant position of Correction Officer #28, base salary of \$33,534, Employee No. 9106, due to termination. He added this position was mandated but not reimbursed. He remarked Item 5B was a request to fill the vacant position of Correction Officer #31, base salary of \$33,534, Employee No. 10527, due to resignation. He noted this position was mandated but not reimbursed.

Motion was made by Mr. VanNess, seconded by Mr. Kenny and carried unanimously to approve Items 5A and B as outlined above, and the necessary resolution was authorized for the next board meeting. Copies of the Notices of Intent to Fill Vacant Positions are on file with the minutes.

Mr. Conover asserted Items 6A and B were referrals from the Public Works Committee, DPW. He stated Item 6A was a request to fill the vacant position of Heavy Equipment Operator (HEO), annual salary of \$30,230, Grade 8, Employee No. 524, due to retirement. He added this position was not mandated or reimbursed.

Motion was made by Mr. Strainer, seconded by Mr. Sokol and carried unanimously to approve Item 6A as outlined above, and the necessary resolution was authorized for the next board meeting. A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.

Item 6B, Mr. Conover, continued, was a request to backfill the vacant positions resultant from the expected promotion to the position of Heavy Equipment Operator.

Motion was made by Mr. VanNess and seconded by Mr. Strainer to approve the request as presented.

Mr. VanNess asked how many positions would be filled as a result of this request, and Mrs. Sady replied it may be more than one position filled by promotion depending on the position level of the individual that was promoted to the HEO, but only one new position would be filled.

Mr. Conover called the question and the motion was carried unanimously to approve Item 6B as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Conover expounded Items 7A and B were referrals from the Social Services Committee. Item 7A, he commented, was referred from Social Services, requesting to create and fill the position of Account Clerk, part-time, annual salary of \$24,480 (prorated to twenty hours per week), Grade 4 and to delete the position of Administrative Assistant, part-time, annual salary of \$29,199, Employee No. 5198, due to retirement; thereby amending the Department's Table of Organization. He noted the new position was mandated and 77.5% reimbursed.

Motion was made by Mr. Taylor and seconded by Mr. Strainer to approve the request as presented.

Mr. Kenny questioned how the position could be mandated if it did not currently exist. Mr. Dusek explained that this had been a full time position that serviced the Youth Bureau part-time and the Department of Social Services (DSS) part-time. He advised that he had met with the Director of the Youth Bureau and the Commissioner of DSS to determine if the Departments could continue to operate efficiently without the

position. Ultimately, he continued, they discovered that they could change the position from full time to part-time by having the accounting type work moved to the DSS Accounting Unit; thereby eliminating the need for the part-time work that was being performed for the Youth Bureau. He added that the result of this would be a savings to the County.

Following discussion, Mr. Conover called the question and the motion was carried unanimously to approve Item 7A as outlined above, and the necessary resolution was authorized for the next board meeting. A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.

Mr. Conover added Item 7B was referred from Countryside Adult Home, requesting to fill the vacant position of Cleaner, annual salary of \$23,706, Grade 2, Employee No. 10221, due to retirement. He stated this position was mandated and 50% reimbursed.

Motion was made by Mr. Strainer, seconded by Mr. Sokol and carried unanimously to approve Item 7B as outlined above, and the necessary resolution was authorized for the next board meeting. A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.

Mr. Conover apprised Items 8A and B were referrals from the Support Services Committee. Item 8A, he said, was referred from the County Administrator, request for the Assistant to the County Administrator to enroll in a job related course entitled "Public Sector Labor Relations", at Empire State College, commencing September 12, 2011 through December 31, 2011 at a cost of \$519.88.

Motion was made by Mr. VanNess, seconded by Mr. Taylor and carried unanimously to approve Item 8A as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Conover informed Item 8B was a request to fill the vacant position of County Attorney. He advised an executive session was needed to discuss this matter.

Mr. Dusek advised there were two items to be discussed in an executive session, one being the matter leading to the possible appointment of a particular person, and the other to discuss matters leading to the possible discipline of a particular person related to work activities.

Motion was made by Mr. Taylor, seconded by Mr. VanNess and carried unanimously that executive session be declared pursuant to Section 105 (f) of the Public Officers Law.

Executive session was declared from 9:20 a.m. to 10:42 a.m.

The Committee reconvened. Pursuant to the executive session, motion was made by Mr. Goodspeed, seconded by Mr. Kenny and carried by majority vote, with Messrs.

Strainer and Conover voting in opposition, to authorize the filling of the vacant position of County Attorney, and to refer same to the Finance Committee to determine the salary for such.

Prior to adjourning, Mr. Goodspeed requested that the Committee refer back to Item 2A, the request to amend Resolution No. 336 of 2010 with regard to the vacation policy, to extend the date to use carryover vacation time from June 1st to September 1st. He opined if an employee felt that they were placed in a position where they physically could not take a vacation due to the nature of their employment, he suggested that the Board of Supervisors be flexible and discuss the issue with the employee.

There being no further business to come before the Committee, on motion made by Mr. Kenny and seconded by Mr. Taylor, Mr. Conover adjourned the meeting at 10:46 a.m.

Respectfully submitted,

Nicole Livingston, Deputy Clerk