

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: **PERSONNEL/HUMAN RESOURCES**

DATE: **NOVEMBER 7, 2007**

Committee Members Present:

Supervisors Gabriels
Kenny
Belden
Stec
F. Thomas
Sokol

Committee Member Absent:

Supervisor Haskell

Others Present:

William Thomas, Chairman
Hal Payne, Commissioner of Administrative
and Fiscal Services
Joan Sady, Clerk of the Board
Paul Dusek, County Attorney
Supervisor Bentley
Supervisor Geraghty
Supervisor O'Connor
Supervisor VanNess
Larry Cleveland, Sheriff
Rich Kelly, Personnel Officer
Todd Lunt, Director, Human Resources
Rob Lynch, Deputy Treasurer
William Montfort, Commissioner, Board of
Elections
Pam Vogel, County Clerk
Bud York, Sheriff-elect
Nancy O'Brien, *The Adirondack Journal*
Nicole Livingston, Deputy Clerk

Mr. Gabriels called the Personnel/Human Resources Committee meeting to order at 9:02 a.m.

Motion was made by Mr. Sokol, seconded by Mr. Belden and carried unanimously to approve the minutes of the October 10, 2007 Personnel/Human Resources Committee meeting, subject to correction by the Clerk of the Board.

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

Prior to commencing the Agenda review, Mr. Gabriels acknowledged there was an Addendum to the Agenda which needed to be addressed first. He explained the Addendum Item was a referral from the Sheriff & Communications Committee to create the position of Chief Deputy, base salary of \$75,500, effective January 1, 2008.

Motion was made by Mr. Stec and seconded by Mr. Belden to approve the request as presented.

Mr. Belden questioned if the position was included in the 2008 budget and Joan Sady, Clerk of the Board, replied there were funds available within the 2008 budget to cover the cost for this position.

Mr. Kenny advised he did not have a problem with the creation of this position;

however, he said, he would caution the Committee members to keep in mind that Department Heads tended to make concessions in their budgets and reduce funds here and there to cover certain expenses and then the following year return to the Committee advising they were short in specific codes and needed increased funding.

Following discussions, Mr. Gabriels called the question and the motion was carried unanimously to approve the request to create the position of Chief Deputy as outlined above and the necessary resolution was authorized for the next board meeting. A copy of the resolution request form is on file with the minutes.

Commencing the Agenda review, Mr. Gabriels stated Item 1 was a referral from the County Clerk-DMV Committee, requesting to fill the vacant position of MV License Registration Clerk, base salary of \$25,652, Grade 6, Employee No. 11032, due to resignation.

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

Mr. Kenny advised, as Chairman of the County Clerk-DMV Committee, this request was due to a resignation and there eventually would be a considerable amount of duties added to the Department, under the new plans that would be implemented by the Governor.

Mr. Gabriels reminded the Committee members that there was a policy in place that required Department Heads to be present at the meeting if they had an item on the Agenda and he said that Joan Sady had exited the meeting to contact Pam Vogel, County Clerk, to request her to come to the meeting.

The consensus of the Committee was to continue with the Agenda review and return to this item when Ms. Vogel was present.

Mr. Gabriels said Item 2 was a referral from the Criminal Justice Committee, District Attorney, requesting permission for Justine Cording to enroll in two job related courses at SUNY Plattsburgh from August 27, 2007 to December 14, 2007, at a cost of \$296.55 for each class.

Motion was made by Mr. Sokol, seconded by Mr. Stec and carried unanimously to approve Item 2 as outlined above and the necessary resolution was authorized for the next board meeting. A copy of the resolution request form is on file with the minutes.

Mr. Gabriels expounded Items 3A through D were referrals from the Support Services Committee. The first, he said, was a request from the Board of Elections to create a new position of Senior Records Clerk, base salary of \$30,336, Grade 10, effective December 3, 2007 until December 31, 2007 for the purpose of training for the position

of Deputy Commissioner; thereby amending the Department's Table of Organization.

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

Mr. Belden stated this appeared to be a three week position with a salary of \$30,336. He questioned if the salary listed would be for an entire year. William Montfort, Commissioner of Board of Elections, explained it would be a temporary position that would be eliminated in January 2008. He further explained that the person that filled this new position would be trained to be appointed to the Deputy Commissioner position in January. He clarified that the current Deputy Commissioner would be retiring on December 31, 2007. Mr. Gabriels said that the salary for the Senior Records Clerk would be pro-rated over the thirty days of temporary employment. Mr. Belden asked if there were funds available within the Department's budget to cover the cost of this position and Mr. Montfort replied affirmatively.

Following discussions, Mr. Gabriels called the question and the motion was carried unanimously to approve Item 3A as outlined above and the necessary resolution was authorized for the next board meeting. A copy of the resolution request form is on file with the minutes.

Mr. Gabriels acknowledged that Ms. Vogel had entered the meeting and directed the Committee members back to Item 1 on the Agenda.

Ms. Vogel explained that the position of MV License Registration Clerk had been vacated in August due to a resignation. She further stated that the Civil Service exam was given this fall and she had received the eligibility list so she could proceed with filling the position.

Following the discussions, Mr. Gabriels called the question and the motion was carried unanimously to approve Item 1 as outlined above. A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.

Returning to the Agenda, Mr. Gabriels said Item 3B was a referral from the Clerk of the Legislative Board, requesting to recognize Debra Schreiber, Legislative Office Specialist, with the Employee Suggestion Award in the amount of \$100, based on her suggestion and initiative in creating a Sharepoint site specifically for the Board of Supervisors.

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

Mr. Sokol questioned what the Sharepoint site was and Mrs. Sady explained it was an internal site created for the Board of Supervisors and staff to access all Committee meeting minutes, resolution request forms and all information pertaining to the Board

of Supervisors business.

Following the discussion, Mr. Gabriels called the question and the motion was carried unanimously to approve Item 3B as outlined above and the necessary resolution was authorized for the next board meeting. A copy of the resolution request form is on file with the minutes.

Mr. Gabriels apprised Items 3C and D were referrals from the County Treasurer. Item 3C, he said, was a request to increase the salary of the Deputy Treasurer, Employee No. 10539, from the former base salary of \$69,006 to the current base salary of \$75,610, effective October 1, 2007; thereby amending the Department's Table of Organization.

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

Mr. Belden questioned why this request was being presented now as opposed to in January. Hal Payne, Commissioner of Administrative and Fiscal Services, explained it was an oversight and although it had been included in the 2007 budget, the changes had not been carried over to the salary schedule. He added that it was discovered during the preparation of the 2008 budget. He noted that he had spoken with Paul Dusek, County Attorney, with regard to this who had advised it would be difficult to make it retro-active to the beginning of 2007 and had suggested making it retro-active to October 1, 2007. Mr. Payne further stated that the funds were included in the 2007 budget to cover this cost and had also been included in the 2008 budget.

Rob Lynch, Deputy Treasurer, advised this request had been approved by the Support Services Committee in 2006 for the salary increase to become effective in January of 2007; however, he said, it got overlooked in the 2007 budget.

Following the discussions, Mr. Gabriels 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 resolution request form is on file with the minutes.

Mr. Gabriels stated Item 3D was a request to increase the salary of the Accountant, Employee No. 1628, from the former base salary of \$55,950 to the current base salary of \$59,950, effective October 1, 2007; thereby amending the Department's Table of Organization.

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

Mr. Belden asked if this was a similar situation as Item 3C and Mr. Lynch replied affirmatively.

Mr. Gabriels 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. A copy of the resolution request form is on file with the minutes.

Mr. Gabriels said Item 4 was a request from Todd Lunt, Director of Human Resources, to address the Committee regarding the Health and Wellness Fair on November 8, 2007.

Mr. Lunt reminded the Committee members that the Health and Wellness Fair for all County employees would be held tomorrow in Conference Room 6-103 in the Municipal Center and that the hours of the Fair had been extended until 5:30 p.m. to accommodate Department's that were located outside the Municipal Center campus. He added that there would also be a free Flu Clinic for all County employees on November 15, 2007.

Mr. Gabriels advised Mr. Dusek had requested permission to address the Committee. Mr. Dusek distributed a copy of Resolution No. 507 of 1994 to the Committee members, a copy of which is on file with the minutes. Mr. Dusek said the resolution related to the eligibility of employees and retired employees to participate in the Warren County Insurance Plan. He referred to Section 2 of the Resolution which said that an employee of the County would be eligible for coverage under the County Insurance Plan in retirement if specific conditions applied. He specifically referred to the conditions that read "a. has vested at least ten (10) years total service as a Warren County employee; b. has retired under the NYS Retirement System, and c. is enrolled in the Warren County Health Insurance Plan at the time of retirement."

Mr. Dusek apprised he had spoken with Rich Kelly, Personnel Officer and Amy Clute, Administrator of Self-Insurance, to determine why these clauses were worded in such a manner, and in addition, his staff had researched past minutes and records from that time period; however, he said, there were no explanations of this language. He clarified the language he took issue with was in Section 2, paragraph 'a', which read "has vested at least ten (10) years total service as a Warren County employee". Mr. Dusek advised it could mean that ten years of total service as a County employee would suffice or it could be interpreted to mean that an individual would need to be vested in the retirement system. He stated that Ms. Clute had advised that traditionally she had given health insurance in retirement to anyone that had ten years total service as a County employee when they retired.

Mr. Dusek recommended that in order to avoid potential confusion, the word "vested" should be eliminated and it should simply state if an individual had at least ten years total service as a County employee at retirement, health insurance coverage would continue. He added an issue could arise for an elected position or board members that may not have ten full time years; however, he said, they would still have ten years, thereby meeting the criteria.

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Mr. Belden questioned if there was a State law that mandated an employer continue health insurance coverage for a retiree and Mr. Dusek replied in the negative. Mr. Dusek explained at this time, retirement benefits continued because of union agreements.

Motion was made by Mr. Stec, seconded by Mr. Belden and carried unanimously to amend Resolution No. 507 of 1994 to eliminate the word "vested" in Section 2 paragraph 'a' as presented above. The necessary resolution was authorized for the next board meeting.

There being no further business to come before the Committee, on motion made by Mr. Stec and seconded by Mr. Belden, Mr. Gabriels adjourned the meeting at 9:28 a.m.

Respectfully submitted,

Nicole Livingston, Deputy Clerk