

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: PERSONNEL

DATE: JUNE 13, 2013

COMMITTEE MEMBERS PRESENT:

SUPERVISORS TAYLOR
KENNY
MERLINO
MONTESI
STRAINER
GIRARD
MASON

OTHERS PRESENT:

KATHY BARRIE, PERSONNEL OFFICER
KEVIN GERAGHTY, CHAIRMAN OF THE BOARD
PAUL DUSEK, COUNTY ADMINISTRATOR
JOAN SADY, CLERK OF THE BOARD
FRANK THOMAS, BUDGET OFFICER
SUPERVISORS BENTLEY
CONOVER
FRASIER
WESTCOTT
WOOD
DEANNA PARK, DIRECTOR, COUNTRYSIDE ADULT HOME
MIKE SWAN, COUNTY TREASURER
JEFF TENNYSON, SUPERINTENDENT OF PUBLIC WORKS
BUD YORK, WARREN COUNTY SHERIFF
DON LEHMAN, *THE POST STAR*
AMANDA ALLEN, DEPUTY CLERK OF THE BOARD

COMMITTEE MEMBERS ABSENT:

SUPERVISORS SOKOL
DICKINSON

Mr. Taylor called the meeting of the Personnel Committee to order at 9:00 a.m.

Motion was made by Mr. Montesi, seconded by Mr. Mason and carried unanimously to approve the minutes from the prior Committee meeting, subject to correction by the Clerk of the Board.

Copies of the meeting agenda were distributed to the Committee members and a copy is also on file with the meeting minutes.

Commencing the review of the Action Agenda, Mr. Taylor presented a request from the Civil Service/Personnel Officer for a transfer of funds in the amount of \$171 from Code A.1430 425, Postage, to Code A.9050 469, Unemployment, to cover an increase in the contract with National Employers Council, Inc. for unemployment consulting services. Kathy Barrie, Personnel Officer, commented that although she could have requested the expense be funded by a transfer from the contingent fund, she believed she could cover the cost using funds remaining in the existing Departmental budget.

Motion was made by Mr. Strainer, seconded by Mr. Montesi and carried unanimously to approve the request for a transfer of funds, as outlined above, and refer same to the Finance Committee. *A copy of the Request for Transfer of Funds form is on file with the meeting minutes.*

Mr. Taylor apprised Agenda Item 2 consisted of a referral from the Public Safety Committee, Sheriff & Communications, requesting to fill the vacant position of Patrol Officer #16 (*Annual Base Salary of \$34,996*), due to resignation. He noted this was a non-mandated, Union position which received no reimbursement, and he advised the filling of this position would result in a \$19,812 budgetary savings.

Motion was made by Mr. Montesi, seconded by Mr. Merlino and carried unanimously to approve the request and the necessary resolution was authorized for the June 21st Board meeting. *A copy of the Notice of Intent to Fill Vacant Position form is on file with the meeting minutes.*

Continuing, Mr. Taylor apprised that Agenda Items 4A-D consisted of several referrals from the Public Works Committee, DPW. Item 4A, he said, requested to create and fill a new Motor Equipment Operator Light #27 position (*Grade 5, Annual Base Salary of \$26,370*), and delete the Working Supervisor #3 position (*Grade 6, Annual Base Salary of \$27,496*), thereby amending the Departmental Table of

Organization

Motion was made by Mr. Mason, seconded by Mr. Girard and carried unanimously to approve the request, as outlined above, and the necessary resolution was authorized for the June 21st Board meeting. *A copy of the request is on file with the meeting minutes.*

Mr. Taylor explained that Agenda Item 4B consisted of a request to amend the Departmental Table of Organization to delete an MEO Light position (*Grade 5, Annual Base Salary of \$26,370*) and transfer the unexpended funding for this position to the unfunded MEO Medium #23 position (*Grade 7, Annual Base Salary of \$29,031*), as well as to delete the Laborer #47 position (*Grade 2, Annual Base Salary of \$23,706*) and transfer the unexpended funding for this position to the unfunded MEO Light #16 position (*Grade 5, Annual Base Salary of \$26,370*), effective June 24, 2013.

Mr. Montesi questioned how the aforementioned positions had come to be unfunded and Jeff Tennyson, Superintendent of Public Works, explained that actions were taken in 2012 to remove funding from certain position, but not delete them, as part of a perceived reorganization plan which he was currently following through on.

Motion was made by Mr. Mason, seconded by Mr. Merlino and carried unanimously to approve the aforementioned request and the necessary resolution was authorized for the June 21st Board meeting. *A copy of the request is on file with the meeting minutes.*

Item C, Mr. Taylor stated, requested to fill the vacant position of MEO Light #16 (*Grade 5, Annual Base Salary of \$26,370*) due to promotion; he advised this was a non-mandated, Union position which received no reimbursement. Mr. Taylor noted that funding for this position would be provided within the existing 2013 County Budget through the action approved in Agenda Item 3B.

Motion was made by Mr. Girard, seconded by Mr. Mason and carried unanimously to approve the request, as outlined above, and the necessary resolution was authorized for the June 21st Board meeting. *A copy of the Notice of Intent to Fill Vacant Position form is on file with the meeting minutes.*

Mr. Taylor advised Agenda Item 4C presented a request to fill the vacant position of MEO Medium #23 (*Grade 7, Annual Base Salary of \$29,031*), which was a non-mandated, Union position that received no reimbursement. As was the case in the prior request, he advised the funding for the position would be provided within the existing 2013 County Budget, as per action taken to approve Agenda Item 3B.

Motion was made by Mr. Montesi, seconded by Mr. Mason and carried unanimously to approve the above referenced request and the necessary resolution was authorized for the June 21st Board meeting. *A copy of the Notice of Intent to Fill Vacant Position form is on file with the meeting minutes.*

Moving on, Mr. Taylor noted that Agenda Item 4 consisted of several referrals from the Social Services Committee, Countryside Adult Home, which he proceeded to outline as follows:

- 4A) Request to amend the Departmental Table of Organization to delete the position of Institutional Aide #5 (*Grade 3, Annual Base Salary of \$24,215*) and create the positions of Institutional Aide/P #4, #5 and #6 (*Grade 3, Annual Salary not to exceed \$4,843, work hours not to exceed 8 per week*);
- 4B) Request to amend the Departmental Table of Organization to delete the position of Institutional Aide #9 (*Grade 3, Annual Base Salary of \$24,215*) and create the position of Institutional Aide/P #7 (*Grade 3, Annual Salary not to exceed \$7,265, work hours not to exceed 12 per week*); and
- 4C) Request to fill the vacant position of Cleaner (*Grade 2, Annual Base Salary of \$23,706*), due to resignation. This is a mandated, Union position which receives 50% State

reimbursement and the filling of this position will result in a \$914 savings to the 2013 Budget.

Motion was made by Mr. Kenny, seconded by Mr. Girard and carried unanimously to approve Agenda Items 4A-C, as outlined above, and the necessary resolutions were approved for the June 21st Board meeting. *Copies of all three requests are on file with the meeting minutes.*

Concluding the Agenda review, Mr. Taylor drew attention to Items 5A-E, consisting of Items to be Discussed by the County Administrator, which he asked Paul Dusek, County Administrator, to address.

Beginning with Item 5A, Mr. Dusek provided a thorough review of the proposed Section 504/ADA (*Americans with Disabilities Act*) Compliance Policy which was included in the agenda packet. He noted that the Policy would apply to all Warren County buildings; programs, services and activities; County employment; and contracts. Mr. Dusek further noted that the County had been operating without the appropriate policies in place for many years and it was necessary to implement them in order to comply with Federal ADA regulations. He concluded that he recommended Committee approval of the proposed Policy.

A discussion ensued, during which it was noted that due to its age, the Municipal Center Building would be included under a grandfather clause which would preclude the County from having to make extensive upgrades to the Building in order to meet ADA regulations. Mr. Taylor pointed out that ramps had been constructed for handicapped access at several entrances to the Municipal Center Building; however, he said, handicapped accessible doors had not been installed. He continued that he felt they should address issues such as this to make the building more friendly to disabled visitors. Mr. Dusek confirmed that this issue had been discussed at a recent County Facilities Committee meeting and he noted that Section IV of the proposed Policy called for a Self-Evaluation of County services, policies and practices to ensure ADA compliance. He advised that if modifications such as those suggested by Mr. Taylor could be made during the self-evaluation process without incurring a large cost, they would surely do so. Mr. Dusek apprised that Martin Auffredou, County Attorney, had assisted in writing the policy and would perform a final review, making any additional changes he perceived to be necessary, prior to the upcoming Board meeting.

Motion was made by Mr. Mason, seconded by Mr. Montesi and carried unanimously to approve the ADA/Section 504 Policy and the necessary resolution was authorized for the June 21st Board meeting.

Skipping ahead, Mr. Dusek addressed Item 5E, which called for discussion on the Department Head vacation allowance. He said he would recommend a change in policy to allow all upper management and Department Head positions to begin employment with 15 vacation days, thereafter earning one additional day per year until reaching the maximum of 20 vacation days. Mr. Dusek advised that there were currently three employees filling Department Head positions who earned less than 15 vacation days per year, and he would propose bringing them to the 20 vacation day level, as well. He noted that in other situations, when negotiating to hire experienced personnel for managerial level positions, the County had agreed to allow higher starting vacation balances. Mr. Dusek said that as they continued this practice, attempting to fill positions with well experienced individuals, it would be helpful to be able to offer more vacation time. Additionally, he pointed out that Department Heads did not receive overtime pay and although there was usually someone else shouldering some of the workload while a Department Head was on vacation, they typically returned to a considerable amount of work that required them to put in extra hours to complete.

Motion was made by Mr. Girard and seconded by Mr. Mason to implement a new policy allowing staff assuming a Department Head position to automatically receive 15 vacation days, as well as to immediately increase the vacation time earned by all current Department Heads to a minimum of 15 days.

In response to an inquiry as to the number of vacation days accrued by the three Department Heads receiving less than 15 vacation days per year, Mr. Dusek advised two of the Department Heads in question earned 10 vacation days per year and the other earned 13; he said that all three employees had worked for the County for five years or less.

Mr. Bentley questioned whether the same policy should apply to Deputy Department Head positions and Mr. Dusek replied that he had only reviewed the Department Head positions, but could also review the Deputy positions to determine how many would be affected.

There being no further discussion on the matter, Mr. Taylor called the question and the aforementioned motion was carried by unanimous vote, thereby authorizing the necessary resolution for the June 21st Board meeting.

Returning to Item 5B, Human Resources Department, Mr. Dusek noted that he had not been present for discussions regarding the abolishment of the Personnel Generalist position, but said he was keenly aware of the need for reorganization of the Human Resources and Civil Service functions. He said he had prepared a list of the duties assumed by the Civil Service and Human Resources Departments which he distributed to the Committee members and proceeded to review; *a copy of the list is also on file with the meeting minutes.*

Mr. Dusek complimented Mike Swan, County Treasurer, and his staff for the increased financial reporting they had provided and he noted that they should have this type of reporting for the Human Resources operations, as well, for auditing and problem solving purposes. He noted that the County provided service operations and he commented that if they did not have effective management of Human Resources, they were likely to encounter problems in the future. Mr. Dusek stated that he was convinced they needed to move in a direction to rectify this situation, and as such, the document he had distributed included a recommended course of action to implement the following:

- I. Human Resources Director with staff that oversees all Human Resource functions and work of Personnel Office/Civil Service functions (*set up to not impermissibly infringe on Civil Service Law, Personnel Officer, legal authority*).
- II. Codification of all County law, rules and policies.
- III. Consultant assistance as may be necessary (*e.g. salary wage study*).

Mr. Dusek recalled that a Human Resources Division had been introduced in the past, separate from the Personnel/Civil Service Office, but had not worked efficiently. He continued that because the County had been facing budgetary issues at that time, they had taken an expedient course of action and eliminated the Division, replacing it with a Personnel Generalist position that worked within the Personnel/Civil Service Office. Because this approach had not been working either, Mr. Dusek said the Board of Supervisors had ultimately decided to abolish the Personnel Generalist position, as well.

Mr. Dusek commented that although the prior concept of introducing the Human Services Division was appropriate, the approach was not executed correctly and he said he felt they needed to expand upon the efforts and resources put forth in order to make the initiative successful. He continued that the County needed a very experienced and knowledgeable person to assume the Human Resources Directorship and it might take an extensive search to find that person. In addition, Mr. Dusek stated that they needed to contract the services of an outside company to codify all County laws, rules and policies; he explained that this company would essentially compile all of the aforementioned items in a single resource document. Mr. Dusek displayed a large binder full of the various policies currently in place at the County, noting the considerable number already in place and the need to organize and maintain them in a manner such that the most current versions were available for review. Additionally,

he distributed a packet including the various changes made by local law to the Rules and Regulations for Administration of the Warren County Self-Insurance Plan, noting that the varying amendments made it very difficult to determine the final state of the plan; *a copy of the packet Mr. Dusek distributed is on file with the meeting minutes.* Mr. Dusek noted that the research undertaken to develop the Section 504/ADA Compliance Policy would have been made much easier if a codification process had been in place.

Finally, he advised the assistance of an outside consultant would prove supremely valuable for various studies, such as those relating to salaries and wages. Mr. Dusek concluded that he had reviewed this matter very carefully before developing the Recommended Course of Action he had presented and although there was still a lot of work to do before any action could be taken, he wanted to present the matter to the Committee for consideration.

Mr. Taylor commented that the information provided represented a very well laid out plan; with respect to the codification work, he questioned who would maintain the resource documents once they were issued. Mr. Dusek responded that the Clerk of the Board's Office would likely be responsible for submitting any updated or revised laws/rules/policies/etc. to the outside consultant who would then return revisions to the resource document for filing. He explained that typically, a nice binder, or something of the like, would be used to hold the codified documents so that pages could easily be replaced with revised versions. Mr. Dusek further explained that several copies of the resource documents would be received and distributed to various departments and once they were in place, it would be very easy to implement a procedure for updates.

Mr. Montesi said it was his assumption that there was no current rating or evaluation system in place for Department Head performance and Mr. Dusek responded that although these measures were crucial, there was not currently a procedure such as this in place. Mr. Montesi asked if an estimate was available to represent the anticipated cost of the codification work or for the re-introduction of the Human Resources Division and Mr. Dusek responded in the negative, but noted that it would not be an inexpensive venture. He continued that with the Committee's permission, he would like to release an RFP (*request for proposal*) for the codification work, as well as for consultant services in relation to wage studies, to determine the associated costs. Mr. Dusek advised that he could develop an estimate of anticipated cost for the Human Resources Director and support staff. He clarified that he was only seeking permission to issue the aforementioned RFP's and advise on his recommendation with respect to the Human Resources Director; he asserted that he was not seeking permission to immediately re-establish the Human Resources Division.

With respect to the information distributed by Mr. Dusek listing the functions of a comprehensive Human Resource/Personnel Department, Mr. Strainer questioned whether these duties were currently being undertaken, to which Mr. Dusek replied that a number of the items listed were being addressed regularly, but not as thoroughly as he felt they should be. He stressed that the list was intended to point out things that needed to be done, not to indicate that those duties were not being done in some fashion. Mr. Strainer then asked who would supervise the Human Resources Director and Mr. Dusek replied that the Human Resources Director would report to himself, the Personnel Committee and ultimately, the Board of Supervisors. Mr. Strainer pointed out that the recommendations provided represented a considerable cost to the County and Mr. Dusek responded that the County was currently spending millions of dollars on employee salaries and benefits and stated that in comparison to the benefits the County would receive from this position, the associated costs were relatively small.

A discussion ensued with respect to the previous Human Resources Director.

Mr. Mason asked if further cost information and budgetary impacts relating to the former Human

Services Division from a historical prospective could be provided and Mr. Dusek replied affirmatively.

Mr. Westcott commented that Warren County was one of the top five employers in Warren County and he estimated they hired approximately the same number of employees as the Finch Pruyn Paper Mill, who definitely employed a Human Resources Director. He stated that he felt this was a very important step for the County to take and he thanked Mr. Dusek for his research and recommendation.

It was the consensus of the Committee that Mr. Dusek should proceed in releasing RFP's for both the codification of County laws/rules/policies/etc. and for consultant services relating to salary and wage studies.

Mr. Dusek reported the final agenda item, 5C, called for discussion on PBA labor negotiations, which would require an executive session.

Motion was made by Mr. Kenny, seconded by Mr. Girard and carried unanimously to enter into executive session to discuss collective bargaining negotiations pursuant to section 105(f) of the Public Officer's Law.

Executive session was held from 10:05 a.m. to 10:23 a.m. Upon reconvening, Mr. Taylor announced that no action had been taken during the executive session.

Mr. Taylor announced that a motion was necessary to authorize Mr. Auffredou to appoint an arbitrator for PBA labor negotiations. Mr. Dusek interjected that the motion should also authorize Mr. Auffredou to agree upon the fees charged for arbitration work.

Motion was made by Mr. Kenny, seconded by Mr. Strainer and carried unanimously to authorize Mr. Auffredou to appoint an arbitrator for PBA labor negotiations, as well as to agree upon the fees charged therefor, and the necessary resolution was authorized for the June 21st Board meeting.

Mr. Strainer noted recent communication received with respect to a Healthcare Reform Seminar that had been scheduled for June 26th and he questioned whether this would interfere with upcoming Committee meetings. Joan Sady, Clerk of the Board, responded in the negative, noting that Committee meetings would not begin until June 27th.

There being no further business to come before the Committee, on motion made by Mr. Kenny and seconded by Mr. Strainer, Mr. Taylor adjourned the meeting at 10:25 a.m.

Respectfully submitted,
Amanda Allen, Deputy Clerk of the Board