

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: PERSONNEL, ADMINISTRATION & HIGHER EDUCATION

DATE: JANUARY 29, 2021

COMMITTEE MEMBERS PRESENT: OTHERS PRESENT:

SUPERVISORS BRAYMER  
GERAGHTY  
DRISCOLL  
CONOVER  
MAGOWAN

AMANDA ALLEN, CLERK OF THE BOARD  
MICHAEL COLVIN, DIRECTOR, INFORMATION TECHNOLOGY  
JACKIE FIGUEROA, COUNTY HUMAN RESOURCES DIRECTOR  
MARY ELIZABETH KISSANE, COUNTY ATTORNEY  
PATRICIA NENNINGER, PERSONNEL OFFICER  
OUTSIDE COUNSEL FOR WARREN COUNTY:  
STEPHEN GROUDINE, MURPHY BURNS  
GREGG JOHNSON, JOHNSON & LAWS  
THOMAS MURPHY, MURPHY BURNS  
JOHN WRIGHT, BARTLETT, PONTIFF, STEWART & RHODES  
RACHEL E. SEEBER, CHAIRWOMAN OF THE BOARD  
RYAN MOORE, COUNTY ADMINISTRATOR  
FRANK E. THOMAS, BUDGET OFFICER

SUPERVISORS BEATY  
BRUNO  
DICKINSON  
FRASIER  
HOGAN  
LEGGETT  
MCDEVITT  
SHEPLER

TAMMIE DELORENZO, ASSISTANT TO THE COUNTY ADMINISTRATOR  
LEXIE DELUREY, DIRECTOR, REAL PROPERTY TAX SERVICES  
RYAN DICKEY, SECOND ASSISTANT COUNTY ATTORNEY  
KEVIN HAJOS, SUPERINTENDENT, DEPARTMENT OF PUBLIC WORKS  
CHRISTIAN HANCHETT, COMMISSIONER, DEPARTMENT OF SOCIAL SERVICES  
GINELLE JONES, DIRECTOR, PUBLIC HEALTH/PATIENT SERVICES  
WAYNE LAMOTHE, DIRECTOR, PLANNING & COMMUNITY DEVELOPMENT  
DON LEHMAN, DIRECTOR OF PUBLIC AFFAIRS  
ANN MARIE MASON, DIRECTOR, OFFICE OF EMERGENCY SERVICES  
AMY MCBYRNE, DIRECTOR, COUNTRYSIDE ADULT HOME  
MIKE SWAN, COUNTY TREASURER  
TOSHA BROWNELL, COMPUTER HELP DESK TECHNICIAN  
SARAH MCLLENITHAN, DEPUTY CLERK OF THE BOARD

Please note, the following contains a summarization of the January 29, 2021 meeting of the Personnel, Administration & Higher Education Committee; the meeting in its entirety can be viewed on the Warren County website using the following link: <https://warrencountyny.gov/gov/comm/Archive/2021/personnel>

*Note: As per Governor Cuomo's Executive Order 202.1: "Article 7 of the Public Officers Law, to the extent necessary to permit any public body to meet and take such actions authorized by the law without permitting in public in-person access to meetings and authorizing such meetings to be held remotely by conference call or similar service, provided that the public has the ability to view or listen to such proceeding and that such meetings are recorded and later transcribed". Supervisors Braymer and Gergaghty were physically present for the meeting, while Supervisors Driscoll, Conover and Magowan attended via videoconference.*

Ms. Braymer called the meeting of the Personnel, Administration & Higher Education Committee to order at 10:01 a.m.

Copies of the meeting agenda were distributed to those in attendance, those participating remotely accessed the agenda via the Warren County website; a copy of the agenda is on file with the meeting minutes.

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

Ms. Braymer began the agenda with Item 2, skipping ahead to offer privilege of the floor to Mary Elizabeth Kissane, *County Attorney*, to provide a litigation update. She noted some of the County's outside counsel were present virtually to provide updates regarding ongoing litigation which would require an executive session.

A motion was made by Mr. Magowan, seconded by Mr. Geraghty and carried unanimously to enter into to enter into an executive session to discuss pending litigation pursuant to Section 105(1)(d) of the Public Officer's Law.

Executive session was held from 10:02 a.m. until 11:06 a.m.; Mr. Driscoll exited the meeting during the executive session.

Upon reconvening, Ms. Braymer voiced her appreciation of the County Attorney's Office and the Outside Counsel present for their efforts in handling the ongoing litigation for the County.

Prior to resuming the agenda review, Ms. Braymer offered privilege of the floor to Mr. Conover who advised he never ceased to be amazed by the professionalism and quality of service provided by all of the County Departments, and he credited the management of Ryan Moore, *County Administrator*, and the County Department Heads for this. Mr. Moore thanked Mr. Conover for the recognition, apprising the members of the Board of Supervisors also deserved to be acknowledged for their part in this. Ms. Braymer thanked all of the County staff for working tirelessly to ensure nothing was being overlooked and that the best interest of the County residents were taken care of. She noted Ryan Dickey, *Second Assistant County Attorney*, had stepped in place of Ms. Kissane who had another commitment and she asked if there was any further Requests/Items to be discussed by the County Attorney and Mr. Dickey replied in the negative.

Resuming the agenda review, Ms. Braymer extended privilege of the floor to Amanda Allen, *Clerk of the Board*, who addressed Items 1A-B as follows:

1A) Resolution Tracking Report - Mrs. Allen advised the agenda included reports based on the resolutions approved at the November and December 2020 Board Meetings. She indicated these were included for informational purposes and she encouraged anyone with questions to contact her.

1B) Request to adopt Warren County Travel, Education and Vehicle Use Policy - Mrs. Allen apprised this concerned an update to the Warren County Travel and Vehicle Use Policy, informing after the January 20<sup>th</sup> meeting of the Economic Growth & Development Committee some questions had arisen regarding travel following which they decided to update this policy in an attempt to streamline the process and make it more concise for everyone. She indicated the name of the policy was changed from Travel and Vehicle Use to

Travel, Education and Vehicle Use; she added the most substantial change was to Page 3, Section B, Travel Approval Required, which previously had a number of different sections under it and had caused confusion regarding how approval for travel was obtained and whether Committee approval, Board approval or just the form requiring approvals from the Department Head, County Administrator and Committee Chair was required. She said in an effort to try and make this more clear for everyone, requirements for Board approval of out-of-State travel and Committee approval for overnight travel were removed in favor of requiring that all travel, whether in-State, Out-of-State, virtual or in person, be approved by the Department Head, County Administrator and Committee Chair through the Travel Authorization Form. She mentioned the only caveat that remained was for NYSAC (*New York State Association of Counties*) training, which did not require any approval as long as the funds were budgeted. She stated the change would require every training opportunity to be appropriately vetted and approved through the Travel Authorization Form and then reported to the proper oversight Committee at the next meeting to ensure everyone was aware the travel had occurred or would be occurring in the near future. She apprised that in instances where there not funds available in the departmental budget to cover travel, there was a box on the Form to indicate this shortage which would stop the process and the Department Head would be directed to go before their oversight Committee to obtain approval for the funding which was a different process; she informed after the funding was made available the travel approval process could resume. She advised they were hoping this would make it clear that everyone was required to follow the same process regardless of their travel while also addressing the delay that occasionally occurred when staff wanted to travel out-of-State by having to obtain the appropriate authorizing resolution. She indicated the only other revision was to change the term Chairman to Chair throughout.

Ms. Braymer commented overall the changes appeared to streamline the process for County staff to be able to attend events whether travel was required or they were held virtually while ensuring there were checks and balances in place. Ms. Braymer inquired if this was applicable to free training and Mrs. Allen replied affirmatively.

Motion was made by Mr. Magowan, seconded by Mr. Conover and carried unanimously to approve the request and the necessary resolution was authorized for the February 19<sup>th</sup> Board Meeting.

Continuing, privilege of the floor was extended to Jackie Figueroa, *County Human Resources Director*, to address Items 3A-C, as follows:

- 3A) Report on tracking of vacancies filled - included for informational purposes.
- 3B) Report on terminations and exit interviews - included for informational purposes. Ms. Figueroa advised she would like to take this opportunity to remind Department Heads that the County Human Resources Department should be notified as soon as they were aware of an employee resignation to provide enough notice to handle some administrative work with the Information Technology Department and payroll, as well as ensuring that employee was offered an exit interview before their last day. She said she would be sending out an email to all of the Department Heads to remind them about this procedure, as it had been a few years since this policy had been instituted.
- 3C) Request to amend the Salary Schedule included in the 2021 Budget to correct a clerical error - Ms. Figueroa stated this action was required to correct a clerical error she had made when changes were being made within the Public Health Department, as she had inadvertently forgotten to remove the (PT) at the end of the title when it was changed from a part-time position to full-time; she noted the salary listed for the position was

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correct. She apprised as a result of this the title and the salary were not in accordance in the 2021 County Budget and needed to be corrected through a formal resolution.

Motion was made by Mr. Geraghty, seconded by Mr. Magowan and carried unanimously to approve the request and the necessary resolution was authorized for the February 19<sup>th</sup> Board Meeting.

Ms. Braymer expressed her appreciation for Ms. Figueroa taking responsibility for the error and the necessary steps to get it corrected. She indicated she was looking forward to discussing with her how Ms. Figueroa was proposing to make the Report on terminations and exit interviews more effective for the Supervisors to understand trends and what was occurring with County staff overall. She mentioned she had recently been able to conduct some of the exit interviews and was pleased to report it did not appear there were any major issues and employees were leaving to take advantage of other opportunities that were offered to them.

Ms. Braymer apprised Agenda Items 4A-D concerned the following Requests/Items to be discussed by Mike Colvin, *Director of Information Technology*, as follows:

- 4A) Request to appropriate funds in the amount of \$14,518 from the Computer Reserve Fund to various departmental budgets for the purchase of computers and related equipment and software. Mr. Colvin explained this request pertained to allocating the funds to cover the cost of anticipated expenses.

Motion was made by Mr. Geraghty, seconded by Mr. Magowan and carried unanimously to approve the request and refer same to the Finance Committee.

- 4B) Request to extend the existing contract with Catalog & Commerce Solutions to include support and maintenance for years 2021 - 2024. Mr. Colvin apprised when the County website was rebuilt the contract with the vendor indicated they would create and host the website through 2024; however, he noted, the original resolution did not account for the hosting services. He said as a result of this a resolution was required to extend the existing contract to include support and maintenance for 2021 - 2024 to allow him pay the contractor through 2024 for these services.

Ms. Braymer asked if her assumption was correct that this did not add additional time to the contract and was for the purpose of including the addition of hosting services and Mr. Colvin replied affirmatively. Mr. Magowan inquired what the annual cost was and Mr. Colvin replied the cost per year for the hosting and support services was \$6,600, but the original resolution never accounted for that which meant he did not have authorization to pay the bill. Mr. Magowan questioned whether the cost of the contract remained the same and Mr. Colvin replied affirmatively.

Motion was made by Mr. Geraghty, seconded by Mr. Magowan and carried unanimously to approve the request and the necessary resolution was authorized for the February 19<sup>th</sup> Board Meeting.

- 4C) Request to authorize a grant agreement with the New York State Division of Homeland Security and Emergency Services for funding in an amount not to exceed \$50,000 for the purpose of bolstering cyber security.

- 4D) Request for an appropriation of funds from a source to be determined in the amount of \$50,000 to Budget Code A.1680 426, *Information Technology, Subscriptions*, to cover the cost of security monitoring software for both data and physical devices in the County's network.

Mr. Colvin informed the purpose of Agenda Item 4C was to authorize a grant agreement with the New York State Division of Homeland Security and Emergency Services to provide funds to be used to strengthen cyber security.

Ms. Braymer stated she would like to take this opportunity to remind the Department Heads that they should be bringing requests to apply for grants to Committee before they submitted their application; however, she noted, she was grateful Mr. Colvin was looking for funding to cover the cost to boost cyber security.

Ms. Braymer requested some additional information regarding Agenda Item 4D. Mr. Colvin apprised he was requesting to increase the Information Technology Budget by \$50,000 on an annual basis to purchase two separate software packages, one of which was for the purpose of monitoring all of the data on the County servers and the other was to monitor the physical devices on the County network. He said there were about 4.3 million files on the County server and this would provide them the capability to trace back who was responsible if an issue were ever to occur. Ms. Braymer remarked that it was imperative for the County's data to be secure and have tracing capabilities in case issues arose.

A discussion ensued during which Ms. Braymer asked if any action was required of the Committee in order for Mr. Colvin to use the leftover funding from a grant the Board of Elections had been awarded to cover a portion of this expense and Mr. Colvin replied in the negative. Mr. Colvin explained the Board of Elections had been provided more funding than they needed and they determined since this software would provide security not only for the County, but also the Board of Elections it was an approved expense. He said there was about \$20,000 leftover from this grant and if the State had already approved this as an appropriate expense for this grant funding these leftover funds could be used toward this expense. Ms. Braymer thanked Mr. Colvin for working with the Board of Elections on this.

Motion was made by Mr. Geraghty, seconded by Mr. Magowan and carried unanimously to approve the requests as outlined above and the necessary resolution was authorized for Agenda Item 4C and Agenda Item 4D was referred to the Finance Committee.

Ms. Braymer stated agenda Items 5A-B concerned the following referrals from the County Facilities Committee, *Buildings and Grounds*:

- 5A) Request to delete the position of Superintendent of Buildings and Grounds, *Annual Salary \$82,938*, and to create and fill the position of Director of Facilities- County, *Annual Salary \$73,670*, effective January 30, 2021.

Supervisor Magowan apprised Kevin Hajos, *Superintendent of Public Works*, had indicated the reason for the title change was to better reflect the additional duties the position had taken on over the past several years.

Motion was made by Mr. Magowan, seconded by Mr. Geraghty and carried unanimously to approve the request and the necessary resolution was authorized for the February 19<sup>th</sup> Board Meeting.

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5B) Request to create and fill the position of Superintendent of Buildings and Grounds - PT Temp, *hourly rate of \$39.87, not to exceed 20 hrs/week*, effective February 1, 2021.

Mr. Hajos advised the purpose of this request was to create a temporary position in order for the current Superintendent of Buildings and Grounds to be able to work part-time until the new position of Director of Facilities-County was filled. He added this position would not extend past May 1<sup>st</sup>. Ms. Braymer asked that the end date of May 1<sup>st</sup> be documented in the appropriate place, as it did not appear to be recorded on the resolution request form.

Motion was made by Mr. Geraghty, seconded by Mr. Conover and carried unanimously to approve the request and the necessary resolution was authorized for the February 19<sup>th</sup> Board Meeting.

Mr. Braymer advised Agenda Item 6 concerned a referral from the Health Services Committee, *Public Health*, involving a request to create and fill the new position of Temporary Per Diem Senior Account Clerk, *Grade 7, Base Annual Salary \$45,536, (\$20.93/hr)*, effective January 26, 2021.

Ms. Braymer noted this position had already been filled with an individual who had retired and agreed to return in a temporary per diem capacity. She said as a result of the position already being filled the position would be approved retroactive to January 26, 2021.

Motion was made by Mr. Geraghty, seconded by Mr. Conover and carried unanimously to approve the request and the necessary resolution was authorized for the February 19<sup>th</sup> Board Meeting.

Ms. Braymer informed Agenda Items 7A-B pertained to the following referrals from the Human Services Committee, *Countryside Adult Home*:

7A) Request to delete the position of Full-Time Activities Aide and to create and fill the new position of Part-Time Leisure Time Activities Aide, *Grade 3, Base Annual Salary \$28,026 (pro-rated to 24 hrs/week)* effective March 1, 2021.

Amy McByrne, *Director, Countryside Adult Home*, advised because the position she was requesting to create was only for 24/hrs week the County would not be required to pay for any fringe benefits.

Motion was made by Mr. Conover, seconded by Mr. Magowan and carried unanimously to approve the request and the necessary resolution was authorized for the February 19<sup>th</sup> Board Meeting.

7B) Request to delete the position of Part-Time Senior Account Clerk and to create and fill the new position of Senior Account Clerk, *Grade 7, Base Annual Salary \$33,600*, effective March 2, 2021.

Motion was made by Mr. Conover, seconded by Mr. Magowan and carried unanimously to approve the request and the necessary resolution was authorized for the February 19<sup>th</sup> Board Meeting.

Mr. Conover requested an update regarding the status of COVID-19 cases at Countryside Adult Home. Ms. McByrne apprised there had been one exposure and all residents had three rounds of testing for which she was

awaiting the results of the last rounds to be issued tomorrow, but everyone had tested negative thus far. She mentioned they had held their first COVID-19 vaccination clinic and out of thirty-two residents they had, thirty were vaccinated. She added twenty-seven staff members had been vaccinated so far between the Public Health Department and CVS Pharmacies. She stated her hope was that those who had declined to be vaccinated would change their minds once they were aware of how well those who had been vaccinated fared. Mr. Conover commended Ms. McByrne and her staff for their efforts to keep the residents of Countryside Adult Home safe. He added he was pleased the vaccine was being delivered to the residents and staff there.

Ms. Braymer apprised Agenda Items 8A-C involved the following referrals from the Public Safety Committee, *Office of Emergency Services*:

- 8A) Request to delete the position of County Fire Coordinator - Temp, \$45.6093//hr., and to create and fill the position of County Fire Coordinator - Part-Time, *Annual Salary \$11,500*, effective February 22, 2021.

Ann Marie Mason, *Director, Office of Emergency Services*, noted they needed to keep the temporary position active until the individual in the position of County Fire Coordinator - Part-Time was on board and fully trained. She stated the temporary position would be deleted as soon as the County Fire Coordinator - Part-Time was up to speed. Ms. Braymer asked for clarification that at this time Ms. Mason was only seeking to create and fill the position of County Fire Coordinator - Part-Time, *Annual Salary \$11,500*, effective February 22, 2021 and Ms. Mason replied affirmatively.

Motion was made by Mr. Magowan and seconded by Mr. Geraghty to approve the request as outlined above.

A discussion ensued following which Messrs. Magowan and Geraghty amended their motions to change the effective date of the position to January 29, 2021 to allow for someone to be hired as soon as possible rather than having to wait until February 22<sup>nd</sup>. Ms. Braymer asked Patricia Nenner, *Personnel Officer*, and Mr. Dickey whether they had any concerns about the change and they both replied in the negative. Ms. Braymer called the question and the motion was carried unanimously and the necessary resolution was authorized for the February 19<sup>th</sup> Board Meeting.

- 8B) Request to amend Resolution No. 70 of 2020 to increase the salary maximum for the County Fire Coordinator - Temp position from \$10,000 to \$20,000 to cover the amount expended for this position in 2020 and 2021.

Motion was made by Mr. Geraghty, seconded by Mr. Magowan and carried unanimously to approve the request and the necessary resolution was authorized for the February 19<sup>th</sup> Board Meeting.

- 8C) Request to amend Resolution No. 397 of 2020 to change the effective date for deletion of the Fire Coordinator/Director, Office of Emergency Services position from November 3, 2020 to December 5, 2020.

Motion was made by Mr. Geraghty, seconded by Mr. Magowan and carried unanimously to approve the request and the necessary resolution was authorized for the February 19<sup>th</sup> Board Meeting.

Ms. Braymer requested that Ms. Mason keep Mr. Diamond and the Committee apprised of when the individual hired

for the County Fire Coordinator - Part-Time would begin working.

Ms. Braymer stated Agenda Item 9 pertained to a referral from the Public Works Committee, *DPW*, regarding a request to delete the position of Junior Transportation Analyst, *Annual Salary \$56,682*, and to create and fill the new position of Engineer 1 #4, *Annual Salary \$58,384*, effective January 18, 2021.

Motion was made by Mr. Conover, seconded by Mr. Geraghty and carried unanimously to approve the request and the necessary resolution was authorized for the February 19<sup>th</sup> Board Meeting.

Chairwoman Seeber stated although she hated bringing items from the floor at any meeting, she had been advised the best practice was for her to bring a request to authorize her, as Chairwoman of the Board, to designate someone else in the instance that there was a conflict of interest with the Chair to serve as the FOIL (*Freedom of Information Law*) Appeals Officer. She advised the policy regarding FOIL requests that was adopted in 2018 did not allow for an alternate designee to sign a FOIL appeal in instances when a conflict existed and this week they had their first FOIL appeal filed which concerned her. She said upon consulting with the County Attorney's Office and the Committee for Open Government, the recommendation that was made was to amend the County's policy to account for this. She suggested Ms. Braymer include FOIL training on future agendas, as well as FOIL policy updates and some of the other concerns associated with that. She mentioned what was required at this point was for their recommendation to be formalized in the form of a resolution which would allow the Board Chair to designate someone else to serve as the FOIL Appeals Officer in the instance that there was a conflict of interest with the Chair and when it was in the best interest of the County for that designated individual to sign the FOIL appeal. She added she was advised that the resolution did not have to name the specific individual, but just to allow the designating authority.

Motion was made by Mr. Geraghty and seconded by Mr. Magowan to approve the request.

Mr. Dickey recommended that the individual designated by the Board Chair also be permitted to sign in the absence of the Chair, as well, and not just when a conflict occurred. Chairwoman Seeber apprised while she was appreciative of that advice she felt at this point it was more appropriate to address this specific concern that they now had the opinions of the County Attorney and Committee for Open Government on, as she believed what Mr. Dickey was proposing was a separate issue that she was looking forward to addressing in the future. She noted as per a Local Law adopted in 1968, there was a Chair of the Finance Committee who was also considered the Vice-Chair of the Board. She apprised she was bringing this as a result of the confusion regarding this position which she felt was worthwhile to clarify.

A brief discussion ensued during which Ms. Braymer indicated she would like to follow up with reviewing the County's policy concerning FOIL requests and making written changes that would be brought before the Committee as an agenda item. Ms. Braymer called the question and the aforementioned motion was carried unanimously, thereby authorizing the necessary resolution for the February 19<sup>th</sup> Board Meeting.

Ms. Braymer advised there were no pending items to review and she noted the agenda included the listing of positions authorized for filling by Standing Committees since the last meeting, as follows:

- Airport** - Airport Manager, *Annual Salary \$78,090*, due to resignation.
- Buildings and Grounds** - Maintenance Mechanic, *Grade 9, Base Annual Salary \$36,214*, due to retirement.  
Maintenance Mechanic #1, *Grade 9, Base Annual Salary \$36,214*, due to retirement.
- DPW** - HEO #6, *Grade 10, Base Annual Salary \$37,633*, due to promotion.  
HEO #11, *Grade 10, Base Annual Salary \$37,633*, due to retirement.  
HEO #14, *Grade 10, Base Annual Salary \$37,633*, due to promotion.
- Department of Social Services** - Resource Clerk #3, *Base Annual Salary \$29,333*, due to a lateral move.
- Public Health** Registered Professional Nurse #6, *Grade 19, Base Annual Salary \$47,523*, due to retirement.  
Senior Account Clerk #1, *Grade 7, Base Annual Salary \$33,600*, due to retirement.

Ms. Braymer asked Don Lehman, *Director of Public Affairs*, if any comments from the public had been received and Mr. Lehman replied in the negative.

Prior to adjourning Ms. Braymer advised she would like to recognize Brian LaFlure, *County Fire Coordinator - Temp*, for the years of service he provided to the County, as well as Ginelle Jones, *Director of Public Health/Patient Services*, and her staff for their hard work and not backing down on their decision to not allow high contact sports to resume in Warren County until the COVID-19 numbers were below 4% in the County. She added the Board of Supervisors would continue to support them on their decision.

There being no further business to come before the Personnel, Administration & Higher Education Committee, on motion made by Mr. Geraghty, seconded by Mr. Conover and carried unanimously, Ms. Braymer adjourned the meeting at 11:48 a.m.

Respectfully submitted,  
Sarah McLenithan, Deputy Clerk of the Board

