

**WARREN COUNTY BOARD OF SUPERVISORS**

**COMMITTEE: PERSONNEL, ADMINISTRATION & HIGHER EDUCATION**

**DATE: APRIL 1, 2021**

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**COMMITTEE MEMBERS PRESENT:**

SUPERVISORS BRAYMER  
GERAGHTY  
DRISCOLL  
CONOVER  
MAGOWAN

**OTHERS PRESENT:**

REPRESENTING SUNY ADIRONDACK:  
DR. KRISTINE DUFFY, PRESIDENT  
AMANDA ALLEN, CLERK OF THE BOARD  
JACKIE FIGUEROA, COUNTY HUMAN RESOURCES DIRECTOR  
PATRICIA NENNINGER, PERSONNEL OFFICER  
MARY ELIZABETH KISSANE, COUNTY ATTORNEY  
MIKE COLVIN, DIRECTOR, INFORMATION TECHNOLOGY  
OUTSIDE COUNSEL FOR WARREN COUNTY:  
DAVID COST, BARCLAY DAMON LLP  
EARL T. REDDING, ROEMER, WALLENS, GOLD & MINEAUX, LLP  
RACHEL E. SEEBER, CHAIRWOMAN OF THE BOARD  
RYAN MOORE, COUNTY ADMINISTRATOR  
FRANK E. THOMAS, BUDGET OFFICER  
SUPERVISORS BEATY  
BRUNO  
DIAMOND  
DICKINSON  
FRASIER  
HOGAN  
LEGGETT  
MCDEVITT  
MERLINO  
SMITH  
SHEPLER  
STROUGH  
WILD  
TAMMIE DeLORENZO, ASSISTANT TO THE COUNTY ADMINISTRATOR  
LEXIE DELUREY, DIRECTOR, REAL PROPERTY TAX SERVICES  
KEVIN HAJOS, SUPERINTENDENT, DEPARTMENT OF PUBLIC WORKS  
CHRISTIAN HANCHETT, COMMISSIONER, DEPARTMENT OF SOCIAL SERVICES  
GINELLE JONES, DIRECTOR, PUBLIC HEALTH/PATIENT SERVICES  
JAMES LaFARR, SHERIFF  
DON LEHMAN, DIRECTOR OF PUBLIC AFFAIRS  
ELIZABETH McLAUGHLIN, COMMISSIONER, BOARD OF ELECTIONS (D)  
LIZA OCHSENDORF, DIRECTOR, EMPLOYMENT & TRAINING ADMINISTRATION  
JEREMY SCRIME, SENIOR COMPUTER SYSTEMS ANALYST/PROGRAMMER  
MIKE SWAN, COUNTY TREASURER  
ROBERT TERWILLIGER, FIRST ASSISTANT COUNTY ATTORNEY  
WILLIAM VANNESS, COMMISSIONER, BOARD OF ELECTIONS (R)  
SARAH McLENITHAN, DEPUTY CLERK OF THE BOARD

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*Please note, the following contains a summarization of the April 1, 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/mma>

*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, Gergaghty, Driscoll and Magowan were physically present for the meeting, while Supervisor Conover*

*attended virtually.*

Ms. Braymer called the meeting of the Personnel, Administration & Higher Education Committee to order at 10:04 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.*

Commencing the agenda review with Item 1A, Ms. Braymer offered privilege of the floor to Dr. Kristine Duffy, *President, SUNY Adirondack*, who was present to provide an update on the college. Dr. Duffy advised she was pleased to announce they had finally received their payment from Empire State Development for the Culinary Project and today they would be writing a check to reimburse the County for the assistance they provided to the College to get that project moving forward which she was appreciative of. She stated this was still a great project and the Culinary Center was doing great. Ryan Moore, *County Administrator*, thanked Dr. Duffy for the good news, informing the County was happy to have been able to assist the College with such a meaningful project.

Dr. Duffy stated enrollment had opened up for their Summer semester and was doing well, with the number enrolled thus far exceeding the total enrollment of the Summer 2020 semester. She stated they were also eagerly planning for the Fall semester which they were optimistic about in part due to the vaccination rollout, adding many of their faculty, staff and students had already been vaccinated. She apprised they were also in the process of wrapping up their strategic planning process for the purpose of setting their sights on the next few years for the SUNY Adirondack of the future with their high level goals involving enrollment and recruiting new students, as well as retaining their current students. She added they would also be working on program innovation which would consist of being able to offer more flexible offerings for their students and applying those initiatives going forward. Furthermore, she said they would be working on creating deeper partnerships and determining how they could continue to assist their students becoming employed following the completion of their education with SUNY Adirondack or for transferring to bachelor's degree program. Additionally, she advised they would be looking internally regarding how they could continue to support their own employees, as well as researching ways to streamline work to continue to develop a fiscally sustainable operation going forward. She informed they anticipated concluding their work on the strategic plan by the end of May with their Board of Trustees and would be happy to share it with the County when it was completed. She concluded by thanking Team Warren County for participating in the Howl Trivia fundraiser at SUNY Adirondack which was a good time for all who participated. Ms. Braymer stated it was a lot of fun and she thanked Chairwoman Seeber, Ms. Hogan and Messrs. Beaty and Driscoll for participating on Team Warren County; she added they were able to overcome Dr. Duffy and her team.

Supervisor Magowan inquired whether there was anything in the works to offer more trade related programs at SUNY Adirondack to assist with increasing enrollment. Dr. Duffy replied the College had a partnership with Plumbers and Steamfitters Local 773 Union on their Journeyworker Technical Trades Management Program which provided an opportunity for those who had completed an apprenticeship or Journeyworker Program anywhere in the United States to complete an extra thirty credits to earn an Associates Degree to provide them with the skills required to manage their own business which is what many journeyworkers ended up doing. She mentioned they did not offer programs that were specific to the trades such as welding because they did not have the necessary infrastructure in place and these programs had a significant cost associated with it; however, she noted, this did not mean they would never consider offering them if there was a high demand that justified then undertaking the significant cost to purchase the equipment and get the necessary infrastructure in place. She advised they were focused on their Mechatronics Program which was developed to prepare technicians to support advanced manufacturing industry. She added this program was created from a partnership with local manufacturers who helped them develop the curriculum. She stated currently the SUNY Adirondack faculty was researching ways to make that program more flexible due to the challenges associated with trying to accommodate different shift workers in order to assist them with being able to improve their skills within a normal academic calendar. She mentioned due to the pandemic SUNY Adirondack faculty

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had gained new skills to deliver their instruction in different manners and they would be using some of the Federal Stimulus funding they had received to assist with developing a different manner to offer that program to assist the local manufacturing companies with scaling up their technicians. She informed this was another way they were attempting to specifically address their workforce ready programs. Mr. Magowan thanked Dr. Duffy for looking into this and staying on top of it, as he was aware there were many gifted individuals who could work in the trades which had a depleting workforce. Dr. Duffy added the WSWHE BOCES (*Washington-Saratoga-Warren-Hamilton-Essex Board of Cooperative Education Services*) provided a significant amount of education within the trades and she believed there could be opportunities there to continue to promote within the school districts through the work they did.

A brief discussion ensued.

Ms. Braymer noted she had inadvertently skipped over the approving the minutes of the prior Committee meeting, subject to correction by the Clerk of the Board and she called for a motion. The necessary motion was made by Mr. Driscoll, seconded by Mr. Conover and carried unanimously.

Ms. Braymer announced that yesterday was International Transgender Day of Visibility which was a day to recognize transgender and non-binary individuals in the County and to acknowledge and condemn the discrimination and violence that these individuals were experiencing. She added tomorrow was Autism Awareness Day which was a day to promote autism awareness and ensure that all those impacted by autism were supported so that they could achieve their full potential. She stated she would like to embrace those two things and she asked that everyone keep those in mind and be aware of them.

Resuming with the agenda review, Ms. Braymer extended privilege of the floor to Amanda Allen, *Clerk of the Board*, who addressed the following Item:

- 2) Resolution Tracking Report - Mrs. Allen advised the agenda included reports based on the resolutions approved at the February 19<sup>th</sup> Board Meeting. She indicated these were included for informational purposes and she encouraged anyone with questions to contact her.

Moving along to Agenda Items 3A-B which pertained to the following Request/Item to be discussed by the County Attorney:

- 3A) Litigation update.

Ms. Braymer stated before they entered into an executive session to discuss pending litigation she wanted to inquire whether the County Attorney had any updates she could provide during the open session. Mary Elizabeth Kissane, *County Attorney*, apprised the only case she was going to provide an update on was *Empire State Normal v. Warren County* which could be discussed in open session. She proceeded to provide a brief summary of the case and its outcome. Ms. Braymer asked Mr. Moore if there were any other cases he would like to discuss in open session and Mr. Moore replied in the negative.

Ms. Braymer called for a motion to enter into an executive session to discuss the following litigation: *Morgan v. Warren* and *Maxam v. Warren*

A motion was made by Mr. Magowan, seconded by Mr. Driscoll and carried unanimously 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 10:16 a.m. until 12:13 p.m.; Messrs. Leggett and Geraghty and Ms. Kissane exited the meeting during the executive session.

Mr. Geraghty and Ms. Kissane re-entered the meeting at 12:12 p.m.

Upon reconvening, Ms. Braymer resumed the agenda review and asked Ms. Kissane to speak to Agenda Item 3B which concerned an update regarding County Attorney personnel. Ms. Kissane informed the Legal Assistant position in her office would be vacant as of this upcoming Monday. She added she believed everyone was aware her last day working for the County would be April 30<sup>th</sup>. Ms. Braymer thanked Ms. Kissane for her good work and she wished her well in her future endeavors. Ms. Braymer stated she believed they would take some time to determine how they would like to proceed with the Legal Assistant position in the County Attorney's office and she asked Ms. Kissane if she had discussed the job description with the Personnel Officer. Ms. Kissane replied in the negative, indicating she thought the Committee would prefer to hold off to allow her replacement to fill the position.

Mr. Beaty questioned whether the process had begun to fill the County Attorney position and Ms. Braymer replied in the negative, informing this was the first time the Committee had met since they had received Ms. Kissane's resignation letter. Ms. Braymer noted she was a member of the Board the last time they had gone through the process of filling the position which took some time to do. Mr. Beaty stated this was why he felt they should begin the recruiting process immediately. Ms. Braymer advised something she was thinking of putting out for consideration was that they seek responses from legal firms to assist the County in the interim while they were going through the process to fill the position. She informed this would provide the First and Second Assistant County Attorney's with some assistance during the transition process because she foresaw it taking awhile before they could fill the position. Mr. Magowan remarked he believed what Ms. Braymer was proposing was an excellent idea.

Mr. Moore stated something they typically tried to do was to determine whether a job description needed to be revised when a position became vacant and he would like to meet with Ms. Kissane and discuss whether any updates should be made to the County Attorney job description. Ms. Braymer advised the Personnel Officer had requested that job descriptions be reviewed as vacancies occurred to determine if any changes were necessary to ensure it was in line with the duties required of the position.

Mr. Conover apprised he believed it was the responsibility of the First Assistant County Attorney to assume the duties of the County Attorney, adding they should ensure they were aware of what the State Law was relative to the authorities of that Public Officer known as the County Attorney; he noted he would question any delegation of those duties. He mentioned he would like to hear whether the First Assistant County Attorney felt they could assume the responsibilities of the County Attorney position and if so, for what timeframe. Mr. Braymer remarked this was a good point, as she believed with respect to the job description there was something included in County Law that spoke to the roll of the County Attorney so they may be limited on what they could do. She indicated her thought was that they could contract for legal services similar to the one they had for labor relations, but in this instance only for the interim to assist with matters involving General Municipal Law. She noted Ms. Kissane had appointed Robert Terwilliger as the First Assistant County Attorney, indicating there would be no break in coverage in regard to the County Attorney's position. Mr. Conover apprised he believed any conversations regarding any legal matters should include Mr. Terwilliger and Ms. Braymer replied she would do her best to ensure Mr. Terwilliger was notified of matters going forward to the extent that he was not already. Mr. Conover apprised he would assume this was a given, as his point was he did not want anyone to presume that they held those authorities when they did not. Ms. Braymer thanked Mr. Conover for the comments, advising Ms. Kissane was still employed by the County.

Continuing, privilege of the floor was extended to Jackie Figueroa, *County Human Resources Director*, to address Items 4A-C, as follows:

- 4A) Report on tracking of vacancies filled - included for informational purposes.
- 4B) Report on terminations and exit interviews - included for informational purposes.
- 4C) Request to amend the Table of Organization to update the title of the Associate Planner (9 hrs) listed in the Planning Departments Salary Schedule to reflect the correct title of "Associate Planner - Per Diem". - Ms. Figueroa stated they had discovered there were a few unusual titles in the Salary Schedule that was attached to the 2021 County Budget

and in this instance it pertained to Associate Planner (9 hrs). She explained the individual in this position did not regularly work nine hours, as it was a per-diem position where the hours worked varied each week. She stated she would like to update the title to better reflect what was actually occurring and a resolution was required in order to make this change.

Motion was made by Mr. Driscoll, seconded by Mr. Magowan and carried unanimously to approve the request and the necessary resolution was authorized for the April 16<sup>th</sup> Board Meeting.

- 4D) Discussion regarding the American Rescue Plan Act voluntary expansion of Families First Coronavirus Response Act. Ms. Figueroa advised she would like to make the Committee aware the American Rescue Plan Act that was adopted by the Federal Government last month included language providing for a voluntary expansion of the Families First Coronavirus Response Act which was the expansion on Family Medical Leave that had been required last year, but became voluntary on January 1, 2021. She indicated the County elected not to expand that benefit time because they had their own paid leave for those on quarantine. She said although they were aware of the change in the law, she had spoken with Mr. Moore and Ms. Braymer regarding this and they all concurred that between the paid quarantine time, the New York State vaccination time off and the newly adopted Remote Work Policy the County had provided all of the necessary benefits that its employees needed through this pandemic to continue working and to be compensated when they were unable to work. She added she did not believe they needed to opt in to this additional coverage by the Federal Government and all of the additional work that was associated with that. Ms. Braymer thanked Ms. Figueroa for that update, apprising as previously mentioned she was in agreement with that.

Mr. Conover indicated he had a question for the County Attorney regarding a contract the County had relative to outside counsel with Bartlett, Pontiff, Stewart & Rhodes, P.C. for labor relations and he inquired whether there were any additional authorizations that the Board had approved relative to obtaining outside counsel. He clarified the broader questions was what exactly was that contract for and what protocols and authorities were associated with that had the Board provided authorization for. Ms. Kissane responded she was unsure of the question, but the contract the County had with Bartlett, Pontiff, Stewart & Rhodes, P.C. covered all labor relations, as well as any other legal issue that the County Attorney's Office may want to contract out. She informed her office had only used this firm for labor relations, but that did not mean they could not use them for other matters. She stated her office was billed directly by the firm for the labor relations matters; however, she noted, if another department retained their services the firm would bill that particular department. Mr. Conover voiced his concern regarding the procedures for the utilization of this service by other departments and/or individuals that had historically gone through the County Attorney's Office. He stated his understanding was any use of this service would be administered through the County Attorney's Office which the County Attorney would then report back to the Board of Supervisors as required. He appraised if he was misunderstanding this then he would like to know what other authorities were associated with that account, by whom and how were they budgeted.

Ms. Braymer stated prior to addressing Mr. Conover's question she would like to know if Ms. Figueroa had any other matters she would like to discuss with the Committee and Ms. Figueroa replied in the negative. Ms. Braymer requested that Mr. Moore address Mr. Conover's inquiry. Mr. Moore advised he believed what Mr. Conover's question pertained to was what the contract with Bartlett, Pontiff, Stewart & Rhodes, P.C. consisted of and how was it authorized. He indicated the Board had approved a resolution in 2018 that authorized the contract with the firm that included a retainer for the instances involving labor relations they worked on and they charged an hourly rate for the items they worked on outside of that scope of work which had been authorized by the Board of Supervisors. He said he thought the contract included three one year extensions which were signed by the Chair of the Board in conjunction with the new year under the authorization of the resolution.

A brief discussion ensued following which Mr. Moore appraised he would look into how they enacted the authorization to pay for services outside of labor relations and report back to Committee.

Resuming the agenda review, Ms. Braymer apprised Agenda Item 5 concerned a Request/Item to be discussed by Patricia Nenninger, *Personnel Officer*, involving a request to fill the vacant position of Civil Service Specialist, *Annual Salary \$46,222*, due to resignation.

Ms. Braymer noted Ms. Nenninger had heeded her own advice and had taken the time to update the job description to be more in line with the duties associated with the position.

Motion was made by Mr. Driscoll, seconded by Mr. Magowan and carried unanimously to approve the request and the necessary resolution was authorized for the April 16<sup>th</sup> Board Meeting.

Agenda Item 6, Ms. Braymer apprised, concerned a Request/Item to be discussed by Michael Colvin, *Director, Information Technology*, involving a request to appropriate funds in the amount of \$10,000 from the Computer Reserve Fund to the Information Technology Budget to purchase computers and related equipment and software.

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

Mr. Braymer advised Agenda Item 7 concerned a referral from the Governmental Operations & Advocacy Committee, *Board of Elections*, regarding a request to amend the Table of Organization and Salary Schedule to increase the hourly rate of pay for the Elections Inspectors from \$12.50/hr to \$15/hr, effective June 1, 2021, in an effort to resolve issues with retention and recruiting.

William VanNess, *Commissioner, Board of Elections (R)*, stated they had inadvertently filed the wrong resolution request form, as the Elections Inspector positions were actually vendors and not part of their Departmental Table of Organization and were paid out of a miscellaneous Budget Code as a vendor. He stated although the verbiage of the request was incorrect, he was seeking to increase their pay from \$12.50/hr to \$15/hr in an effort to resolve the issues they were having with retention and recruiting, as this was a difficult job that consisted of a sixteen hour day when they worked the election.

A brief discussion ensued following which Mrs. Allen apprised the item listed on the agenda was speaking to amending the Table of Organization because that was the resolution request form that was used; however, she noted, since it appeared as if this was not a position and was something they contracted for there would be a prior resolution that authorized this. She continued, stating the action required would be to amend that prior resolution to provide for the authority to increase the hourly rate which could all be rectified through the resolution that would go before the Board at the April 16<sup>th</sup> Board Meeting.

Ms. Braymer called for a motion to authorize an increase in the hourly rate of pay for Elections Pollsite Inspectors from \$12.50/hr to \$15/hr, effective June 1, 2021, in an effort to resolve issues with retention and recruiting. The necessary 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 April 16<sup>th</sup> Board Meeting.

Ms. Braymer informed Agenda Item 8 concerned a referral from the Public Safety Committee, *Sheriff*, pertaining to a request to adopt Warren County Sheriff Office policies; Correction Division Directive 003 and Public Safety Division Directive 006.

Mr. Geraghty inquired what changes had been made to the policies that had been adopted in the previous years and Tammie DeLorenzo, *Assistant to the County Administrator*, replied this pertained to 2019 when there was a change in leadership at the Sheriff's Office and it was noted by the County Treasurer's Office that the County had never adopted the Sheriff's Office policies for these and was why they were being presented today.

A discussion ensued.

Motion was made by Mr. Magowan, seconded by Mr. Driscoll and carried unanimously to approve the request and the necessary resolution was authorized for the April 16<sup>th</sup> Board Meeting.

Ms. Braymer stated Agenda Item 9 pertained to a referral from the Public Works Committee, *Solid Waste*, concerning a request to amend the Table of Organization and Salary Schedule to create and fill the position of Solid Waste/Recycling Compliance Coordinator, *Annual Salary \$43,605*, effective May 1, 2021.

Motion was made by Mr. Magowan, seconded by Mr. Driscoll and carried unanimously to approve the request and the necessary resolution was authorized for the April 16<sup>th</sup> Board Meeting.

Ms. Braymer apprised Agenda Item 10 concerned a Request/Item to be discussed by Mike Swan, *County Treasurer*, regarding a request to re-introduce the County Treasurer's request to remove the Payroll Supervisor and Payroll Technician positions from the CSEA Union and the associated requests for salary adjustments which were tabled at the June 6, 2019 Personnel & Higher Education Committee meeting. Mr. Swan requested that this item be deferred until the next Committee meeting.

The following contains a listing of positions authorized for filling by Standing Committees since the last meeting:

- Public Health**
- Registered Professional Nurse #31, *Grade 19, Base Annual Salary \$47,523*, due to resignation.
  - Registered Professional Nurse #32, *Grade 19, Base Annual Salary \$47,523*, due to resignation.
  - Registered Professional Nurse #37, *Grade 19, Base Annual Salary \$47,523*, due to resignation.
  - Registered Professional Nurse #40, *Grade 19, Base Annual Salary \$47,523*, due to resignation.
  - WIC Assistant, *Grade 5, Base Annual Salary \$30,520*, due to resignation.
  - Infant Feeding Advocate-Part-time, *(20 hrs/week), Grade 3, Hourly Rate \$13.47*, due to resignation.

- DPW**
- MEO (L) #6, *Grade 7, Base Annual Salary \$33,600*, due to promotion.
  - MEO (L) #13, *Grade 7, Base Annual Salary \$33,600*, due to promotion.
  - MEO (L) #27, *Grade 7, Base Annual Salary \$33,600*, due to resignation.
  - MEO (M) #12, *Grade 9, Base Annual Salary \$36,214*, due to resignation.
  - Construction Specialist I, *Annual Salary \$65,566*, due to creation.
  - Engineer II, *Annual Salary \$73,670*, due to creation.

- Office of  
Emergency  
Services**
- Emergency Services Coordinator, *Annual Salary \$48,995*, due to resignation.

- Office for the  
Aging**
- Aging Services Assistant - PT, *Grade 4, Base Annual Salary \$29,333 (20 hours/wk)*, due to creation. *(Emergency Fill)*

- Sheriff**
- Investigative Sergeant, *Annual Salary \$78,519*, due to promotion.
  - Investigator #TBD, *Annual Salary \$77,519*, due to promotion.
  - Patrol Lieutenant #1, *Annual Salary \$101,802*, due to retirement.
  - Patrol Officer #TBD, *Annual Salary \$42,373*, due to promotion.
  - Patrol Officer #TBD, *Annual Salary \$42,373*, due to promotion.
  - Patrol Officer #TBD, *Annual Salary \$42,373*, due to promotion.
  - Patrol Sergeant #4, *Annual Salary \$78,519*, due to retirement.
  - Patrol Sergeant #11, *Annual Salary \$78,519*, due to retirement.

- Social Services**
- Caseworker #15, In the Child Protective Services Unit, *Grade 16, Base Annual Salary \$43,390*, due to resignation.
  - Social Welfare Examiner #21, in the Temporary Assistance Unit, *Grade 8, Base Annual Salary \$34,988*, due to promotion.

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.

There being no further business to come before the Personnel, Administration & Higher Education Committee, on motion made by Mr. Magowan, seconded by Mr. Conover and carried unanimously, Ms. Braymer adjourned the meeting at 12:42 p.m.

Respectfully submitted,  
Sarah McLenithan, Deputy Clerk of the Board