

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: PERSONNEL, ADMINISTRATION & HIGHER EDUCATION

DATE: JUNE 3, 2021

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COMMITTEE MEMBERS PRESENT: OTHERS PRESENT:

SUPERVISORS BRAYMER  
GERAGHTY  
DRISCOLL  
CONOVER  
MAGOWAN

AMANDA ALLEN, CLERK OF THE BOARD  
JACKIE FIGUEROA, COUNTY HUMAN RESOURCES DIRECTOR  
PATRICIA NENNINGER, PERSONNEL OFFICER  
ROBERT TERWILLIGER, ACTING COUNTY ATTORNEY  
MIKE COLVIN, DIRECTOR, INFORMATION TECHNOLOGY

OUTSIDE COUNSEL FOR WARREN COUNTY:

EARL T. REDDING, ROEMER, WALLENS, GOLD & MINEAUX, LLP  
LORAIN JELINEK, JOHNSON & LAWS, LLC

RYAN MOORE, COUNTY ADMINISTRATOR  
RACHEL E. SEEBER, CHAIRWOMAN OF THE BOARD  
FRANK E. THOMAS, BUDGET OFFICER

SUPERVISORS BEATY  
BRUNO  
DIAMOND  
DICKINSON  
HOGAN  
LEGGETT  
MCDEVITT  
MERLINO  
STROUGH  
WILD

TOSHA BROWNELL, COMPUTER HELP DESK TECHNICIAN  
TAMMIE DELORENZO, ASSISTANT TO THE COUNTY ADMINISTRATOR  
LEXIE DELUREY, DIRECTOR, REAL PROPERTY TAX SERVICES  
KEVIN HAJOS, SUPERINTENDENT, DEPARTMENT OF PUBLIC WORKS  
GINELLE JONES, DIRECTOR, PUBLIC HEALTH/PATIENT SERVICES  
WAYNE LAMOTHE, COUNTY PLANNER  
LIZA OCHSENDORF, DIRECTOR, EMPLOYMENT & TRAINING ADMINISTRATION  
DEANNA PARK, DIRECTOR, OFFICE FOR THE AGING  
MIKE SWAN, COUNTY TREASURER  
SARAH MCLENITHAN, DEPUTY CLERK OF THE BOARD

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*Please note, the following contains a summarization of the June 3, 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". All of the Committee members were physically present for the meeting.*

Ms. Braymer called the meeting of the Personnel, Administration & Higher Education Committee to order at 10:14 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. Driscoll, 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.

Commencing the agenda review with Item 1A, Ms. Braymer noted no one was present today from SUNY Adirondack; however, she stated, a joint meeting of the Committee was scheduled for tomorrow with the Finance Committee and representatives of the Washington County Board of Supervisors for the purpose of reviewing and considering their 2021-2022 Operating budget. She asked Amanda Allen, *Clerk of the Board*, whether the meeting would be held at the College and Mrs. Allen replied in the negative, apprising a virtual meeting was scheduled for which the information would be distributed shortly.

Proceeding with the agenda review, Ms. Braymer extended privilege of the floor to Mrs. Allen, who addressed the following Items:

2A) Resolution Tracking Report Mrs. Allen advised the agenda included reports based on the resolutions approved at the April 16<sup>th</sup> Board Meeting. She indicated these were included for informational purposes and she encouraged anyone with questions to contact her.

2B) Request for funding for NACo (*National Association of Counties*) Travel. Mrs. Allen advised the meeting would be held in-person, but there was no funding available within the departmental budget to cover the cost. She noted if the request was approved it would need to be referred to the Finance Committee to determine a source of funding for a transfer of funds in the amount of \$10,000. She added if there was any remaining funding could be used to pay for expenses associated with attending the NYSAC (*New York State Association of Counties*) Fall training.

A brief discussion ensued following which a motion was made by Mr. Geraghty, seconded by Mr. Driscoll and carried unanimously to approve the request and refer same to the Finance Committee to determine a funding source.

Ms. Braymer stated Agenda Item 3 concerned the Warren County Ethics and Disclosure Law, informing this matter was discussed at the May 21<sup>st</sup> Board Meeting where changes had been proposed to Appendix B of the County's Local Law, but due to some concerns expressed by a few of the Supervisors the form remained in its original format and a Public Hearing was scheduled for the Local Law. She stated following the conclusion of the Board Meeting she had requested that Robert Terwilliger, *Acting County Attorney*, create a new financial disclosure form that could be brought back to Committee for approval. She stated the revised Local Law Mr. Terwilliger had drafted was included in the agenda; however, she noted, he would like to add a definition for the word "dependent" that was referenced on Page 1 and was highlighted in red. She indicated the primary change they were seeking was with Appendix B in the financial disclosure form.

A discussion ensued during which Ryan Moore, *County Administrator*, recommended that a temporary special Committee be formed for the purpose of reviewing the financial disclosure form with feedback provided by County staff following which the Special Committee would make a recommendation at the July 16<sup>th</sup> Board Meeting.

Motion was made by Mr. Geraghty and seconded by Ms. Braymer to create a Special Committee for the purpose of working on updating the financial disclosure form associated with the Warren County Ethics and Disclosure Law. Further discussion ensued following which Ms. Braymer called the question and the motion to create a temporary special Committee as outlined above was carried unanimously. The necessary resolution was authorized for the June 16<sup>th</sup> Board Meeting.

Discussion resumed regarding the Warren County Ethics and Disclosure Law during which Chairwoman Seeber requested that anyone interested in becoming a member of the Special Committee notify her or Ms. Braymer,

Motion was made by Mr. Geraghty, seconded by Mr. Driscoll and carried unanimously to appoint five Supervisors to the special Committee being created for the purpose of working on updating the financial disclosure form associated with the Warren County Ethics and Ethics and Disclosure Law. The necessary resolution was authorized for the June 16<sup>th</sup> Board Meeting.

In regard to a question asked by Mr. Conover, Mr. Moore advised in 1987 New York State passed a sweeping ethics reform bill which was very controversial and caused the State to move from being last in the nation to being the first one who enacted stringent ethics laws. He mentioned the law was primarily aimed at the State Executive and Legislative staff, adding to address municipal staff the law required municipalities who did not adopt their own Ethics Code and Financial Disclosure form by the end of 1990 to use the State form which was rather lengthy and intrusive. He mentioned after the law was adopted there was a temporary Commission on Ethics established by the State to make interpretations, issue regulations and provide guidance on this matter because the law was rather confusing and was not specific to a municipality. He said that temporary Commission on Ethics issues a report in 1993 following which it was disbanded and all of its regulatory authority devolved upon the municipalities themselves. He indicated he and Mr. Terwillinger were reviewing a book by the New York State Bar Association that pertained to this, adding the content of that book should be part of this review, as it was very informative. He noted the report issued in 1993 by that temporary Commission on Ethics indicated a long invasive disclosure form was not the “be all end all” of ethics. In regard to a County, Mr. Moore apprised the Commission had identified real estate holdings, outside income or a spouses outside employment as potential conflicts. He indicated the current form used by the County was based off of the form recommended by the State Comptroller’s Office.

Moving along to Agenda Items 4A-B which pertained to the following Request/Item to be discussed by the County Attorney:

4A) Litigation update.

Mr. Terwillinger apprised outside counsel was present from the Johnson & Laws, LLC, as well as Roemer, Wallens, Gold & Mineaux, LLP to provide an update on litigation which he requested be handled in an executive session as justified by Public Officers Law 105(1)(d) because it involved pending, current and possible proposed litigation. Ms. Braymer requested that Mr. Terwillinger list the cases that would be discussed for the record. Mr. Terwillinger listed the following litigation: Dickinson v. Warren County and others, as well as Ilana Morgan v. Warren County and others.

Ms. Braymer called for a motion to enter into executive session to discuss the aforementioned cases listed by Mr.

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Terwilliger. The necessary motion was made by Mr. Geraghty, seconded by Mr. Magowan 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 11:01 a.m. until 12:33 p.m.

Upon reconvening, Ms. Braymer announced no action was taken during the executive session.

Ms. Braymer resumed the agenda review with Agenda Item 4B which concerned an update regarding the County Attorney position, apprising the deadline to submit applications for the position had been extended a few days to allow additional applications to be submitted. She said her plan moving forward was for Jackie Figueroa, *County Human Resources Director*, to distribute the resumes to the Committee members which she asked remain confidential following which she would like Ms. Figueroa to schedule the first round of interviews on June 10<sup>th</sup>, 11<sup>th</sup> and 14<sup>th</sup> in order to move this process along as quickly as possible. She requested that Ms. Figueroa request references from the applicants so they had them on hand when they got to that point in the hiring process.

Continuing, privilege of the floor was extended to Ms. Figueroa, to address Items 5A-G, as follows:

- 5A) Report on tracking of vacancies filled - included for informational purposes.
- 5B) Report on terminations and exit interviews - included for informational purposes.
- 5C) Discussion regarding vacation carryover of 60 extra days. Ms. Figueroa stated indicated Resolution No. 197 of 2021 authorized an extension of the deadline for use of earned leave time hours carried over from 2020 for an amount of time to be determined. She apprised following her discussions with Mr. Moore they decided the appropriate timeframe for this time to be used was within was sixty days which she was required to report back to the Committee on.
- 5D) Update on the recruitment process for the County Attorney position. Ms. Figueroa advised this matter had already been discussed by Ms. Braymer.

Ms. Braymer requested that they skip ahead to Agenda Items 5F and 5G prior to discussing Item 5E since it would require an executive session

- 5F) Request to ratify the approval of the contract with the CSEA (*Civil Service Employees Association*) - Ms. Figueroa stated the CSEA voted on and approved the proposed contract with the County and a resolution was required to ratify its approval.

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 June 16<sup>th</sup> Board Meeting.

- 5G) "Warren County Leadership training via Metrix" - Ms. Figueroa and Liza Ochsendorf, *Director, Employment & Training Administration*, spoke regarding the "Warren County Leadership training via Metrix" that consisted of twelve classes and equated to about nine hours of training which was being offered to Department Heads.
- 5E) Discussion regarding Notice of Workplace Violence investigation - Executive session. Returning to Agenda Item 5E, Ms. Braymer called for a motion to enter into executive session to discuss the aforementioned

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investigation. The necessary motion was made by Mr. Conover, seconded by Mr. Driscoll and carried unanimously to enter into to enter into an executive session to discuss pending litigation pursuant to Section 105(1)(f) of the Public Officer's Law.

Executive session was held from 12:43 p.m. until 12:49 p.m.

Resuming the agenda review, Ms. Braymer apprised Agenda Item 6 involved a Request/Item to be discussed by the Director of Information Technology, *Mike Colvin*, concerning a request for a new contract with Spectrum Enterprise to replace the current public internet connection. Mr. Colvin advised Spectrum required the County to have two separate accounts, one for internal access to the internet and the other was for public access. He stated they needed to upgrade the public access account which would require a contract with Spectrum.

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 June 16<sup>th</sup> Board Meeting.

Ms. Braymer stated Agenda Item 7 pertained to a referral from the Criminal Justice Committee regarding a request on behalf of the District Attorney to amend the Table of Organization and Salary Schedule to delete the position of Senior Crime Victim Specialist, *Annual Salary \$55,494*, and to create and fill the new position of Crime Victim Specialist, *Annual Salary \$40,954*, effective June 21, 2021.

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

Mr. Moore stated an Item that had not been included on the agenda, but required action concerned amending the Table of Organization and Salary Schedule to reduce the salary of the 6<sup>th</sup> Assistant District Attorney to \$66,563 effective June 17, 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 June 16<sup>th</sup> Board Meeting.

Agenda Item 8A-C, Ms. Braymer apprised, concerned the following referrals from the Health Services Committee, *Office for the Aging*:

- 8A) Request to amend the Table of Organization and Salary Schedule to delete the position of Services Specialist, *Grade 10, Base Annual Salary \$37,633*, and to create and fill the new position of Services Assistant - Office for the Aging #1, *Grade 7, Base Annual Salary \$33,600*, effective June 21, 2021.
- 8B) Request to amend the Table of Organization and Salary Schedule to delete the position of Supervisor of Volunteers, *Grade 4, Base Annual Salary \$29,333*, and to create and fill the new position of Services Assistant - Office for the Aging #2, *Grade 7, Base Annual Salary \$33,600*, effective June 21, 2021.
- 8C) Request to amend the Table of Organization and Salary Schedule to delete the position of Aging Services Assistant - PT, *Grade 4, Base Annual Salary \$29,333 (20 hours/week)*, and to create and fill the new position of Services Assistant - Office for the Aging PT, *Grade 7, Base Annual Salary \$33,600 (20 hours/week)*, effective June 21, 2021.

Motion was made by Mr. Geraghty, seconded by Mr. Magowan and carried unanimously to approve the requests as outlined above and the necessary resolutions were authorized for the June 16<sup>th</sup> Board Meeting.

Resuming the agenda review, Mr. Braymer advised Agenda Item 9 concerned a referral from the Human Services Committee, *Countryside Adult Home*, regarding a request to amend the Table of Organization and Salary Schedule to delete the position of Part-Time Case Manager and to create and fill the new position of Case Manager, *Grade 14, Base Annual Salary \$40,954*.

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

Ms. Braymer stated Agenda Item 10 pertained to a Request/Item to be discussed by the 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.

Mike Swan, *County Treasurer*, advised he was in the process of working with the Personnel Officer on these position, so no action was required today. Mr. Geraghty asked whether they needed to discuss these changes with the CSEA and Mr. Swan replied he was unsure, as he did not believe this was correct and was one of the matters they were working on determining.

Moving along to the Pending Item portion of the Agenda, Ms. Braymer asked Mr. Terwilliger if he had an update for the Committee. Mr. Terwilliger advised all of the materials he had reviewed indicated the term of the County Attorney was set to coincide with the same duration of that of a County Supervisor and could be no longer than a two year term; however, he noted, he would conduct more extensive research to determine if there was anything that indicated otherwise.

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

- Buildings and Grounds*** - Cleaner #11, *Grade 2, Base Annual Salary \$27,438*, due to termination.
  
- District Attorney*** - 6<sup>th</sup> Assistant District Attorney, *Base Annual Salary \$66,563*, due to resignation.  
- 7<sup>th</sup> Assistant District Attorney, *Base Annual Salary \$66,563*, due to promotion.  
- 8<sup>th</sup> Assistant District Attorney, *Base Annual Salary \$66,563*, due to promotion.  
- Legal Clerk #2, *Base Annual Salary \$30,520*, due to promotion.  
- Legal Clerk #1, *Base Annual Salary \$30,520*, due to resignation - *EMERGENCY FILL*.
  
- Health Services*** - Registered Professional Nurse #22, *Grade 19, Base Annual Salary \$47,523*, due to resignation.

- Human Resources** - Human Resources Specialist, *Annual Salary \$46,222*, due to resignation - *EMERGENCY FILL*.
  
- Office for the Aging** - Food Service Manager, *Grade 4, Base Annual Salary \$29,333 (35 hrs/week)*, due to resignation - *EMERGENCY FILL*
  
- Parks, Recreation & Railroad** - Building Maintenance Mechanic, *Grade 15, Base Annual Salary \$42,141*.
  
- Public Defender** - Coordinating Assistant Public Defender, *Annual Salary \$94,475*, extending prior authorization.
  
- Sheriff** - Communications Officer #5, *Annual Salary \$41,740*, due to resignation.
  
- Social Services** - Caseworker #13, *Grade 16, Base Annual Salary \$43,390*, due to resignation.  
- Caseworker #34, *Grade 16, Base Annual Salary \$43,390*, due to termination.
  
- Treasurer** - Accounting Technician #2, *Grade 19, Base Annual Salary \$47,523*, due to resignation.

Ms. Braymer asked if any comments from the public had been received through Youtube or email and Mr. Colvin replied in the negative.

There being no further business to come before the Personnel, Administration & Higher Education Committee, on motion made by Mr. Driscoll, seconded by Mr. Magowan and carried unanimously, Ms. Braymer adjourned the meeting at 12:56 p.m.

Respectfully submitted,  
Sarah McLenithan, Deputy Clerk of the Board