

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: PERSONNEL, ADMINISTRATION & HIGHER EDUCATION

DATE: JULY 29, 2021

COMMITTEE MEMBERS PRESENT:

SUPERVISORS BRAYMER
GERAGHTY
DRISCOLL
CONOVER
MAGOWAN

OTHERS PRESENT:

AMANDA ALLEN, CLERK OF THE BOARD
JACKIE FIGUEROA, COUNTY HUMAN RESOURCES DIRECTOR
ROBERT TERWILLIGER, ACTING COUNTY ATTORNEY
AMY CLUTE, SELF-INSURANCE ADMINISTRATOR
MATTHEW SCHUETTE, AGENCY PARTNER, JAEGER & FLYNN ASSOCIATES, INC.
LARRY PALTROWITZ, LEGAL COUNSEL FOR THE COUNTY
STEVE J. ACQUARIO, ESQ., EXECUTIVE DIRECTOR, NEW YORK STATE ASSOCIATION
OF COUNTIES
RACHEL E. SEEBER, CHAIRWOMAN OF THE BOARD
FRANK E. THOMAS, BUDGET OFFICER
SUPERVISORS BEATY
FRASIER
HOGAN
LEGGETT
MCDEVITT
STROUGH
WILD
MATTHEW BURIN, FIRST ASSISTANT DISTRICT ATTORNEY
JOANNE CONLEY, DIRECTOR OF TOURISM
TAMMIE DELORENZO, ASSISTANT TO THE COUNTY ADMINISTRATOR
KEVIN HAJOS, SUPERINTENDENT, DEPARTMENT OF PUBLIC WORKS
KRISTIN HANIFIN, DEVELOPMENT/EVENT COORDINATOR, TOURISM DEPARTMENT
ROBERT IUSI, DIRECTOR OF PROBATION
JAMES LAFARR, WARREN COUNTY SHERIFF
DON LEHMAN, DIRECTOR OF PUBLIC AFFAIRS
ROBIN MAPP, AIRPORT MANAGER
SARAH MCLENITHAN, DEPUTY CLERK OF THE BOARD

Please note, the following contains a summarization of the July 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/mma>

Ms. Braymer called the meeting of the Personnel, Administration & Higher Education Committee to order at 9:01 a.m.

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

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

The agenda review commenced, as follows:

- 1A) Matthew Schuette, *representing Jaeger & Flynn Associates, Inc.*, explained the advantages of offering an employer sponsored Flexible Spending Account benefit to employees.

A discussion ensued, during which a motion was made by Mr. Conover and seconded by Mr. Magowan to authorize offering Flexible Spending Accounts to employees as a benefit beginning December 1, 2021. Following further discussion, Mr. Conover amended his motion, and Mr. Magowan his second, to include amending the existing contract with Jaeger & Flynn Associates, Inc. to authorize paying them a fee for administering Flexible Spending Accounts and the necessary resolution

was approved for presentation at the August 20th Board Meeting.

- 1B) Executive session to discuss PBA negotiations/proposed settlement. It was announced that Larry Paltrowitz, *Legal Counsel for the County*, was present to discuss possible collective bargaining agreements and that an executive session was necessary.

Motion was made by Mr. Geraghty, seconded by Mr. Conover and carried unanimously to enter into an executive session pursuant to Sections 105(e) of the Public Officer's Law.

Executive session was held from 9:11 a.m. until 9:48 a.m.

Upon reconvening a motion was requested to accept the terms of the Warren County Police Benevolent Association and the Warren County Sheriff's Employees' Alliance agreements, subject to ratification by the collective bargaining units, and authorizing the Chair to execute same. The necessary motion was made by Mr. Conover, seconded by Mr. Magowan and carried unanimously and the necessary resolutions were authorized for the August 20th Board Meeting.

Skipping ahead to Agenda Item 2A, privilege of the floor was extended to Steven Acquario, *ESQ., Executive Director, NYSAC (New York State Association of Counties)*, who provided an update on opioid litigation, following which he proceeded to review a Powerpoint presentation regarding PFAS (*Per-and Ployfluoroalkyl Substances*) and the negative impacts associated with it, as well as a potential lawsuit the County could choose to join in relation to potential exposure at the Warren County Airport.

A motion was made by Ms. Braymer that the County move forward with opting to join in on the PFAS litigation subject to review by the County Attorney. Following further discussion Ms. Braymer withdrew her motion and it was the consensus of the Committee to delay making a determination on the matter pending until the County Attorney had reviewed the matter to ensure there would be no negative impacts associated with the County participating in the lawsuit.

Returning to Item 1C, a motion was requested to enter into an executive session for discussion regarding an employee disciplinary matter. The necessary motion was made by Mr. Geraghty, seconded by Mr. Magowan and carried unanimously to enter into an executive session pursuant to Sections 105(f) of the Public Officer's Law.

Executive session was held from 10:23 a.m. until 10:49 a.m. Upon reconvening, it was announced that no action was taken during the executive session.

- 1D) Report on tracking of vacancies filled - included for informational purposes.
- 1E) Report on terminations and exit interviews - included for informational purposes.
- 1F) Discussion regarding Out-of-Unit benefits contribution increase - Jackie Figueroa, *Human Resources Director*, spoke regarding how the benefit contributions for Out-of-Unit employees typically mirrored that of the CSEA (*Civil Service Employees Association*), whose contribution rate for health insurance had increased with the new agreement which was recently executed. She noted no action was required today, as she would be bringing forth a request at the next Committee meeting for several changes effective December 1, 2021.

Ms. Figueroa announced the second round of interviews for the County Attorney position was scheduled for August 17th at 12:45 p.m.

- 2B) Litigation update - Executive Session - An executive session was requested to discuss pending litigation which included the following: *Morgan v. Warren County* and others; *Matthew Kelley v. Warren County*; *LeClair v. Vincent* and others and Warren County Department of Social Services; and *John David Smith v. United Methodist*

Church, Warren County Department of Social Services and other religious organizations also listed as defendants.

Motion was made by Mr. Magowan, seconded by Mr. Conover 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 10:54 a.m. until 11:11 a.m. Upon reconvening it was announced no action had been taken during the executive session.

- 2C) Request to appropriate funding in the amount of \$24,800 from a source to be determined by the Finance Committee to Budget Code A.1420 419, *County Attorney, Settlements*, to cover the cost of paying the deductible to NYMIR for the Shannon C. Dickinson settlement.

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

- 3A) Resolution Tracking Report - provided as an agenda attachment for informational purposes.
- 3B) Request for a transfer of funds in the amount of \$50,000 from a funding source to be determined by the Finance Committee to provide additional monies to cover the Coroner expenses for the remainder of 2021.
- 3C) Request for a transfer of funds in the amount of \$5,000 from a funding source to be determined by the Finance Committee to cover the cost of supplies for the Board of Supervisors budget over the remainder of the year.

Motion was made by Mr. Geraghty, seconded by Mr. Magowan and carried unanimously to approve Agenda Items 3B and 3C and refer same to the Finance Committee.

- 3D) Request to amend Resolution No. 216 of 2020 to update standard reporting resolution to make corrections requested by the New York State Retirement System.

Motion was made by Mr. Geraghty, seconded by Mr. Magowan and carried unanimously to approve the request as presented and the necessary resolution was authorized for the August 20th Board Meeting.

- 4A) Request for a new contract with AWPRx, LLC for Pharmacy Network Vendor for Self-Insured Workers' Compensation Program pursuant to the terms and provisions of the specifications (WC34-21) and proposal for a term commencing October 1, 2021 and terminating September 30, 2024, with option for additional three year renewal (October 1, 2024 to September 30, 2027).

Motion was made by Mr. Magowan, seconded by Mr. Geraghty and carried unanimously to approve the request as presented and the necessary resolution was authorized for the August 20th Board Meeting.

- 4B) Request for a new contract with One Call Medical, Inc dba One Call for Diagnostic Testing Network Vendor for Self-Insured Workers' Compensation Program pursuant to the terms and provisions of the specifications (WC33-21) and proposal for a term commencing October 1, 2021 and terminating September 30, 2024, with option for additional three year renewal (October 1, 2024 to September 30, 2027).

Motion was made by Mr. Geraghty, seconded by Mr. Magowan and carried unanimously to approve the request as presented and the necessary resolution was authorized for the August 20th Board Meeting.

- 4C) Request for a new contract with Carisk Intelligent Clearinghouse, LLC for the purpose of becoming the submission

partner to satisfy the new Workers' Compensation Board CMS-1500 initiative.

Motion was made by Mr. Geraghty, seconded by Mr. Magowan and carried unanimously to approve the request as presented and the necessary resolution was authorized for the August 20th Board Meeting.

It was noted that the 2022 Self-Insurance Plan Participant Assessments was included in the agenda packet, but had inadvertently been labeled as part of Agenda Item 4C.

A discussion ensued regarding Agenda Item 5, pertaining to the County Treasurer's request to compensate employees that were required to work on-site during the Coronavirus pandemic with additional vacation days, capped at a maximum of five days. A motion was made by Mr. Geraghty and seconded by Mr. Magowan to approve the request; however, on further discussion, Mr. Geraghty withdrew his motion and it was the consensus of the Committee for the County Administrator to work on a plan to award additional compensatory vacation days to employees and present same to the Committee at a future meeting.

- 6A) Request to create the position of 9th Assistant District Attorney, *Base Annual Salary \$66,563*, effective August 23, 2021.
- 6B) Request to create the position of Legal Clerk, *Base Annual Salary \$33,389*, effective August 23, 2021. *Note: subsequent to the meeting the annual salary was corrected to \$32,237.*

A discussion ensued during which Matthew Burin, *First Assistant District Attorney*, answered questions posed by the Committee members regarding the requests. A referral was made to the Governmental Operations & Advocacy Committee to request that a letter be sent to the State indicating Counties were required to spend more of their own funding to cover the cost of the changes made to the legal system by the State.

Motion was made by Mr. Magowan, seconded by Mr. Driscoll and carried unanimously to approve Agenda Items 6A and 6B, as presented, and the necessary resolutions were authorized for the August 20th Board Meeting.

The listing of positions authorized for filling by Standing Committees since the last meeting was presented, as follows:

- County Attorney** - Legal Assistant #2, *Annual Salary \$49,091*, due to reinstatement. (*EMERGENCY FILL*)
- Countryside Adult Home** - Cook #5 Full Time, *Grade 4, Base Annual Salary \$30,983*, due to resignation.
- County Clerk** - Legal Recording Clerk, *Grade 7, Base Annual Salary \$35,491*, due to resignation.
- Office of Emergency Services** - County Fire Coordinator (Part-time), *Annual Salary \$11,500*, due to termination.
- Probation**
 - Probation Assistant, *Grade 7, Base Annual Salary \$35,491*, due to retirement.
 - Senior Probation Officer #4, *Grade 20, Base Annual Salary \$52,345*, due to retirement.
 - Probation Officer Trainee, *Grade 16, Base Annual Salary \$45,831*, due to promotion.
- Public Defender** - Assistant Public Defender (7), *Annual Salary \$63,393*, due to resignation.

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- Public Works** - Automotive Parts Shop Specialist, *Grade 9, Base Annual Salary \$38,251.*
- MEO (L) #5, *Grade 7, Base Annual Salary \$35,491*, due to resignation.
- MEO (L) #12, *Grade 7, Base Annual Salary \$35,491*, due to promotion.
- MEO (L) #13, *Grade 7, Base Annual Salary \$35,491.*
- Highway Construction Supervisor #4, *Grade 12, Base Annual Salary \$41,003*, due to retirement.
- Sheriff** - Communications Officer #19, *Annual Salary \$41,740*, due to resignation (*EMERGENCY FILL*)
- Social Services** - Sr. Caseworker #3, *Grade 18, Base Annual Salary \$46,492*, due to resignation.
- Caseworker #14, *Grade 16, Base Annual Salary \$43,390*, due to promotion.
- Caseworker #6, *Grade 16, Base Annual Salary \$43,390*, due to resignation.
- Staff Development Coordinator, *Grade 16, Base Annual Salary \$43,390.*
- Caseworker #26, *Grade 16, Base Annual Salary \$43,390*, due to promotion.
- Treasurer** - Senior Account Clerk #4, *Grade 7, Base Annual Salary \$33,600*, due to resignation.
- Veterans' Services** - Per-diem Van Driver #4 & #5, *Grade 2, Base Annual Salary \$2,675 (\$13.9335/hr)*, due to resignation.

Privilege of the Floor/Public Comment was called for, but there were none.

There being no further business to come before the Personnel, Administration & Higher Education Committee, on motion made by Mr. Conover, seconded by Mr. Geraghty and carried unanimously, Ms. Braymer adjourned the meeting at 11:49 a.m.

Respectfully submitted,
Sarah McLenithan, Deputy Clerk of the Board