

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: PERSONNEL, ADMINISTRATION & HIGHER EDUCATION

DATE: NOVEMBER 2, 2021

COMMITTEE MEMBERS PRESENT:

SUPERVISORS BRAYMER
GERAGHTY
DRISCOLL
CONOVER
MAGOWAN

OTHERS PRESENT:

AMANDA ALLEN, CLERK OF THE BOARD
JACKIE FIGUEROA, COUNTY HUMAN RESOURCES DIRECTOR
PATRICIA NENNINGER, PERSONNEL OFFICER
ROBERT TERWILLIGER, ACTING COUNTY ATTORNEY
RYAN MOORE, COUNTY ADMINISTRATOR
RACHEL E. SEEBER, CHAIRWOMAN OF THE BOARD
FRANK E. THOMAS, BUDGET OFFICER
SUPERVISORS BRUNO
DIAMOND
FRASIER (VIA ZOOM)
HOGAN (VIA ZOOM)
MCDEVITT (ZIA ZOOM)
LEGGETT
TAMMIE DELORENZO, ASSISTANT TO THE COUNTY ADMINISTRATOR
LEXIE DELUREY, DIRECTOR, REAL PROPERTY TAX SERVICES
RYAN DICKEY, SECOND ASSISTANT COUNTY ATTORNEY
KEVIN HAJOS, SUPERINTENDENT OF PUBLIC WORKS
CHRISTIAN HANCHETT, COMMISSIONER, DEPARTMENT OF SOCIAL SERVICES
GINELLE JONES, DIRECTOR, PUBLIC HEALTH/PATIENT SERVICES
DON LEHMAN, DIRECTOR OF PUBLIC AFFAIRS
SARAH MCLENITHAN, DEPUTY CLERK OF THE BOARD

Please note, the following contains a summarization of the November 2, 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: Pursuant to New York State Legislation (S.50001/A.40001): “Notwithstanding the provisions of article 7 of the public officers law to the contrary, any state agency, department, corporation, office, authority, board, or commission, as well as any local public body, or public corporation as defined in section 66 of the general construction law, or political subdivisions as defined in section 100 of the general municipal law, or a committee or subcommittee or other similar body of such entity, shall be authorized to meet and take such action authorized by law without permitting in public in-person access to meetings and authorize 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.

Ms. Braymer called the meeting of the Personnel, Administration & Higher Education Committee to order at 10:40 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.

Mr. Conover entered the meeting at 10:41 a.m.

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

Ms. Braymer noted no one was present from SUNY Adirondack; the remainder of the agenda review commenced, as follows:

- 2A) Report on tracking of vacancies filled - included for informational purposes.
- 2B) Report on terminations and exit interviews - included for informational purposes.
- 2C) Request to revise County Policy regarding interns to allow for paid interns. The changes to the current Policy, as outlined in the agenda attachment, were reviewed.

Motion was made by Mr. Magowan and seconded by Mr. Driscoll to approve the request as presented. Discussion on the Policy ensued, following which Messrs. Magowan and Driscoll amended their motions to include a revision to Section C of the proposed

Policy amendments to indicate approval of internship requests will be made by the County Administrator, who shall report same to the Chair of the Board and the Personnel, Administration & Higher Education Committee. Ms. Braymer called the question and the motion, as amended, was carried unanimously and the necessary resolution was authorized for the November 19th Board Meeting.

- 2D) Request to revise County Policy regarding tuition reimbursement to allow for 100% reimbursement. Review of the proposed revisions, as included in the agenda packet, ensued.

Discussion was held regarding the proposed revisions, centering upon the amount of time an employee must remain with the County following the use of this benefit; a notation was made that action on this item would result in two resolutions, one revising the current Out-of-Unit Policy and a second establishing the procedure for reimbursement of costs associated with employment-related education and training.

Motion was made by Mr. Magowan and seconded by Mr. Geraghty to accept the revisions to the County's Policy for Out-of-Unit employees as presented, with the exception of the length of time an employee must remain with the County which they changed from three months to twelve months, as well as to approve of a resolution establishing a procedure for same. Ms. Braymer called the question and the motion to approve the request, as amended, was carried unanimously and the necessary resolutions were authorized for the November 19th Board Meeting.

- 3) Request to authorize a new contract with Standard Medical Testing Services, a division of Mountain Medical Services, PLLC to provide Patrol and Patrol Officer candidate physical exam services.

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 November 19th Board Meeting.

- 4A) Request to authorize a new contract with Spectrum Enterprise for Point-to-Point connection for the Department of Public Works Administration Building and the Employment and Training Administration.

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 November 19th Board Meeting.

- 4B) Request to appropriate funds in the amount of \$4,091.81 from the Budget Code A.895.00, *Computer Reserve Fund*, to various departmental budgets for the purchase of computers and related software.

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 November 19th Board Meeting.

Ms. Braymer requested an update on the used Novatime clocks that had been purchased by the Director of the Information Technology Department. Ryan Moore, *County Administrator*, indicated one of the three used Novatime clocks purchased was in service, the remaining two were set aside as spares and they were considering whether to move forward with utilizing the \$17,000 allocation to purchase new ones or rent them. A brief discussion ensued.

Ms. Braymer requested that Robert Terwilliger, *Acting County Attorney*, list the cases that would be discussed during the executive session for the record. Mr. Terwilliger listed the following litigation: *Forest Enterprises v. Warren County*; *Christopher Armstrong v. Warren County* and others; *Estate of Ryan Taylor v. Warren County*; and *June Maxam v. Pamela Vogel as Warren County Clerk* and others. Mr. Terwilliger requested that Ryan Dickey, *Second Assistant County Attorney*, be permitted to remain in the Board Room during the executive session to brief the Committee on the *Forest Enterprises* case, as he was more knowledgeable on this matter since he served as legal counsel for the County on this case. Ms. Braymer added she would also like to discuss *Morgan v. Warren County* during the executive session. She asked if the Committee members were agreeable to Mr. Dickey remaining in the Board Room during the executive session to which they all replied affirmatively.

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 11:21 a.m. until 12:14 p.m.

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

- 6A) Resolution Tracking Report - provided as an agenda attachment for informational purposes.
- 6B) Request for a transfer of funds in the amount of \$50,000 from a funding source to be determined by the Finance Committee to cover the cost of autopsy/medical examiner fees for the remainder of 2021.

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

- 6C) Discussion regarding reimbursement of Coroner's job-related out-of-pocket expenses. Mr. Moore indicated it had come to his attention the County Coroner's had not been submitting their job-related out-of-pocket expenses for reimbursement, such as mileage, the cost of a conference they attended twice a year; office supplies, etc., all of which added up to be around \$2,500 per year for each Coroner.

A discussion ensued following which a motion was made by Mr. Geraghty, seconded by Mr. Magowan and carried unanimously to approve the request to authorize reimbursement of Coroner's job-related out-of-pocket expenses and the necessary resolution was authorized for the November 19th Board Meeting.

Returning to Agenda Item 6B, Ms. Braymer called for a motion to authorize an additional transfer of funds in the amount of \$10,000 from a source to be determined by the Finance Committee to Budget Code A.1185 435, *Medical Examiner, Medical Fees*, to cover the reimbursement of Coroner's job-related out-of-pocket expenses. The necessary motion was made by Mr. Geraghty, seconded by Mr. Magowan and carried unanimously and refer same to the Finance Committee.

- 7A) Request to amend the Table of Organization and Salary Schedule to create and fill the position of Temporary HEAP Examiner #4, *Grade 6, Base Annual Salary \$33,614*, effective November 22, 2021.
- 7B) Request to amend the Table of Organization and Salary Schedule to create and fill the position of Temporary HEAP Examiner #5, *Grade 6, Base Annual Salary \$33,614*, effective November 22, 2021.

Motion was made by Mr. Geraghty, seconded by Mr. Driscoll and carried unanimously to approve the requests as outlined above and the necessary resolutions were authorized for the November 19th Board Meeting.

- 8A) Request to amend the Table of Organization and Salary Schedule to create and fill the new position of Investigative Sergeant #1, *Annual Salary \$82,495*, and delete the position of Investigative Sergeant, effective November 22, 2021.
- 8B) Request to amend the Table of Organization and Salary Schedule to create and fill the new position of Investigative Sergeant #2, *Annual Salary \$82,495*, and delete the position of Investigator #3, effective November 22, 2021.

Motion was made by Mr. Magowan, seconded by Mr. Geraghty and carried unanimously to approve the requests as outlined above and the and the necessary resolutions were authorized for the November 19th Board Meeting.

- 9A) Request to appoint Larry Elmen as County Attorney effective November 8, 2021 at an annual salary of \$144,449.
- 9B) Request to amend the Table of Organization and Salary Schedule for the County Attorney's Office as outlined in the resolution request form included in the agenda.
- 9C) Request to fill the position of County Attorney, *Annual Salary \$144,449*, due to resignation.
- 9D) Request to fill the position of Secretary to the County Attorney, *Annual Salary \$49,774*.
- 9E) Request to fill the vacant position of Special Assistant to the County Attorney, *Annual Salary \$49,774*.
- 9F) Request to authorize the Chair of the Personnel, Administration & Higher Education Committee and the County Administrator to meet with the incoming County Attorney to negotiate, and then to authorize, additional vacation allowances, notwithstanding the amounts authorized in the Warren County out-of-Unit Employee Benefits Policy.

Mr. Moore requested an executive session to discuss matters leading to the appointment of a particular individual. Ms. Braymer called for the necessary motion which was made by Mr. Magowan, seconded by Mr. Conover and carried unanimously to enter into executive session pursuant to Section 105(1)(f) of the Public Officer's Law.

Executive session was held from 12:22 p.m until 12:34 p.m.

Upon reconvening Ms. Braymer noted no action was taken during the executive session; however, she noted, a motion was required to approve Items 9A-F as outlined above so the necessary resolutions could be authorized for the November 5th Special Board Meeting. The necessary motion was made by Mr. Conover, seconded by Mr. Magowan and carried unanimously to approve the requests as outlined above and the and the necessary resolutions were authorized for the November 5th Special Board Meeting.

- 9G) 2022 Employee of the Month Program. Mr. Moore spoke about formalizing the Employee of the Month Program going forward into next year with the members of the selection Committee consisting of the following: representative from his Office; representative from the Human Resources Department; and three Supervisors, who could be ex-officio Supervisor positions to this duty. He added another thing to consider was whether to provide the Employee of the Month recipients with a nominal cash award, such as \$200, or offer a day off with special conditions. He noted he had requested that the County Attorney research whether it was permissible for the County to provide a nominal award to ensure they were not violating the State Constitution.

A discussion ensued following which it was the consensus of the Committee for additional work to be done on this matter and for a formalized policy to be presented for consideration at a future meeting.

In regard to the Pending Item No. 1 which involved the County Treasurer's request to remove the Payroll Supervisor and Payroll Technician from the CSEA Union, and increase salaries for both positions and Pending Item No. 2 pertaining to the Committee considering County Treasurer's suggestion for awarding additional vacation days to employees who worked on-site when County Buildings were closed due to the Coronavirus Pandemic, Ms. Braymer apprised these would remain pending items.

Ms. Braymer indicated updates had been provided regarding Pending Item No. 3 concerning the Committees request that Mike Colvin, *Director, Information Technology*, prepare a synopsis of the alternative time keeping options for the County going forward to report on at a future Committee meeting and Pending Item No. 4 which required Mr. Colvin to return to Committee with an update regarding how the used Novatime clocks were operating and whether it was necessary to move forward with the purchase of five new ones.

The listing of positions authorized for filling by Standing Committees since the last meeting was not discussed, but was included on the agenda, as follows:

- DPW***
 - MEO (L) #26, *Grade 7, Base Annual Salary \$35,491*, due to retirement.
 - MEO (M) #14, *Grade 9, Base Annual Salary \$38,251*, due to promotion.

- Social Services***
 - Caseworker #9, *Grade 16, Base Annual Salary \$45,831*.
 - Caseworker #29, *Grade 16, Base Annual Salary \$45,831*.
 - Caseworker #37, *Grade 16, Base Annual Salary \$45,831*.

Privilege of the Floor/Public Comment was called for, but there was no one wishing to speak.

There being no further business to come before the Personnel, Administration & Higher Education Committee, on motion made by Mr. Geraghty, seconded by Mr. Magowan and carried unanimously, Ms. Braymer adjourned the meeting at 12:46 p.m.

Respectfully submitted,
Sarah McLenithan, Deputy Clerk of the Board