

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: PERSONNEL, ADMINISTRATION & HIGHER EDUCATION

DATE: FEBRUARY 3, 2022

COMMITTEE MEMBERS PRESENT:	OTHERS PRESENT:
SUPERVISORS THOMAS	AMANDA ALLEN, CLERK OF THE BOARD
CONOVER	LARRY ELMEN, COUNTY ATTORNEY
BEATY (ZOOM)	JACKIE FIGUEROA, COUNTY HUMAN RESOURCES DIRECTOR
FRASIER	PATRICIA NENNINGER, PERSONNEL OFFICER
WILD	KEVIN B. GERAGHTY, CHAIRMAN OF THE BOARD
BRAYMER	RYAN MOORE, COUNTY ADMINISTRATOR
RUNYON (ZOOM)	SUPERVISORS BRUNO
	DIAMOND
	DRISCOLL
	GERACI (ZOOM)
	HOGAN (ZOOM)
	LEGGETT
	MAGOWAN (ZOOM)
	MERLINO
	SEEBER
	STROUGH (ZOOM)
	TAMMIE DeLORENZO, ASSISTANT TO THE COUNTY ADMINISTRATOR
	KEVIN HAJOS, SUPERINTENDENT, DEPARTMENT OF PUBLIC WORKS
	GINELLE JONES, DIRECTOR, PUBLIC HEALTH/PATIENT SERVICES
	WAYNE LAMOTHE, COUNTY PLANNER
	DON LEHMAN, DIRECTOR OF PUBLIC AFFAIRS
	ROBERT LYNCH, DEPUTY COUNTY TREASURER
	MIKE SWAN, COUNTY TREASURER
	ROBERT TERWILLIGER, FIRST ASSISTANT COUNTY ATTORNEY
	SARAH McLENITHAN, DEPUTY CLERK OF THE BOARD
	JEFF MEAD, GENERAL MANAGER, COOL INSURING ARENA
	MOLLY GANOTES-GLEASON, LEGISLATIVE OFFICE SPECIALIST
	LESLIE LOVELACE, SECRETARY TO THE CLERK OF THE BOARD

Please note, the following contains a summarization of the February 3, 2022 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, aside from Supervisors Beaty and Runyon who attended virtually.

Mr. Thomas 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. Conover, seconded by Ms. Runyon and carried unanimously to approve the minutes of the previous Committee meeting, subject to correction by the Clerk of the Board.

Ms. Braymer entered the at 10:03 a.m.

Prior to commencing the agenda review, Mr. Thomas recognized Ms. Braymer for doing an exceptional job Chairing the Committee

last year.

Mr. Thomas 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 authorize a Memorandum of Agreement with the CSEA (*Civil Service Employees Association*) to extend updated out-of-unit education reimbursement policy to membership.

Motion was made by Mr. Wild, seconded by Mrs. Frasier and carried unanimously to approve the request as presented and the necessary resolution was authorized for the February 18th Board Meeting.

- 3A) Request for a transfer of funds in the amount of \$1,400 from the Contingent Account to Budget Code A.1420 423, *County Attorney - Telephone*, to pay for the purchase of cell phones for the First and Second Assistant County Attorneys that were not budgeted for.

Motion was made by Mrs. Frasier, seconded by Mr. Wild and carried unanimously to approve the request as presented and the necessary resolution was authorized for the February 18th Board Meeting.

Regarding Agenda Item 3B, Mr. Thomas called for a motion to enter into an executive session to discuss the following litigation: Opioid Settlement - Allergan; French v. Williams; Barton & Franks v. County; John David Smith v. United Methodist Church//County; Joshua Rouse v. Berkshire Farm//County; Michael Easterbrooks V. Schenectady Cty//County; Nicholas LeClair v. Sarah Raymond, et al.; Jason Lewis v. Primecare Medical, Inc.//County; Ilana Morgan v. County (see Attached Decision and Order 1/21/22); Saratoga and North Creek Railway Bankruptcy; Stegemann v. Rensselaer County//County; Taylor v. Town of Hadley et al//County; Notices of Claim Received - 1) John Werner, 2) Leroy Holdings & Brown Associates and 3) Jeffrey Tew; Attorney Legal Opinions - 1) WCLDC and Code of Ethics, 2) New Youth Alternative Jail placement Requirements and 3) Real Property Tax Refund/Credit Collections.

Larry Elmen, *County Attorney*, requested that Robert Terwilliger, *First Assistant County Attorney*, be allowed to attend the executive session to brief the Committee on the Ilana Morgan v. County litigation to which the Committee members agreed to. Mike Swan, *County Treasurer*, was also permitted to be present during the executive session.

Ms. Braymer noted the June Maxam v. Pam Vogel, *Warren County Clerk*, and others case which was recently dismissed against the County was not listed as one of the matters to be discussed. Mr. Elmen advised he had distributed the decision to the full Board on that matter last night, indicating this matter would also be discussed in executive session.

A motion was made by Ms. Braymer, seconded by Mrs. Frasier 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 10:09 a.m. until 12:33 p.m. During the executive session Chairman Geraghty and Mr. Elmen exited the meeting and returned at 12:34 p.m. when the meeting had returned to open session.

Upon reconvening, Mr. Thomas announced no action was taken during the executive session.

Ms. Braymer exited the meeting at 12:34 p.m.

Mr. Thomas called for a motion to authorize the County Attorney to negotiate and tender an amount up to the County Insurance Policy deductible to settle all claims in the matter of Questor French v. Derek Williams. The necessary motion was made by Mr. Conover, seconded by Mrs. Frasier and carried by a unanimous vote of those present (Ms. Braymer absent) and the necessary resolution was authorized for the February 18th Board Meeting.

- 3C) Request to ratify the actions of the Chairman of the Board, County Attorney and Napoli, Shkolnik PLLC, *Special counsel for the County*, with regard to executing all documents required to accept Allergan New York Settlement and Sharing Agreement and the New York Subdivision Election and Release Form with Allergan and its subsidiaries.

Motion was made by Mr. Conover, seconded by Mrs. Frasier and carried by a unanimous vote of those present (Ms. Braymer absent) to approve the request as presented and the necessary resolution was authorized for the February 18th Board Meeting.

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- 4) Resolution Tracking Report - included for informational purposes.
 - 5A) Request to amend the Table of Organization and Salary Schedule to a change the title of "Probation -Per Diem" to "Probation - IID/Transfer Monitoring" with a stipend of \$3,000, retroactive to January 3, 2022.

Motion was made by Mrs. Frasier, seconded by Mr. Wild and carried by a unanimous vote of those present (Ms. Braymer absent) to approve the request as presented and the necessary resolution was authorized for the February 18th Board Meeting.

- 5B) Request to amend the Table of Organization and Salary Schedule to increase the salary of the position of Building Maintenance Helper from \$5,279 to \$5,437 effective January 1, 2022.

Motion was made by Mrs. Frasier, seconded by Ms. Runyon and carried by a unanimous vote of those present (Ms. Braymer absent) to approve the request as presented and the necessary resolution was authorized for the February 18th Board Meeting.

Mr. Thomas noted Agenda Item 5C concerning a request to authorize the hiring of a sub-contractor to assist with updating the Hazard Mitigation Plan for Warren County had been withdrawn.

- 5D) Request to amend the Table of Organization and Salary Schedule to create four full-time contingent permanent civil service Correction Officer positions effective February 21, 2022.

A brief discussion ensued during which it was noted this would result in a savings to the County Budget, as these positions would only be active if a Corrections Officer was out on extended active duty military orders and their absence would typically be covered by employees working overtime.

Motion was made by Mr. Wild, seconded by Ms. Runyon and carried by a unanimous vote of those present (Ms. Braymer absent) to approve the request as presented and the necessary resolution was authorized for the February 18th Board Meeting.

- 5E) Request to amend the Table of Organization and Salary Schedule to delete the position of Patrol Officer Part-Time, \$20.3716/hr, effective February 21, 2022.

Motion was made by Mr. Wild, seconded by Mr. Conover and carried by a unanimous vote of those present (Ms. Braymer absent) to approve the request as presented and the necessary resolution was authorized for the February 18th Board Meeting.

Mrs. Frasier exited the meeting at 12:42 p.m.

- 5F) Request to amend the Table of Organization and Salary Schedule to create and fill the new position of Patrol Sergeant #12, *Annual Salary \$84,503*, and delete the position of Sergeant Civil Law Enforcement, *Annual Salary \$78,046*, effective February 21, 2022.

Motion was made by Mr. Conover, seconded by Mr. Wild and carried by a unanimous vote of those present (Ms. Braymer and Mrs. Frasier absent) to approve the request as presented and the necessary resolution was authorized for the February 18th Board Meeting.

- 6) Request to authorize call in rate for Director of Public Health and Assistant Director of Public Health of \$350/day for Saturdays and Sundays worked effective retroactive to January 1, 2022.

Motion was made by Mr. Wild and seconded by Mr. Conover to approve the request as presented.

Ryan Moore, *County Administrator*, requested that the motion be amended to include establishing a procedure which required the Director of Public Health to approve call in for Assistant Director of Public Health and authorize the County Administrator and the Health Services Committee Chair authorize call in pay for the Director of Public Health and require them to punch in with the time clock when working in office and to remote punch in when working remotely. Mr. Wild suggested they limit the individuals who could authorize the call in pay for the Director of Public Health to the County Administrator or the Chair of the Health Services Committee in circumstances where the County Administrator was unavailable.

Messrs. Conover and Wild amended their motions as outlined above; Mr. Thomas called the question and the motion was carried by a unanimous vote of those present (Ms. Braymer and Mrs. Frasier absent) to approve the request as presented and the necessary resolution was authorized for the February 18th Board Meeting.

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- 7) Request to amend the Table of Organization and Salary Schedule to create and fill the new position of Principle Account Clerk #TBD, *Grade 10, Base Annual Salary \$40,874*, and delete the position of Senior Support Investigator #2, *Grade 11, Base Annual Salary \$41,425*, effective February 21, 2022.

Motion was made by Mr. Conover, seconded by Mr. Wild and carried by a unanimous vote of those present (Ms. Braymer and Mrs. Frasier absent) to approve the request as presented and the necessary resolution was authorized for the February 18th Board Meeting.

- 8) Request to amend the Table of Organization and Salary Schedule to create and fill the new position of Senior Motor Vehicle Examiner #3, *Grade 10, Base Annual Salary \$40,784*, and delete the position of Principle Account Clerk, *Grade 10, Base Annual Salary \$40,784*, effective February 21, 2022.

Motion was made by Ms. Runyon, seconded by Mr. Conover and carried by a unanimous vote of those present (Ms. Braymer and Mrs. Frasier absent) to approve the request as presented and the necessary resolution was authorized for the February 18th Board Meeting.

- 9A) Request to amend the Salary Schedule to increase the salary of the Payroll Supervisor from \$61,416 to \$65,751 effective retroactive to January 3, 2022.

Motion was made by Mr. Wild, seconded by Ms. Runyon and carried by a unanimous vote of those present (Ms. Braymer and Mrs. Frasier absent) to approve the request as presented and the necessary resolution was authorized for the February 18th Board Meeting.

- 9B) Request to amend the Salary Schedule to increase the salary of the Payroll Technician from \$41,412 to \$50,262 effective retroactive to January 3, 2022.

Motion was made by Mr. Wild and seconded by Ms. Runyon to approve the request as outlined above.

A brief discussion ensued following which the salary increase for the Payroll Technician was reduced to \$47,417. Mr. Wild and Ms. Runyon amended their motion as outlined above; Mr. Thomas called the question and the motion to approve the requests as outlined above was carried by a unanimous vote of those present (Ms. Braymer and Mrs. Frasier absent) and the necessary resolutions were authorized for the February 18th Board Meeting.

- 10A) Request to amend the Table of Organization and Salary Schedule to create and fill the new position of Messenger #2, *Grade 6, Base Annual Salary \$34,488*, effective February 21, 2022.
10B) Request to create Temp Help line within the Mail Room Budget to allow for cross training of a new employee and refer same to the Finance Committee to determine a source of funding to cover the cost of the temporary position.

Mr. Moore advised as a result of the individual in the Messenger position retiring the first week in March he was proposing to create a Messenger #2 position to allow for cross training while the current employee was still actively employed by the County. In regard to Item 10B, Mr. Moore indicated this request would allow the current employee in the Messenger position to return to work on a temporary basis for training purposes if necessary. Mr. Moore also spoke regarding the possibility of returning to in-house mail services, how this would be an increase to the County Budget and that he was unsure whether a part-time position would be required in order to assist with carrying out all of the duties associated with bringing this service in-house.

Motion was made by Mr. Conover and seconded by Mr. Wild to approve the requests as outlined above.

A discussion ensued during which the amount of funding for the temporary position was reduced from \$15,000 to \$5,000 and Messrs. Conover and Wild amended their motions to indicate same. Mr. Thomas called the question and the motions as outlined above were carried by a unanimous vote of those present (Ms. Braymer and Mrs. Frasier absent) and the necessary resolutions were authorized for the February 18th Board Meeting.

In regards to Pending Item No. 1 which involved the Employee of the Month program and Pending Item No. 2 concerning Warren County Workplace Violence Policy updates, Mr. Thomas announced no updates on either were available at this time.

In regard to Pending Item No. 3 pertaining to the discussion regarding salary adjustments for 2022, a lengthy discussion ensued regarding this matter during which it was suggested that this item be referred to the Budget Committee to review the process for salary adjustments and determine whether improvements could be made.

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

- Buildings and Grounds** - Cleaner, *Grade 2, Base Annual Salary \$29,735*, due to resignation
- Countryside Adult Home** - Cook Manager, *Grade 5, Base Annual Salary \$33,076*, due to retirement.
- County Clerk** - MV Lic/Reg Clerk #8, *Grade 8, Base Annual Salary \$37,918*, due to promotion.
- Information Technology** - Cybersecurity and Network Analyst, *Annual Salary \$67,533*, due to creation. (*EMERGENCY FILL*)
- Probation** - Senior Account Clerk, *Grade 7, Base Annual Salary \$36,414*, due to promotion.
- DPW**
 - MEO (M) #9, *Grade 9, Base Annual Salary \$39,246*, due to retirement.
 - MEO (L) #3, *Grade 7, Base Annual Salary \$36,414*, due to promotion.
 - MEO (L) #13, *Grade 7, Base Annual Salary \$36,414*, due to resignation.
 - MEO (L) #27, *Grade 7, Base Annual Salary \$36,414*, due to termination.
- Sheriff**
 - Patrol Officer #62, *Annual Salary \$45,854*, due to promotion.
 - Communications Officer #20, *Annual Salary \$47,299*, due to resignation.
 - Senior Communications Officer #3, *Annual Salary \$58,448*.
- Social Services**
 - Intake Clerk #4, *Grade 4, Base Annual Salary \$30,983*. (*EMERGENCY FILL*)
 - Social Welfare Examiner #17, *Grade 8, Base Annual Salary \$37,918*, due to retirement.
 - Caseworker #15, *Grade 16, Base Annual Salary \$47,023*, due to resignation.
 - Intake Clerk #8, *Grade 4, Base Annual Salary \$31,789*, due to promotion.
 - Medicaid Clerk #3, *Grade 5, Base Annual Salary \$33,076*, due to promotion.
 - Social Welfare Examiner #38, *Grade 8, Base Annual Salary \$37,918*.
 - Secretary-Legal, *Grade 4, Base Annual Salary \$31,789*, due to promotion.
 - Senior Account Clerk #6, *Grade 7, Base Annual Salary \$36,414*, due to promotion.
 - Support Investigator #4, *Grade 8, Base Annual Salary \$37,918*, due to promotion.
 - Social Welfare Examiner #31, *Grade 8, Base Annual Salary \$37,918*, due to retirement.
- Veterans' Services**
 - Van Driver #1, *Grade 2, Base Annual Salary \$13.9335/hr*, due to resignation (*EMERGENCY FILL*)
 - Van Driver #2, *Grade 2, Base Annual Salary \$13.9335/hr*, due to resignation (*EMERGENCY FILL*)
 - Veterans Benefits Counselor, *Grade 9, Base Annual Salary \$39,246*, due to creation.

Privilege of the Floor/Public Comment was called for.

Mr. Beaty voiced his concern with the past two ARPA Committee meetings being cancelled following which a discussion ensued regarding the process of selecting a new Chair for this Committee. During the discussion it was noted a resolution would be going before the full Board at their February 18th meeting to appoint a new Chair of the Committee, some Supervisors suggested this be changed to allow the Committee to make this selection.

There being no further business to come before the Personnel, Administration & Higher Education Committee, on motion made by Mr. Wild, seconded by Mr. Conover and carried by a unanimous vote of those present (Ms. Braymer and Mrs. Frasier absent), Mr. Thomas adjourned the meeting at 1:38 p.m.

Respectfully submitted,
Sarah McLenithan, Deputy Clerk of the Board