

**WARREN COUNTY BOARD OF SUPERVISORS**

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

**DATE: MARCH 3, 2022**

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**COMMITTEE MEMBERS PRESENT:**

SUPERVISORS THOMAS  
CONOVER  
BEATY  
FRASIER  
WILD  
BRAYMER  
RUNYON (ZOOM)

**OTHERS PRESENT:**

REPRESENTING SUNY ADIRONDACK:  
DR. KRISTINE DUFFY, PRESIDENT  
AMANDA ALLEN, CLERK OF THE BOARD  
LARRY ELMEN, COUNTY ATTORNEY  
JACKIE FIGUEROA, COUNTY HUMAN RESOURCES DIRECTOR  
PATRICIA NENNINGER, PERSONNEL OFFICER  
KEVIN B. GERAGHTY, CHAIRMAN OF THE BOARD  
RYAN MOORE, COUNTY ADMINISTRATOR  
SUPERVISORS BRUNO  
DIAMOND  
DICKINSON  
DRISCOLL  
GERACI (ZOOM)  
HOGAN (ZOOM)  
LEGGETT  
MAGOWAN  
MCDEVITT  
MERLINO  
SEEBER  
JOANNE CONLEY, DIRECTOR, TOURISM  
TAMMIE DELORENZO, ASSISTANT TO THE COUNTY ADMINISTRATOR  
LEXIE DELUREY, DIRECTOR, REAL PROPERTY TAX SERVICES  
KEVIN HAJOS, SUPERINTENDENT OF PUBLIC WORKS  
WAYNE LAMOTHE, COUNTY PLANNER  
DON LEHMAN, DIRECTOR OF PUBLIC AFFAIRS  
SCOTT ROGERS, DIRECTOR OF FACILITIES  
MIKE SWAN, COUNTY TREASURER  
SARAH MCLENITHAN, DEPUTY CLERK OF THE BOARD

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*Please note, the following contains a summarization of the March 31, 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 Wild, Braymer and Runyon who attended virtually.*

Mr. Thomas called the meeting of the Personnel, Administration & Higher Education Committee to order at 10:03 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 Mr. Wild and carried unanimously to approve the minutes of the previous Committee meeting, subject to correction by the Clerk of the Board.

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Privilege of the floor was extended to Dr. Kristine Duffy, *President, SUNY Adirondack*, who notified that a request for a nomination to the SUNY Adirondack Board of Trustees would be going before the Committee next month, with a recommendation from the College which she hoped they would consider. She added the College had also sent a request to Warren and Washington Counties yesterday to consider adopting a resolution to support April as “Community College Month”, adding this was a national celebration of community colleges across the Country and the hope was that both Counties, as co-sponsors of the College, would be willing to make a public declaration toward SUNY Adirondack as their Community College. Dr. Duffy apprised the College was anxiously awaiting for the State Budget to be adopted, as there were two proposals in front of the Senate and the Assembly, both of which increased funding to Community Colleges. She informed the graduation ceremony would be held at the Cool Insuring Arena with no restrictions and full participation, adding they would be gathering names of potential nominees for each County’s Student recognition award and would provide this information within the next few weeks. She advised she hoped a Supervisor from Warren County would be available to attend the graduation ceremony. She informed they were in the process of securing bids for their multi-turf field complex with the anticipated breaking ground occurring this May. She concluded by indicating the College was in the final seven weeks of the Spring Semester with lower restrictions relating to COVID-19 which she hoped would continue on.

The remainder of the agenda review proceeded as follows:

- 2A) Report on tracking of vacancies filled - included for informational purposes.
- 2B) Report on terminations and exit interviews - included for informational purposes.
- 3A) Request to fill the vacant position of Civil Service Specialist, due to resignation.
- 3B) Request to fill the vacant position of Civil Service Assistant, due to a resignation.

Motion was made by Ms. Braymer, seconded by Mrs. Frasier and carried unanimously to approve Agenda Items 3A-B as outlined above.

- 3C) Request to amend the Table of Organization and Salary Schedule to decrease the salary of the Civil Service Assistant position from the Current amount of \$43,045 to the entry level salary of \$39,973 effective April 18, 2022.

Motion was made by Mr. Conover, seconded by Mrs. Frasier and carried unanimously to approve the request as presented and the necessary resolution was authorized for the April 14<sup>th</sup> Board Meeting.

- 3D) Discussion regarding draft Vacancy Posting Instructions.

Patricia Nenninger, *Personnel Officer*, provided an overview of draft Vacant posting instructions included within the agenda packet during which she answered questions posed by the Supervisors. Mr. Thomas noted no action was required on this matter.

- 4A) Request to amend the Table of Organization and Salary Schedule to decrease the salary of the Public Defender position from the current amount of \$136,274 to the entry level salary of \$114,096 effective May 9, 2022.

A brief discussion ensued regarding the salary following which it was determined the matter would return to Committee if a candidate with more than entry level experience was selected to request an increase to the salary.

Motion was made by Mr. Beaty, seconded by Mr. Conover and carried unanimously to approve the request and the necessary resolution was authorized for the April 14<sup>th</sup> Board Meeting.

- 4B) Request to amend the Table of Organization and Salary Schedule to decrease the salary of the Coordinating Assistant Public Defender Part Time position from the current amount of \$34,670 to the entry level salary of \$34,280 effective May 1, 2022.

Motion was made by Mr. Beaty, seconded by Mr. Conover and carried unanimously to approve the request and the necessary resolution was authorized for the April 14<sup>th</sup> Board Meeting.

- 4C) Request to amend the Table of Organization and Salary Schedule to create and fill the new position of Per Diem Cook Part-Time, \$18.07/hour, for the Sheriff’s Office, effective April 15, 2022.

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Mr. Braymer questioned whether there was any limitation to the number of hours this position could work and Jackie Figueroa, *County Human Resources Director*, replied it was her understanding this position was being created to cover when individuals called off or for vacation coverage. Ms. Braymer noted nothing prevented this position from working full-time hours. A brief discussion ensued regarding how this would impact benefits during which Ms. Figueroa indicated these positions were monitored throughout the year and if they worked continually for a certain period of time they would have to be offered benefits.

Motion was made by Mr. Conover, seconded by Ms. Braymer and carried unanimously to approve the request and the necessary resolution was authorized for the April 14<sup>th</sup> Board Meeting.

- 5) Request to amend the Table of Organization and Salary Schedule to increase the salary of the Real Property Tax Services Director from Grade 15, *Increment 10 (\$78,310)*, to Grade 16, *Increment 25 (\$90,706)*.

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

Mr. Thomas suggested that they enter into an executive session to discuss the matter, Larry Elmen, *County Attorney*, questioned for the record what the purpose of the executive session was and Mr. Thomas replied the purpose was to discuss the salary, performance and employment history of a particular individual.

The necessary motion was made by Mr. Wild, seconded by Ms. Runyon and carried unanimously to enter into an executive session pursuant to Section 105 (1) (f) of the Public Officer's Law.

Executive session was held from 10:28 a.m. until 11:24 a.m.

Mr. Thomas noted no action was taken during the executive session other than two votes to come out of executive session, both of which failed. Mr. Elmen noted there was actually three votes to come out of executive session, the third of which passed.

Returning to the motion made by Ms. Braymer and seconded by Ms. Runyon to approve the request to amend the Table of Organization and Salary Schedule to increase the salary of the Real Property Tax Services Director as outlined above, Mr. Thomas questioned whether there was any further discussion. Ms. Braymer voiced her support of the salary increase which she believed was justified.

A discussion ensued following which Mr. Thomas called the question and the motion to amend the Table of Organization and Salary Schedule to increase the salary of the Real Property Tax Services Director from Grade 15, *Increment 10 (\$78,310)*, to Grade 16, *Increment 25 (\$90,706)*, failed due to the lack of majority vote (*votes in favor: Ms. Braymer and Ms. Runyon; votes opposed: Messrs. Thomas, Conover and Wild and Mrs. Frasier; abstained from voting: Mr. Beaty*).

Prior to proceeding with the agenda review, Ms. Braymer stated she would like to clarify what the process was going forward because it had been her understanding that the Budget Committee had directed the salary increase for the Real Property Tax Services Director to go before the oversight Committee and then before the Personnel, Administration & Higher Education and Finance Committees, but there appeared to be a question about the process going forward. Motion was made by Ms. Braymer to forward all non-Union positions that were not currently at the increment associated with their years of service to the County to the Budget Committee for review. Mr. Thomas called for a second to the motion; Mr. Conover agreed to second the motion to bring the matter to the floor for discussion.

Mr. Conover questioned whether the motion was to refer to the listing of all of the positions associated with this issue to the Budget Committee, as well as the County Administrator and County Attorney and Ms. Braymer replied her motion was to refer to the Budget Committee salary adjustments for all the employees who were previously identified in a table. A discussion ensued during which Ms. Braymer clarified her motion consisted of having the Budget Committee conduct an evaluation of those non-Union employees identified in a spreadsheet whose salary was not currently at the increment associated with their years of service with the County that was slightly separate, although parallel to the individual performance evaluations. Following this explanation Mr. Conover withdrew his second to the motion, as he was not comfortable changing the performance review process that was currently in place for one he was unsure of what it consisted

of.

Mr. Thomas called for a second to the motion, but no one responded. He noted because there was no second the matter could not be brought to the floor for discussion. Ms. Braymer called for point of order, apprising she did not believe a second to the motion was required. A brief discussion ensued during which Amanda Allen, *Clerk of the Board*, clarified a second to the motion was not required to bring the matter to the floor for discussion.

A discussion ensued, following which Mr. Thomas called the question and the motion for a referral to the Budget Committee for an evaluation of those non-Union employees identified in a spreadsheet whose salary was not currently at the increment associated with their years of service with the County that was slightly separate although parallel to the individual performance evaluations failed due to the lack of majority vote (*votes in favor: Ms. Braymer, Mr. Beaty and Ms. Runyon; votes opposed: Messrs. Thomas, Conover and Wild and Mrs. Frasier*).

- 6) Request to amend the Table of Organization and Salary Schedule to create and fill the new temporary position of Principle Account Clerk - Per Diem, *hourly rate of \$24.7685 - position to be effective April 4, 2022 through December 31, 2022*, for the Tourism Department, and to de-fund the position of the full time Principal Account Clerk position effective April 4, 2022. *It was noted the Tourism Committee requested any resolution approved by the Personnel, Administration & Higher Education Committee be forwarded to the March 31<sup>st</sup> Board Meeting.*

Mr. Beaty questioned whether it would be possible to amend the motion to delete the full time Principal Account Clerk rather than de-funding the position, adding this was the only way he would support the request. A brief discussion ensued following which Mr. Wild and Mrs. Frasier amended their motion to delete, rather than de-fund the position.

Further discussion ensued during which the topics of the number of hours the per diem position would be working, as well as the lack of an updated job description for the position was discussed at length. During the discussion Mr. Wild apprised he would be willing to amend his motion to indicate that the job description would be updated within thirty days of the adoption of the resolution. Mr. Thomas inquired whether any of the Committee members objected to that requirement being included in the resolution and no one objected.

Mr. Thomas called the question and the motion to amend the Table of Organization and Salary Schedule to create and fill the new temporary position Principle Account Clerk - Per Diem, *hourly rate of \$24.7685 - position to be effective April 4, 2022 through December 31, 2022*, for the Tourism Department, and to delete the position of the full time Principal Account Clerk position effective April 4, 2022 was carried by majority vote, with Ms. Braymer abstaining, and the necessary resolution was authorized for the March 31<sup>st</sup> Board Meeting.

- 7) Resolution Tracking Report - included for informational purposes.

In regard to Pending Item 1 which involved the Employee of the Month Program, Mr. Elmen advised his office had finished with rather extensive legal research on the matter which he now needed to draft into an opinion to present to the full Board that would include options for the Board to consider with regard to this topic.

Mr. Thomas noted no updates were available regarding Pending Item 2 which concerned updates to the Warren County Workplace Violence Policy.

In regard to Pending Item 3 pertaining to the discussion regarding amending the Warren County Travel, Education and Vehicle Use Policy (*last adopted by Resolution No. 49 of 2021*) to authorize Department Heads to approve free training opportunities, Mr. Elmen provided a brief executive summary of the proposed changes outlined in the attachment included in the Addendum Agenda following which a motion was made by Mr. Wild and seconded by Mr. Conover to approve same. A brief discussion ensued following which Messrs. Wild and Conover withdrew their motions. Mr. Thomas noted the discussion regarding draft Policy changes summarized by Mr. Elmen would be discussed in more detail at the next Committee meeting.

Mr. Thomas noted no updates were available regarding Pending Item 4 involving the development of guidelines for Department Heads to use when dismissing an employee.

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

**Countryside** - Cook #5 Full-Time, *Grade 4, Base Annual Salary \$31,789*, due to resignation.  
**Adult Home**

**District** - Legal Clerk II #3, *Grade 8, Base Annual Salary \$37,918*, due to promotion.  
**Attorney**

**Department of** - MEO (L) #2, *Grade 7, Base Annual Salary \$36,414*, due to resignation.  
**Public Works**

**Department of** - Caseworker #24, *Annual Salary \$47,023*, due to retirement.  
**Social Services**

**Planning &** - Senior Planner, *Grade 18, Base Annual Salary \$50,384*.  
**Community**  
**Development**

**Public Defender** - Public Defender, *Annual Salary \$114,096*, due to retirement.  
- Coordinating Assistant Public Defender, *Annual Salary \$81,618*, updating authorization.  
- Coordinating Assistant Public Defender PT, *Annual Salary \$34,280*, updating authorization.  
- Legal Clerk I, *Grade 5, Base Annual Salary \$33,076*.

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. Conover, seconded by Mrs. Frasier and carried unanimously, Mr. Thomas adjourned the meeting at 12:19 p.m.

Respectfully submitted,  
Sarah McLenithan, Deputy Clerk of the Board