

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: PERSONNEL, ADMINISTRATION & HIGHER EDUCATION

DATE: SEPTEMBER 1, 2022

COMMITTEE MEMBERS PRESENT:

SUPERVISORS THOMAS
CONOVER
FRASIER
WILD
BRAYMER

OTHERS PRESENT:

AMANDA ALLEN, CLERK OF THE BOARD
LARRY ELMEN, COUNTY ATTORNEY
JACKIE FIGUEROA, COUNTY HUMAN RESOURCES DIRECTOR
PATRICIA NENNINGER, PERSONNEL OFFICER
ERIC CONDUZIO, BUDGET ANALYST, ADMINISTRATIVE SERVICES, SUNY ADIRONDACK
MATT SCHUETTE, REPRESENTING MARSHALL & STERLING

COMMITTEE MEMBERS ABSENT:

SUPERVISORS BEATY
RUNYON

KEVIN GERAGHTY, CHAIRMAN OF THE BOARD
SUPERVISOR CRAIG LEGGETT, ACTING COUNTY ADMINISTRATOR

SUPERVISORS BRUNO
DIAMOND
DRISCOLL
HOGAN (ZOOM)
MAGOWAN (ZOOM)
MCDEVITT
SEEBER (ZOOM)

TAMMIE DELORENZO, ASSISTANT TO THE COUNTY ADMINISTRATOR
LEXIE DELUREY, DIRECTOR, REAL PROPERTY TAX SERVICES
KEVIN HAJOS, SUPERINTENDENT OF PUBLIC WORKS
DON LEHMAN, DIRECTOR OF PUBLIC AFFAIRS
ELIZABETH McLAUGHLIN, COMMISSIONER OF ELECTIONS (D)
LIZA OCHSENDORF, DIRECTOR, EMPLOYMENT & TRAINING ADMINISTRATION
MIKE SWAN, COUNTY TREASURER
ROBERT TERWILLIGER, FIRST ASSISTANT COUNTY ATTORNEY
WILLIAM VANNESS, COMMISSIONER OF ELECTIONS (R)
THEODORE ARMSTEIN, REPRESENTING ARMSTEIN PROPERTIES
LEWIS ROTH, ESQ., LEGAL COUNSEL FOR ARMSTEIN PROPERTIES
SARAH McLENITHAN, DEPUTY CLERK OF THE BOARD

Please note, the following contains a summarization of the September 1, 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 in attendance were physically present.

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 Mr. Wild and carried by a unanimous vote of those present (Mr. Beaty and Ms. Runyon absent) to approve the minutes of the previous Committee meeting, subject to correction by the Clerk of the Board.

The agenda review proceeded as follows:

- 1A) Request for resolution of support for SUNY Adirondack purchase of property. Note: Any resolution approved on this matter will go to the September 1st Board Meeting for approval. Eric Conduzio, Budget Analyst, Administrative Services, SUNY Adirondack, advised he was present (remotely) to answer any questions that may arise regarding the request.

Motion was made by Mr. Conover, seconded by Mrs. Frasier and carried by a unanimous vote of those present (Mr. Beaty and Ms. Runyon absent) to approve the request as presented and the necessary resolution was authorized for the September 1st Board Meeting.

- 2A) Report on tracking of vacancies filled - included for informational purposes.
- 2B) Review of separation report - included for informational purposes.
- 2C) Matt Schuette, *representing Marshall & Sterling*, to discuss benefit renewal for 2022 - 2023 plan year.

Mr. Schuette provided an overview of the benefit renewal proposals for 2022 - 2023 plan year.

A discussion ensued, following which motion was made by Mr. Conover, seconded by Mr. Wild and carried by a unanimous vote of those present (*Mr. Beaty and Ms. Runyon absent*) to authorize renewal of health insurance package outlined in the information provided by Marshall & Sterling, as well as renewal of the Humana Medicare Advantage Plan, and the necessary resolution was authorized for the September 16th Board Meeting.

- 3A) Request for authority to notify AC Power LLC of intent to require PILOT payments for the solar energy system planned for River Street (Queensbury Tax Map No. 303.20-2-50) as required by section 487(9) of the Real Property Tax Law.

Larry Elmen, *County Attorney*, provided an overview of the three options available to the County and answered questions posed by the Committee members and outlined the draft resolution provided in the agenda authorizing the County Attorney to provide written notification of the County's intent to require an agreement for payments in lieu of taxes.

Motion was made by Ms. Braymer, seconded by Mr. Wild and carried by a unanimous vote of those present (*Mr. Beaty and Ms. Runyon absent*) to authorize the draft resolution included in the agenda for the September 16th Board Meeting.

Further discussion occurred regarding Agenda Item 3A during which Mr. Elmen advised he would return to Committee with a draft Local Law opting out of section 487(9) of the Real Property Tax Law to avoid the requirement for review of such future requests. A Motion was made by Mr. Wild, seconded by Ms. Braymer and carried by a unanimous vote of those present (*Mr. Beaty and Ms. Runyon absent*) to refer to the Economic Growth & Development Committee the suggestion that the County opt out of section 487(9) of the Real Property Tax Law to allow time to analyze economic impact to the County.

- 3B) Request to authorize correction deed to remove restrictive covenants requiring reversion of real property to County of Warren after 24 months from date of sale.

A lengthy discussion ensued relative to the request with input from Lewis Roth, Esq., *Legal Counsel for Armstein Properties*. Motion was made by Ms. Braymer, seconded by Mr. Conover and carried by a unanimous vote of those present, (*Mr. Beaty and Ms. Runyon absent*), with Mr. Wild abstaining, to approve the request as presented and to include that the current owner of the property would be responsible for paying the cost of recording the deed. The necessary resolution was authorized for the September 16th Board Meeting.

Mr. Thomas advised a referral would be made to the Environmental Concerns & Real Property Tax Services Committee regarding issues the restrictive covenant clauses included on properties purchased at the County Foreclosure Auction caused, making it difficult to resell them.

- 3C) Discussion regarding appointments to the Warren County Ethics Board.

Mr. Elmen led discussion regarding the need to appoint members to the Warren County Ethics Board, indicating four of the prior Board members were interested in being re-appointed and he suggested appointing the following individuals for a term ending December 31, 2023: Robert Iusi, as appointed officer or employee of Warren County member; Ash Anand and Martin Deslauriers, as members of the public who were not appointed officers or employees of Warren County or a municipality located in Warren County of the Warren County Board of Ethics; and Diana Palmer as the alternate appointed officers or employees of Warren County or a municipality located in Warren County. It was noted that the remaining Board of Ethics positions could be appointed at a later date once applications for same had been reviewed, but the aforementioned appointments would allow for a quorum of the Board of Ethics to gather and consider any ethics complaints submitted.

Motion was made Mrs. Frasier and seconded by Mr. Thomas to approve the appointments to the Warren County Board of Ethics as outlined above. Following further discussion, Mr. Thomas called the question, but the motion failed to obtain the majority vote, with Mr. Wild and Ms. Braymer abstaining, (*Mr. Beaty and Ms. Runyon absent*) to authorize the appointments to the Warren County Board of Ethics as outlined above.

Discussion on the Board of Ethics continued, leading to Mr. Wild advising he would like to change his vote to being in favor to move the resolution forward to the September 16th Board Meeting. The Clerk of the Board advised another motion was required, indicating the prior motion had already been voted on and failed.

Motion was made by Mrs. Frasier, seconded by Mr. Thomas and carried by majority vote of those present, with Ms. Braymer abstaining,

(Mr. Beaty and Ms. Runyon absent) to approve the appointments to the Warren County Board of Ethics as outlined above and the necessary resolution was authorized for the September 16th Board Meeting.

Mr. Thomas noted the County Administrator's Office would contact the individuals they had received applications from and schedule interviews.

- 4) Request to amend the Table of Organization and Salary Schedule to create and fill the new position of Student-to-Careers Development Specialist, *Annual Salary \$50,104*, effective September 19, 2022.

Motion was made by Mr. Wild, seconded by Mrs. Frasier and carried by a unanimous vote of those present (Mr. Beaty and Ms. Runyon absent) to approve the request as presented and the necessary resolution was authorized for the September 16th Board Meeting.

- 5A) Request to amend the Table of Organization and Salary Schedule to create the new position of Temporary Help, effective retroactive to September 1, 2022.

The Clerk of the Board noted the effective date for the position was September 18th, not retroactive to September 1st.

Motion was made by Mr. Conover, seconded by Mrs. Frasier and carried by a unanimous vote of those present (Mr. Beaty and Ms. Runyon absent) to approve the request as presented and the necessary resolution was authorized for the September 16th Board Meeting.

- 5B) Request to amend the Warren County policy pertaining to retirees to allow employees that retire from Countryside Adult Home to return in per-diem or part-time positions at the step they retired at.

Motion was made by Mrs. Frasier, seconded by Mr. Conover and carried by a unanimous vote of those present (Mr. Beaty and Ms. Runyon absent) to approve the request as presented and the necessary resolution was authorized for the September 16th Board Meeting.

- 6) Request to amend the Table of Organization and Salary Schedule to reduce the salary of the Director of Parks, Recreation & Railroad from \$80,591 to \$77,305 effective retroactive to August 1, 2022.

Motion was made by Mr. Conover, seconded by Ms. Braymer and carried by a unanimous vote of those present (Mr. Beaty and Ms. Runyon absent) to approve the request as presented and the necessary resolution was authorized for the September 16th Board Meeting.

- 7) On Behalf of the Probation Department - Request to amend the Table of Organization and Salary Schedule to increase the salary of the Administrative Secretary in the Probation Department from \$48,366 to \$54,086 effective retroactive to August 1, 2022.

Motion was made by Mr. Conover, seconded by Mr. Wild and carried by a unanimous vote of those present (Mr. Beaty and Ms. Runyon absent) to approve the request as presented and the necessary resolution was authorized for the September 16th Board Meeting.

Review of the Pending Items section of the agenda proceeded, as follows:

- 1) Warren County Workplace Violence Policy - no update provided.
- 2) Guidelines for Department Heads to use when dismissing an employee - no update provided.
- 3) Committee requested that the Human Resources and Civil Service Departments draft an outline of a process for seeking out hiring candidates for Department Head level positions for the Committee to review - Ms. Braymer requested that the County Human Resources Department distribute a copy of the guidelines for filling vacant Department Head positions to the Committee members for review.

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

- County Clerk**
 - MV License Registration Clerk #8, *Grade 8, Base Annual Salary \$43,638*, extending authorization.
 - MV License Registration Clerk #10, *Grade 8, Base Annual Salary \$43,638*, extending authorization.
- DPW**
 - HEO #1, *Grade 10, Base Annual Salary \$46,504*, due to promotion.
- Office for the Aging**
 - Meal Site Cook #10, *Grade 2, Base Annual Salary \$22,159 (25hr/week)*, due to resignation.
- Social Services**
 - Social Welfare Examiner #9, *Grade 8, Base Annual Salary \$43,638*, due to promotion.
 - Social Welfare Examiner #17, *Grade 8, Base Annual Salary \$43,638*, due to retirement.
 - Social Services Investigator #2, *Grade 11, Base Annual Salary \$47,145*, due to resignation.
 - Senior Caseworker #4, *Grade 18, Base Annual Salary \$56,104*, due to resignation.
 - Senior Caseworker #2, *Grade 18, Base Annual Salary \$56,104*, due to resignation.
 - Caseworker #16, *Grade 16, Base Annual Salary \$52,743*.

Privilege of the Floor/Public Comment was called for.

Ms. Hogan advised she believed they had discussed developing a policy regarding the filling of vacant Department Head positions, adding she would like the Committee to further discuss this at a future Committee meeting.

Mr. Wild exited the meeting at 11:55 a.m.

Ms. Seeber spoke regarding the process to appoint individuals as members of the Warren County Ethics Board last year which was spearheaded by the Chair of the Personnel, Administration & Higher Education Committee at that time. She then voiced her concerns with the time it was taken this year to move forward with the appointments. Ms Seeber continued with her comments, requesting that the County Attorney provide an explanation as to whether advertisements for vacant positions that ended when the grant funding was no longer available could indicate they were dependent upon receipt of the grant funding.

There being no further business to come before the Personnel, Administration & Higher Education Committee, on motion made by Mrs. Frasier, seconded by Mr. Conover and carried by a unanimous vote of those present (*Messrs. Beaty and Wild and Ms. Runyon absent*), Mr. Thomas adjourned the meeting at 11:58 a.m.

Respectfully submitted,
Sarah McLenithan, Deputy Clerk of the Board