

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: PERSONNEL & ADMINISTRATION

DATE: JUNE 15, 2020

COMMITTEE MEMBERS PRESENT:

SUPERVISORS GERAGHTY
FRASIER
BRAYMER
CONOVER
MAGOWAN
MERLINO
WILD

OTHERS PRESENT:

JACKIE FIGUEROA, WARREN COUNTY HUMAN RESOURCES DIRECTOR
FRANK THOMAS, CHAIRMAN OF THE BOARD
MARY ELIZABETH KISSANE, COUNTY ATTORNEY
AMANDA ALLEN, CLERK OF THE BOARD
SUPERVISORS BEATY
BRUNO
DRISCOLL
HOGAN
LEGGETT
SEEBER
STROUGH
TAMMIE DELORENZO, ASSISTANT TO THE COUNTY ADMINISTRATOR
DON LEHMAN, DIRECTOR OF PUBLIC AFFAIRS
JEREMY SCRIME, SENIOR COMPUTER SYSTEMS ANALYST/PROGRAMMER
MIKE SWAN, WARREN COUNTY TREASURER
SARAH MCLENITHAN, DEPUTY CLERK OF THE BOARD

COMMITTEE MEMBERS ABSENT:

SUPERVISORS SIMPSON
MCDEVITT

Please note, the following contains a summarization of the June 15, 2020 meeting of the Personnel & Administration Committee; the meeting in its entirety can be viewed on the Warren County website using the following link: <https://www.warrencountyny.gov/gov/comm/Archive/2020/personnel/>

Note: As per Governor Cuomo's Executive Order 202.1: "Article 7 of the Public Officers Law, to the extent necessary to permit any public body to meet and take such actions authorized by the law without permitting in public in-person access to meetings and authorizing 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 committee members and attendees participated by video or teleconference, aside from Messrs. Geraghty, Merlino and Chairman Thomas who were physically present.

In the absence of Committee Chairman Simpson, Supervisor Geraghty, as Vice-Chair, called the meeting of the Personnel & Administration Committee to order at 10:00 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. Magowan, seconded by Mr. Merlino and carried unanimously to approve the minutes of the previous Committee meeting, subject to correction by the Clerk of the Board.

Mr. Geraghty offered privilege of the floor to anyone present wishing to address the Committee on any matter, there being no one wishing to speak, he moved on to Agenda Items 1A-B, which included items/requests to be discussed by the Human Resources Director consisting of a review of the Families First Coronavirus Response Act and the FMLA (*Family and Medical Leave Act*) Leave Expansion and Emergency Sick Paid Leave Policy (Coronavirus). Jackie Figueroa, *County Human Resources Director*, advised included in the Agenda was a

policy required by Federal Law offering a few options from which the County needed to select their preference to move forward with. She stated the version included in the Agenda was what she was recommending; however, she noted, she wanted to speak to the points that were optional to ensure everyone was aware of what was occurring. She explained the policy was broken into two parts that included the Expanded Family Medical Leave, which provided up to twelve weeks of leave to care for a child as a result of their school or place of care being closed. She said the other portion pertained to Emergency Paid Sick Leave which was mandated with the flexibility being applicable to the Expanded Family Medical Leave. She informed the second page of the policy referenced increments and intermittent use of leave, apprising the NYS DOL (*New York State Department of Labor*) provided the County with the option of whether or not to allow incremental use and intermittent leave. She stated following her discussions with the County Treasurer, a few Department Heads and the County Attorney, their recommendation consisted of intermittent use in full day increments because although it was permissible to change the increments from an administrative standpoint, it would be difficult to calculate increments smaller than a full day due to the pay being two-thirds of the employees normal rate. In regard to the next section pertaining to Pay During Leave, Ms. Figueroa stated a few different options were provided for Family Leave, the first ten days of which was unpaid and employees had the option of using accrued time or the Emergency Paid Sick Leave which was addressed in the second half of the policy; she added that after those first ten days, the County had the option of paying the employees two-thirds of their pay rate or allowing them to use their earned accruals. She stated her recommendation was to have employees use their earned vacation and personal time and not require them to use their accrued sick leave because they were not sick and were taking the time to care for their children. She apprised her recommendation was for employees to use those two types of time before the timeframe when they would be paid two-thirds of their pay rate during the twelve week period.

A discussion ensued during which Ms. Figueroa answered questioned posed by the Committee members. During the discussion Ms. Seeber requested that Ms. Figueroa distribute the information regarding the different options that were provided to the County to the Committee members.

Mr. Conover entered the meeting during the discussion at 10:10 a.m.

Mr. Geraghty called for a motion to approve the FMLA (*Families and Medical Leave Act*) Leave Expansion and Emergency Sick Paid Leave Policy (Coronavirus) as presented. The necessary motion was made by Mr. Magowan, seconded by Mrs. Frasier and carried unanimously to approve the request as outlined above and the necessary resolution was authorized for the June 19th Board Meeting.

Mr. Geraghty asked Don Lehman, *Director of Public Affairs*, whether any public comments had been made and Mr. Lehman replied in the negative.

Continuing to Item 2, Mr. Geraghty advised a motion was necessary to enter into an executive session to address civil litigation. The necessary motion was made by Mr. Merlino, seconded by Mrs. Frasier and carried unanimously to enter into executive session pursuant to Section 105(d) of the Public Officer's Law.

Executive session was held from 10:15 a.m. until 10:38 a.m.

Upon reconvening, Mr. Geraghty once again asked Mr. Lehman if there were any comments from the public that needed to be read into the record and Mr. Lehman replied in the negative. Mr. Geraghty asked that anyone with questions address them following the meeting.

Ms. Seeber advised back in January she had asked at the Committee about the possibility of offering a training on Robert's Rules of Order and again via an email to the full Board and then again publicly, but nothing was ever scheduled. She requested that the Chairman assist her with having this training scheduled either via Zoom or an in person training because it concerned her that there were several different interpretations of Robert's Rules of Order and the Rules of the Board and she felt the majority of the Board Members would agree a training was necessary.

Prior to adjourning Mr. Geraghty once again asked Mr. Lehman if any public comments had been made and Mr. Lehman replied in the negative.

There being no further business to come before the Personnel & Administration Committee, on motion made by Mr. Conover, seconded by Mrs. Frasier and carried unanimously, Mr. Geraghty adjourned the meeting at 10:40 a.m.

Respectfully submitted,
Sarah McLenithan, Deputy Clerk of the Board