

## WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: **PERSONNEL**

DATE: **MARCH 10, 2010**

### **Committee Members Present:**

Supervisors Thomas  
Kenny  
VanNess  
Belden  
Goodspeed  
Sokol  
Merlino  
Strainer  
Conover

### **Others Present:**

Fred Monroe, Chairman of the Board  
Joan Sady, Clerk of the Board  
JoAnn McKinstry, Deputy Commissioner of  
Administrative & Fiscal Services  
Paul Dusek, County Attorney  
Kevin Geraghty, Budget Officer  
Supervisor Bentley  
Supervisor Champagne  
Supervisor Loeb  
Supervisor McCoy  
Supervisor Pitkin  
Supervisor Stec  
Kathy Barrie, Personnel Officer  
Todd Lunt, Director, Human Resources  
Frank O'Keefe, Treasurer  
Rob Lynch, Deputy Treasurer  
Rick Murphy, Deputy Commissioner of  
Fiscal Services  
Bud York, Sheriff  
Shane Ross, Chief Deputy  
Pat Tatich, Director, Planning & Community  
Development Department  
Sheila Weaver, Commissioner, Department  
of Social Services  
William Lamy, DPW, Superintendent  
Jeff Tennyson, Deputy Superintendent of  
Environmental/Engineering Services  
Julie Pacyna, Purchasing Agent  
Christie Sabo, OFA, Fiscal Manager  
William Montfort, Commissioner, Board of  
Elections  
Pat Auer, Director, Public Health  
Rob Metthe, Director, Information  
Technology  
Don Lehman, *The Post Star*  
Thom Randall, *Adirondack Journal*  
Nicole Livingston, Deputy Clerk

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Mr. Thomas called the Personnel Committee meeting to order at 9:00 a.m.

Motion was made by Mr. Belden, seconded by Mr. Sokol and carried unanimously to approve the minutes of the February 10, 2010 Committee meeting, subject to correction by the Clerk of the Board.

Copies of the Personnel Agenda were provided to the Committee members, and a copy of same is on file with the minutes.

Commencing the Agenda review, Mr. Thomas apprised Item 1 was a referral from the Criminal Justice Committee, Public Defender, requesting to fill the vacant position of 4<sup>th</sup> Assistant Public Defender, base salary of \$47,610, Employee No. 11480, due to resignation. He noted that the position was not mandated and there was no State or Federal reimbursement. He added that there was no impact on the 2010 Budget.

Motion was made by Mr. Goodspeed, seconded by Mr. Kenny and carried by majority vote, with Mr. Belden voting in opposition, to approve Item 1 as outlined above, and the necessary resolution was authorized for the next board meeting. A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.

Mr. Thomas stated Items 2A through D were referrals from the Human Services Committee. He noted that Items 2A through C were referred from the Office for the Aging, and Item 2A was a request for authorization for the appointment of Christie Sabo as Director of Office for the Aging, effective March 1, 2010, to serve at the pleasure of the Board, base salary of \$52,000, due to retirement. He advised that in order to administer the Federal and State programs, a Director of OFA was mandated. He added there was reimbursement for the position and the cost to the County was approximately \$5,900. He noted the impact on the 2010 Budget was a savings of approximately \$11,000.

Motion was made by Mr. Sokol, seconded by Mr. VanNess and carried unanimously to approve Item 2A as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Thomas asserted Item 2B was a request to fill the vacant position of Fiscal Manager, base salary of \$47,935, Employee No. 11112, due to promotion. He said that the Fiscal Manager position was not mandated; the salary was reimbursed throughout several programs and the cost to the County was approximately \$4,085. He added the impact on the 2010 Budget was a savings in longevity of approximately \$1,050.

Motion was made by Mr. Strainer, seconded by Mr. Kenny and carried unanimously to approve Item 2B as outlined above, and the necessary resolution was authorized for the next board meeting. A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.

Mr. Thomas reported Item 2C was a request for authorization for the Director of Office for the Aging to retain the services of Candace Kelly as Office for the Aging Consultant on an hourly per diem basis for the month of March 2010.

Motion was made by Mr. VanNess and seconded by Mr. Sokol to approve the request as presented.

Mr. Kenny opined he would like to see parameters associated with this request. Mrs. Sabo explained that there would be a cap of ten hours per week. Joan Sady, Clerk of the Board, advised the pay rate would be \$28 per hour. Mr. Kenny recommended that the motion include the stipulation that the amount not exceed \$1,000.

Mr. VaNess amended his motion to include a cap of \$1,000 and Mr. Sokol seconded the amended motion. Mr. Thomas called the question and the motion was carried unanimously to approve Item 2C as outlined above. The necessary resolution was authorized for the next board meeting.

Mr. Thomas said Item 2D was referred from the Veterans' Services, requesting to create the position of Keyboard Specialist, part-time not to exceed 20 hours per week, Grade 3, annual base salary \$23,390; thereby amending the Department's Table of Organization. He noted that a source of funding was requested and there would be an additional cost to the County of \$11,695.

Motion was made by Mr. Strainer and seconded by Mr. Belden to approve the request as presented.

Mr. Strainer stated he thought the recommendation would be for fourteen to eighteen hours and Mrs. Sady replied the request was not to exceed twenty hours per week. Mr. Sokol questioned if there were volunteers available that could assist the Department and Mrs. Sady responded that volunteers had been utilized; however, she said, the need was greater than what volunteers could provide and the Committee had determined that it would be necessary to create the part-time position of Keyboard Specialist. Mr. Strainer interjected there were also confidentiality issues that needed to be adhered to. In response to an inquiry, Mrs. Sady apprised that the Director of Veterans' required additional staff to help with answering phones, organizing files and assisting clients. Mr. Kenny asked Mr. Stec about the status of volunteers in the Town of Queensbury. Mr. Stec summarized the Town of Queensbury could possibly enter into an intermunicipal agreement with the County; thereby allowing the Town to loan the County an employee on an interim basis. Chairman Monroe added that a floater position should be considered, particularly in Departments that previously had two staff members and were reduced to one during the budget process. Mr. VanNess opined that a floater position was critical for the operations in the Mail Room, Print Shop and the Stockroom. He recalled that years ago a back-up position had been created for the aforementioned Departments in order to maintain the daily functions of each; however, he said, that position was eliminated during the budget process, and as a result, the operations of those Departments had been compromised.

Discussion ensued concerning the need to create the position of either a floater or the requested Keyboard Specialist.

Mr. Strainer amended his motion to authorize the creation of a Keyboard Specialist for six months and Mr. Belden seconded the amended motion. Mr. Thomas called the question and the motion was carried by majority vote, with Mr. Goodspeed voting in opposition, to approve Item 2D and create the position of Keyboard Specialist, part-time not to exceed 20 hours per week, Grade 3, annual base salary \$23,390, for a six month time period. The necessary resolution was authorized for the next board meeting.

Mr. Thomas apprised Item 3 was a referral from the Planning & Community Development Committee, Planning & Community Development requesting to create a temporary help line within the Planning Department's Table of Organization to allow for the establishment of an Event Facilitator and Technical Assistance Provider funded from the Local Waterfront Revitalization Program grant.

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

Pat Tatich, Director of the Planning & Community Development Department, explained that she was requesting to transfer funds received from the Local Waterfront Revitalization Program (LWRP) grant into her departmental budget to cover the cost of the position of an Event Facilitator and Technical Assistance Provider. She further stated that there was a former County employee from the Tourism Department that was interested in this position, for twelve to sixteen hours per week, at an hourly pay rate of \$15.34. She added that the LWRP grant provided enough funding for this position for three years.

Discussion ensued relative to State reductions and Paul Dusek, County Attorney, recommended that the resolution include the stipulation that the services would be eliminated if the State indicated that the grant funding would be eliminated.

Mr. Conover amended the motion to include the stipulation that the services would be eliminated if the State indicated that the grant funding would be eliminated and Mr. Belden seconded the amended motion. Mr. Thomas called the question and the motion was carried unanimously to approve Item 3 as outlined above, with the inclusion that the services would be eliminated if the State indicated that the grant funding would be eliminated. The necessary resolution was authorized for the next board meeting.

Mr. Thomas expounded Items 4A and B were referrals from the Public Safety Committee, Sheriff & Communications. Item 4A, he said, was a request to delete funding for Patrol Sergeant #5 and to increase funding for Patrol Officer #19, thereby amending the Department's Table of Organization. He noted the impact on the 2010 Budget was a savings of \$6,985. Mr. Thomas added Item 4B was a request to fill vacant position of Patrol Officer #19, base salary of \$32,670, due to retirement.

Motion was made by Mr. VanNess, seconded by Mr. Merlino and carried unanimously to approve Items 4A and B as outlined above, and the necessary resolutions were authorized for the next board meeting. A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.

Mr. Thomas advised Item 5 was a referral from the Public Works Committee, DPW, requesting to change the title of Deputy Superintendent of Environmental & Engineering Services to that of Deputy Superintendent of Public Works and transfer the base salary accordingly; thereby amending the Department's Table of Organization. He noted there would be no impact on the 2010 Budget.

Motion was made by Mr. Belden, seconded by Mr. Conover and carried unanimously to approve Item 5 as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Thomas stated Items 6A through G were referrals from the Social Services Committee. He stated Items 6A through C were referred from the Countryside Adult Home, and Item 6A was a request to appoint Deanna Park as Interim Director of Countryside Adult Home, effective March 10, 2010, base salary of \$43,750. He noted this position was not mandated and was reimbursed at 50%. He added the impact on the 2010 Budget was a savings of approximately \$12,900.

Motion was made by Mr. Sokol and seconded by Mr. Strainer to approve the request as presented.

Mr. Strainer questioned if this individual was currently an employee of Countryside Adult Home and Sheila Weaver, Commissioner of the Department of Social Services (DSS) replied that she had worked there in the past as a Case Manager and was currently employed as Caseworker in DSS. She noted that the individual had completed the case work training and expressed her opinion that she would do a good job at Countryside Adult Home. Mr. Strainer asked if a salary range had been established for the position and Ms. Weaver replied affirmatively, adding that the low end of the range was agreed upon with no longevity increments included.

Following discussions, Mr. Thomas called the question and the motion was carried unanimously to approve Item 6A as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Thomas reported Item 6B was a request to abolish the position of Food Service Helper, Grade 2, base salary of \$23,298. He stated that this position was not mandated and was reimbursed at 50%. Mr. Thomas commented Item 6C was a request to create a position of Cook, Full-Time, Grade 4, base salary of \$24,908 plus longevity. He said this position was not mandated and was reimbursed at 50%.

Motion was made by Mr. Strainer, seconded by Mr. Kenny and carried unanimously to approve Items 6B and C as outlined above, and the necessary resolutions were authorized for the next board meeting.

Mr. Thomas apprised Items 6D through G were referred from Social Services. He stated Item 6D was a request to abolish the position of Caseworker in the Adult Protective Services Unit, due to retirement; transferring a Caseworker from Dept. 40.01 (Adult Protective) to Dept. 40.03 (CASA-Medicaid Unit); thereby amending the Department's Table of Organization.

Mr. Sokol questioned the savings associated with this request and Ms. Weaver replied there was a savings to the County in the amount of \$9,855.

Motion was made by Mr. Sokol, seconded by Mr. VanNess and carried unanimously to approve Item 6D as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Thomas added Item 6E was a request to fill the vacant position of Sr. Account Clerk, Grade 7, base salary of \$28,532, due to termination. He said this position was not mandated, and was reimbursed at 75%. He noted the impact on the 2010 Budget would be a minimal savings in longevity.

Motion was made by Mr. VanNess, seconded by Mr. Sokol and carried unanimously to approve Item 6E as outlined above, and the necessary resolution was authorized for the next board meeting. A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.

Mr. Thomas expounded Item 6F was a request to fill the vacant position of Social Welfare Examiner, Grade 8, base salary of \$29,710, due to resignation; transferring the position from Dept. 40.11 (Employment Unit) to 40.06 (Food Stamps), thereby amending the Department's Table of Organization. He added this program was mandated, and was reimbursed at 78%. He noted the impact on the 2010 Budget will be a savings in longevity.

Motion was made by Mr. Sokol, seconded by Mr. VanNess and carried unanimously to approve Item 6F as outlined above, and the necessary resolution was authorized for the next board meeting. A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.

Mr. Thomas advised Item 6G was a request to fill the vacant position of Keyboard Specialist, Grade 3, base salary of \$23,799, due to termination. He stated this position was not mandated, and was reimbursed at 50%. He noted the impact on the 2010 Budget would be a savings in longevity.

Motion was made by Mr. VanNess, seconded by Mr. Strainer and carried by majority vote, with Mr. Belden voting on opposition, to approve Item 6G as outlined above, and the necessary resolution was authorized for the next board meeting. A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.

Mr. Thomas apprised Items 7A through D were items requested from Todd Lunt, Director of Human Resources, to address the Committee. He said Item 7A was a request for authorization to attend Capital Region H.R. Association Annual Conference on March 25, 2010 at the Holiday Inn, Albany. He noted the cost of the conference was \$160 and was included in the departmental budget.

Motion was made by Mr. Belden, seconded by Mr. Merlino and carried unanimously to approve Item 7A as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Thomas added Item 7B was a request to amend Resolution No. 52 of 2010 to correct the annual salary for the Personnel Officer to \$61,400 due to an error.

Motion was made by Mr. Conover, seconded by Mr. Kenny and carried unanimously to approve Item 7B as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Thomas asserted Item 7C was a request from the Committee for additional information regarding the ½ hour lunch. Mr. Geraghty expounded that discussions had been held with regard to including this as part of the budget process and contract negotiations. He suggested that action be delayed for a month. Mr. Lunt added that there were currently one hundred fifty eight out of unit employees and of that, approximately thirty-six were Department Heads and he classified around seventy employees at either the Deputy level or high level employees, resulting in an estimated one hundred six high level or management level employees. He advised that the employees in these positions came in early or worked after their scheduled workday and a half hour lunch would not have an impact on these individuals. Mr. Lunt noted that additionally, out of the one hundred fifty eight employees, twenty were part-time employees. He concluded that implementing a half hour lunch would only effect thirty-two employees. Chairman Monroe opined that it did not make sense to reduce the lunch hour which would only effect thirty-two employees out of approximately eight hundred. Mr. Kenny suggested that the policy be expanded to include Department Heads and Deputies. Chairman Monroe interjected that Department Heads performed above and beyond the call of duty. Mr. Geraghty added most Department Heads worked more than the standard workday and this matter required additional research and discussions.

Item 7D, Mr. Thomas added, was that the County received an inquiry regarding the possibility of employee's organizing group bus trips and other functions. He said this

would not be an official County government function, nor would it be sponsored, endorsed or promoted by the County Board or Management and no approval was necessary, this was for informational purposes only.

Mr. Lunt advised that the request was received through the employee suggestion box and he had confirmed with the County Attorney's Office that this would be permissible.

Mr. Thomas announced Item 8 was a request from Rob Lynch, Deputy Treasurer and Todd Lunt, Director of Human Resources, to address the Committee to provide a recommendation for the time and attendance system.

Frank O'Keefe, County Treasurer, asserted that the RFP (Request for Proposal) was sent to four firms that provided this type of system and the responses were reviewed and evaluated. He referred to the detailed analysis that was provided to all the Supervisors and was included in the Agenda. He requested Mr. Lynch to provide further information. Mr. Lynch apprised that based on the results of the analysis, Novatime was ranked the best system for the County. He said that they were recommending the County award the time and attendance system contract to Novatime. He noted that Novatime was \$485 more than the low bidder, for a total cost of \$110,630. Mr. Lynch reported that it was determined that the low bidder, Qqest, was not user friendly, did not meet many of the functional requirements and was ranked last in the analysis. He advised that Novatime had been willing to negotiate, resulting in a price that was \$7,600 less than the original proposal. Discussion ensued pertaining to the funding and costs associated with the system.

Motion was made by Mr. VanNess, seconded by Mr. Belden and carried by majority vote, with Mr. Goodspeed voting in opposition, to accept the recommendation for the time and attendance system to be awarded to Novatime, and to refer the same to the Finance Committee for approval.

Mr. Thomas stated Items 9A through D were requested from Chairman Monroe to address the Committee. Item 9A, he said, was discussion concerning attendance by Department Heads and/or staff at Board Meetings.

Chairman Monroe remarked that some input from a few Supervisors had been received relative to the need for Department Heads attending the Board Meetings. He noted that he understood the benefit at times of having Department Heads at the meetings, particularly DPW, Planning & Community Development, Health Services and the Treasurer's Office. He opined that this Committee, or a subcommittee, should discuss the matter and develop a policy for such. Mr. Geraghty expressed his desire for the Committee Chairman to determine if a Department Head should attend a Board Meeting. Discussion ensued as to whether or not a subcommittee should be formed to develop a policy. Following discussions, it was the consensus of the Committee that the formation of a subcommittee was not necessary.

Chairman Monroe advised Item 9B was a recommendation to reduce the hourly salary for the Storekeeper to \$16 per hour. He noted that the employee was previously being paid at a rate of \$20 per hour.

Motion was made by Mr. Belden, seconded by Mr. Sokol and carried unanimously to approve Item 9B as outlined above, and the necessary resolution was authorized for the next board meeting.

Chairman Monroe expounded Item 9C was a recommendation of compensation for the administrative and fiscal duties for both the Clerk of the Board and the Deputy Commissioner of Administrative & Fiscal Services. He reminded that Committee members that last November the former Commissioner of Administrative & Fiscal Services had retired and the duties were assigned to Mrs. Sady in addition to the Clerk of the Board work and JoAnn McKinstry had assumed more responsibility with the County budget. He recalled that in February it had been determined that there was not clear cut authority in those positions and that had been clarified by resolution; however, he said, the compensation for such had not been addressed. He asked the County Attorney if it would be appropriate to discuss this issue in an executive session. Mr. Dusek advised that the work history of a particular person could be discussed in an executive session; however, he noted, compensation should be discussed in open session.

Chairman Monroe announced that the Labor Management Committee had met and was recommending that Mrs. Sady be compensated \$15,000 annually, commencing March 1, 2010 and Mrs. McKinstry be compensated \$7,500 for the same effective date. He noted that both had been performing the duties since November but there was a legal issue with the retroactivity for this.

Motion was made by Mr. VanNess and seconded by Mr. Sokol to authorize the compensation amounts as outlined above.

Mr. Goodspeed referred to the problem with retroactivity and noted there could be another problem by having someone perform an expanded job role that the Supervisors were aware of and not paying them for it for a period of five months. Mr. Dusek countered that it was reflected as an understanding between the parties involved. He further stated that one of the positions was a Deputy position and that Deputy position naturally did that work when the principal was out; therefore, he continued, the question became what was the understanding of the parties and at what particular time. He remarked that the Committee could determine the date for which they felt an understanding had been agreed upon that the individuals would be receiving additional pay for the additional work duties that were assumed. He concluded that until that demarcation time, the employees were doing their jobs with no expectation of a salary increase.

Mr. Goodspeed commented that the Committee did not always move with great cohesion collectively quickly and it seemed that the date of demarcation resulted in a series of meetings and discussions. He opined that the date seemed earlier to him that the individuals had assumed the additional duties and then discussions were held to theorize how much the value of their service was. Mr. VanNess said the date should be from the last Personnel Committee meeting, which was February 10, 2010, and the Committee authorized the authority for the duties of the Commissioner of Administrative & Fiscal Services to be assumed by the Clerk of the Board at that time.

Mr. Conover expressed his support of Mr. VanNess' recommendation and added that he thought it spoke well of the two individuals that stepped up to serve this board and the County. He thanked both Mrs. Sady and Mrs. McKinstry. Mr. Belden noted it had resulted in a savings to the County of approximately \$80,000 and he commended both Mrs. Sady and Mrs. McKinstry for the work they had done.

Mr. VanNess amended the motion to reflect a commencement date for compensation to be February 10, 2010 and Mr. Sokol seconded the amended motion. Mr. Thomas called the question and the motion was carried unanimously to authorize the compensation amounts as reflected above for the Clerk of the Board and the Deputy Commissioner of Administrative & Fiscal Services, commencing February 10, 2010. The necessary resolution was authorized for the next board meeting.

Chairman Monroe thanked both Mrs. Sady and Mrs. McKinstry, as well.

Mr. Thomas noted Item 9D was for a discussion on the parameters for salary recommendations to the Labor Management Team.

Chairman Monroe said there had been a question as to when these types of issues should be referred to the Labor Management group and the idea was to avoid uncomfortable discussions at the Committee level. He recommended that all matters pertaining to salaries and salary ranges should be reviewed by the Labor Management Team prior to being presented to the Personnel Team. Mr. Lunt cautioned that Union position salaries could not be adjusted. It was the consensus of the Committee that all matters pertaining to salaries and salary ranges should be reviewed by the Labor Management Team prior to being presented to the Personnel Committee, with the exception of Union positions.

Mr. Thomas concluded the Agenda review with Items 10A and B, and stated they were requested from Paul Dusek, County Attorney, to address the committee. He stated that Item 10A pertained to an ambiguity concerning retirement health insurance service qualifications.

Mr. Dusek expounded that an adopted resolution had established the health insurance for retirees and the necessary qualifications to be met for such. He advised that the

criteria of concern were the requirement of ten years of total service as a Warren County employee; retired under the New York State Retirement System; and be enrolled in the Warren County health insurance plan at the time of retirement. The question that had arisen, he continued, was what did ten years of service as an employee mean. He provided different scenarios of what ten years of service could be. Following extensive research, Mr. Dusek recommended that ten years of service in any capacity, be defined as just that, unless the Committee disagreed.

Motion was made by Mr. Belden, seconded by Mr. Strainer and carried unanimously to adhere to the advice of the County Attorney regarding the criteria for tens years of total service relative to retirement health insurance service qualifications.

Mr. Dusek said Item 10B was a request for an executive session to discuss the employment history of three particular individuals.

Motion was made Mr. Belden, seconded by Mr. Merlino and carried unanimously that executive session be declared pursuant to Section 105 (f) of the Public Officers Law.

Executive session was declared from 11:00 a.m. to 11:32 a.m.

Committee reconvened. Mr. Thomas stated that no action was necessary pursuant to the executive session; however, he stated, the County Attorney had just advised that another executive session was needed to discuss collective bargaining negotiations with Adirondack Community College and matters concerning the possible appointment of an Administrator.

Mr. VanNess reiterated his concern pertaining to the need for a back-up position for the Mail Room, the Print Shop and the Stockroom.

Motion was made by Mr. Goodspeed, seconded by Mr. Belden and carried unanimously that executive session be declared pursuant to Sections 105 (e) and (f) of the Public Officers Law.

Executive session was declared from 11:36 a.m. to 1:53 p.m.

Committee reconvened. Pursuant to the executive session, motion was made by Mr. VanNess, seconded by Mr. Conover and carried unanimously to appoint Paul Dusek as the Commissioner of Administrative & Fiscal Services, with a base salary of \$129,000, effective April 1, 2010, for a two year period. The necessary resolution was authorized for the next board meeting.

Motion was made by VanNess, seconded by Mr. Goodspeed and carried unanimously to amend the previously authorized compensation amounts for the Clerk of the Board

from \$15,000 to \$4,000; and the Deputy Commissioner of Administrative & Fiscal Services from \$7,500 to \$2,000 for the services rendered from February 10, 2010 through April 1, 2010. The necessary resolution was authorized for the next board meeting.

There being no further business to come before the Committee, on motion made by Mr. Belden and seconded by Mr. VanNess, Mr. Thomas adjourned the meeting at 1:55 p.m.

Respectfully submitted,

Nicole Livingston, Deputy Clerk