

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: **PERSONNEL**

DATE: **JULY 7, 2010**

Committee Members Present:

Supervisors Thomas
Kenny
VanNess
Belden
Goodspeed
Sokol
Strainer
Conover

Committee Member Absent:

Supervisor Merlino

Others Present:

Paul Dusek, County Attorney/Administrator
Joan Sady, Clerk of the Board
Kevin Geraghty, Budget Officer
Supervisor Bentley
Supervisor Champagne
Supervisor Loeb
Supervisor McCoy
Supervisor Pitkin
Supervisor Stec
Supervisor Taylor
Kathy Barrie, Personnel Officer
Todd Lunt, Director, Human Resources
Pat Auer, Director, Public Health
Mary Gallagher, Auditor
Brenda Hayes, Director of Nursing,
Westmount Health Facility
William Lamy, DPW Superintendent
Jeffery Tennyson, Deputy Superintendent,
DPW
Pat Tatich, Director, Planning & Community
Development
John Wappett, Public Defender
Sheila Weaver, Commissioner, Department
of Social Services
Bud York, Sheriff
Maury Thompson, *The Post Star*
Nicole Livingston, Deputy Clerk

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

Motion was made by Mr. Kenny, seconded by Mr. Sokol and carried unanimously to approve the minutes of the June 9, 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 Items 1A through C were referrals from the Health Services Committee. Item 1A, he said, was referred from Health Services, requesting to fill the vacant position of Community Health Nurse, base

salary of \$42,082, Grade 20, Employee No. 10841, due to resignation. He noted the position was not mandated and was reimbursed at varying percentages depending on patient pay or sources. He added that this position was revenue generating, with a conservative estimate of approximately \$144,000 in revenue per year.

Motion was made by Mr. VanNess, seconded by Mr. Strainer and carried unanimously 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 1B and C were referred from Westmount Health Facility. He remarked that Item 1B was a request to create the position of CNA (Certified Nursing Assistant), base salary of \$24,908, Grade 4, in an attempt to reduce the amount of Per Diems used and the amount of overtime used; thereby amending the Department's Table of Organization.

Mr. Goodspeed entered the meeting at 9:05 a.m.

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

Mr. VanNess questioned the amount being paid for the use of Per Diems and Brenda Hayes, Director of Nursing, explained that currently, the Facility was utilizing a few Per Diems on a full-time, forty hour basis, to cover staffing shortages. Mr. Kenny recommended that an evaluation be conducted following the probationary period in order to determine if the overtime expenditures and Per Diem use had been reduced.

Paul Dusek, County Attorney/Administrator, reported that this was intended to be a 'floater' type position and not a traditional CNA position; and discussions with Civil Service and the Union were necessary to accomplish that. He clarified that the reason for creating the position was to be able to make the schedule adjustable; thereby allowing the individual to fill in where needed. Mr. Conover further summarized that funds would be transferred from the overtime budget line to the regular salaries line which would in turn reduce the overtime budget and Ms. Hayes affirmed and added it would fix the overtime only in this particular area.

Mr. Geraghty cautioned that by creating a full time position, the new employee would be entitled to all of the County benefits, which Per Diems were not entitled to. Mr. Pitkin asked if there was contract language that would affect this and Mr. Dusek reiterated that an understanding with the CSEA would need to be reached to clearly state that this would be a new floating-type position that could be assigned and scheduled as needed in the Facility.

Following discussion, Mr. Sokol amended his motion to include an evaluation be conducted within the six month probationary period in order to determine if the

overtime expenditures and Per Diem use had been reduced; and contingent on approval by the CSEA to allow for the individual to serve in a floating-type position that could be assigned and scheduled as needed in the Facility. Mr. Belden seconded the amended motion. Mr. Thomas called the question and the motion was carried unanimously as outlined above and the necessary resolution was authorized for the next board meeting.

Mr. Thomas asserted Item 1C was for discussion concerning authorizing the Administrator of Westmount Health Facility to backfill all Registered Professional Nursing positions at the Grades where the newly recruited Nurse's education and experience level falls.

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

Mr. Dusek recalled that Health Services Department had implemented a similar policy relative to the classifications of Nursing positions, and the classifications resulted in different levels of pay and were dictated by the level of experience that the Nurses had. He noted that this provided flexibility in the hiring process. He further explained that Westmount Health Facility had RN and RN II positions and this request was not to increase the total number of hires; they wanted the flexibility within the Table of Organization depending on the field of candidates for positions. Mr. Dusek added that this would affect the status of the Nurses in terms of the pay rates received.

Mr. Thomas called the question and the motion was carried unanimously to approve Item 1C as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Thomas reported Items 2A and B were referrals from the Human Services Committee. Item 2A, he continued, was referred from the Employment & Training Administration, requesting to fill the vacant position of Director, base salary range of \$50,000 to \$60,000, due to retirement. He noted this position was not mandated and was 100% reimbursed.

Mr. Dusek reported that a salary survey was conducted and had determined the salary range as listed. He added that the current occupant of the position had a base salary of \$65,000.

Motion was made by Mr. Strainer, seconded by Mr. Sokol and carried unanimously to approve Item 2A 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 2B was referred from the Veterans' Services, requesting a temporary, part-time position to cover the Veterans' Office during the period of August

2 through August 13, 2010 while the Director is attending mandated Army National Guard Training.

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

Mr. Thomas apprised Item 3 was a referral from the Public Safety Committee, Office of Emergency Services, requesting to fill the vacant position of 2nd Deputy EMS Coordinator, base salary of \$2,999, Employee No. 10500, due to resignation. He added this position was not mandated or reimbursable. He noted the salary was included in the 2010 budget and the impact to such was minimal.

Motion was made by Mr. VanNess, seconded by Mr. Conover and carried unanimously to approve Item 3 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 Items 4A through C were referrals from the Social Services Committee. Items 4A and B, he said, were referred from Social Services. He noted Item 4A was a request to fill the vacant position of Caseworker #4, base salary of \$34,776, Grade 14, Employee No. 8448, due to resignation. He stated this position was mandated, was 75% reimbursed and the salary was included in the 2010 budget. Mr. Thomas remarked Item 4B was a request to fill the vacant position of Caseworker #20, base salary of \$34,776, Grade 14, Employee No. 11719, due to resignation. He added this position was mandated, was 75% reimbursed and the salary was included in the 2010 budget.

Motion was made by Mr. Kenny, seconded by Mr. VanNess and carried unanimously to approve Items 4A and B as outlined above, and the necessary resolutions were authorized for the next board meeting.

Mr. Thomas advised Item 4C was referred from Countryside Adult Home, requesting to change the title from the former title of Director of Residential Hall to the current title of Director of Countryside Adult Home; thereby amending the Department's Table of Organization.

Motion was made by Mr. Belden, seconded by Mr. Strainer and carried unanimously to approve Item 4C as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Thomas reported Item 5 was a referral from the Support Services Committee, Auditor, requesting to create the part-time position of Audit Clerk, up to 25 hours per week, base salary of \$24,908 (pro-rated to \$11.97 per hour), Grade 4, and to delete the position of Deputy County Auditor/Principal Account Clerk, base salary of \$36,226,

Grade 10, due to promotion; thereby amending the Department's Table of Organization.

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

Mr. Thomas advised Item 6 was a request for discussion on the following vacant DPW positions: Deputy Superintendent; Sr. Engineer; Engineer #1; and Assistant Engineer #1.

Mr. Dusek advised he had conducted a lengthy review with William Lamy, DPW Superintendent, and with Jeffery Tennyson, the soon to be new DPW Superintendent, concerning these positions. As a result of Mr. Lamy's pending retirement, he said, Mr. Tennyson was appointed to fill that position and the proposal had been made for the Sr. Engineer to be promoted to fill the Deputy Superintendent position; thereby leaving the Sr. Engineer position vacant. He further stated the recommendation had been made to move one of the three Assistant Engineers to the vacant position of Engineer #1. Mr. Dusek expounded that as Administrator, he was responsible for making sure that departments were operating as lean as possible, while at the same time maintaining operations efficiently. Following their discussion, he continued, he was convinced that the Sr. Engineer position did need to be filled because it was a key position that handled all of the various projects in the County. He summarized his recommendation that the Department be allowed to fill the vacant Sr. Engineer position and the Engineer #1 position, and that the vacant Assistant Engineer position be abolished at the end of the year; and when another Assistant Engineer position became vacant, whether it be through retirement or vacancy, that it not be filled for one year or that it be downgraded. Mr. Dusek referred to two other positions within the Department, the Auto Mechanic which had been authorized to be filled in recent months and a vacant Cleaner position. He said that he had suggested as part of this reorganization, that the Auto Mechanic position not be filled until such time that additional studies and information were available on the DPW Garage and Mr. Lamy had agreed with that suggestion, as well as not filling the vacant Cleaner position until a later date.

Mr. Lamy interjected that the Cleaner position currently had a temporary employee in it, which had been authorized by the Committee earlier in the year. Regarding the vacant Auto Mechanic position, he stated that following discussions with the Shop Supervisor this morning, that position worked on and serviced the heavy equipment for the Department. Mr. VanNess recalled that in the past the County had outsourced the maintenance of the fleet vehicles which incurred significant expense to the County and he suggested that the analysis be carefully reviewed prior to any changes being made. He also commended Mr. Dusek for the diligence he had exhibited in reviewing these vacant positions before they were brought before the Committee. Mr. Lamy commented that over the last three years he had worked with the Personnel

Committee to reduce payroll and benefits in DPW for a resulting amount of approximately \$1 million and he had provided this level of analysis on every one of those positions. Mr. VanNess agreed and noted the lines of communications to the Supervisors seemed to be more effective now.

Mr. Belden remarked that he was in favor of the changes that had been outlined, with the exception of abolishing the Assistant Engineer position. Mr. Goodspeed asked Mr. Tennyson for his opinion on the aforementioned changes. Mr. Tennyson opined that a reasonable agreement had been reached, although he still had concerns for the Department.

Motion was made by Conover, seconded by Mr. VanNess and carried by majority vote, with Mr. Belden voting in opposition, to approve the filling of the following vacant positions:

- Deputy Superintendent, base salary of \$80,000, Employee No. 11347, due to promotion;

- Sr. Engineer, base salary to be established, Employee No. 11525, due to promotion;

- Engineer #1, base salary of \$53,000, Employee No. 11582, due to promotion; and abolish the Assistant Engineer #1 at the end of the year.

The necessary resolutions were authorized for the next board meeting.

Returning to the Agenda review, Mr. Thomas advised Item 7 was a request from Todd Lunt, Director of Human Resources, to address the Committee regarding amending Section 1 of Resolution No. 308 of 1996 relative to the hours of appointed officials as set forth in Resolution No. 439 of 2010, which approved the standard work day and time reporting resolution for all elected and appointed officials for retirement purposes.

Mr. Lunt explained this related to the rules for non-bargaining unit employees as outlined in Resolution No. 308 of 1996, and the necessary amendment was prompted by the required reporting for the New York State Retirement System. He said there were currently fifty-eight appointed officials employed by the County that worked a seven hour day and could not continue to report an eight hour work day. He further stated that in Resolution No. 308 of 1996, the salaries were set for all non-bargaining unit employees by taking the annual salary and dividing it by 2,080 hours; an amendment was needed to change the dividing number to 1,820 hours to accurately reflect the hours worked by non-bargaining unit appointed officials.

Motion was made by Mr. Goodspeed, seconded by Mr. VanNess and carried unanimously to amend Resolution No. 308 of 1996 as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Thomas apprised Items 8A through C were requested from Paul Dusek, County Attorney/Administrator. Item 8A, he said, was a discussion on Department Head

vacation allowance.

Mr. Dusek informed it was brought to his attention that there were Department Heads that worked many hours and based on the County's vacation policy, in the first year of employment, a total of five days vacation were earned; in the second year, a total of ten vacation days were earned and each year following, an additional day was accumulated for up to twenty days. He opined that Department Heads should not have to wait five years to earn three weeks of vacation, given the amount of hours that they worked. He proposed that after the second January time frame, new Department Heads should go from ten vacation days to fifteen vacation days.

Discussion ensued, during which Committee members offered different solutions to resolve the issue of vacation time for Department Heads. Mr. Dusek summarized the ideas and stated that perhaps a resolution providing the authority to the Administrator to authorize up to five additional vacation days a year for a Department Head, but not such that the Department Head would exceed fifteen days; thereby allowing for the flexibility to account for extra time. He advised he would conduct additional research and report back to the Committee next month. Mr. Lunt added Deputy Department Heads be considered, as well.

Mr. Dusek proceeded to Item 8B, "Retirement Incentive Legislation" and explained there were two different programs being offered by the State, a 25/55 or a 10/50 and the County had the option of offering these plans. The 25/55 plan, he said, allowed for anybody in County or State Government to retire under this plan except for those that were designated by the Board as critical to County operations. He noted the cost was based on the salary and a percentage increase on that salary; therefore, he stated, he did not support that plan for Warren County because it would expose the County to additional costs. He apprised that the key component to the 10/50 plan, ten years of service, fifty years of age, was that positions could be targeted, such that when an individual retired, the County could chose to not fill that position. Mr. Dusek informed that there was a time frame for which a decision needed to be made and he suggested that he continue to search within departments to determine any positions that may potentially be targeted. He remarked that this plan required that there be a 50% savings over two years for a targeted position. Mr. Dusek stated he would report at the next board meeting if he found any positions that could be targeted for this plan.

Concluding the Agenda review, Mr. Dusek noted Item 8C was a request for an executive session to discuss collective bargaining negotiations.

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

Executive session was declared from 10:22 a.m. to 11:04 a.m.

Committee reconvened and Mr. Thomas announced no action was necessary pursuant to the executive session.

There being no further business to come before the Committee, on motion made by Mr. Belden and seconded by Mr. Strainer, Mr. Thomas adjourned the meeting at 11:05 a.m.

Respectfully submitted,

Nicole Livingston, Deputy Clerk