

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: PERSONNEL

DATE: AUGUST 12, 2015

COMMITTEE MEMBERS PRESENT:

SUPERVISORS TAYLOR
KENNY
SOKOL
MERLINO
DICKINSON
GIRARD
VANSELOW
WOOD
SIMPSON

OTHERS PRESENT:

KEVIN GERAGHTY, CHAIRMAN OF THE BOARD
PAUL DUSEK, COUNTY ADMINISTRATOR
AMY BARTLETT, FIRST ASSISTANT COUNTY ATTORNEY
AMANDA ALLEN, CLERK OF THE BOARD
FRANK THOMAS, BUDGET OFFICER
SUPERVISORS CONOVER
FRASIER
MONROE
SEEBER

REPRESENTING THE DEPARTMENT OF SOCIAL SERVICES:

MAUREEN SCHMIDT, COMMISSIONER
CYNTHIA SCHROCK SEELEY, DEPUTY COMMISSIONER/CHIEF LEGAL COUNSEL
JACKIE FIGUEROA, EXECUTIVE ASSISTANT TO THE COUNTY HUMAN RESOURCES
DIRECTOR
MARCY FLORES, PUBLIC DEFENDER
KATE HOGAN, DISTRICT ATTORNEY
CHRISTIE SABO, DIRECTOR, OFFICE FOR THE AGING
MIKE SWAN, COUNTY TREASURER
PAM VOGEL, COUNTY CLERK
ROB YORK, DIRECTOR, OFFICE OF COMMUNITY SERVICES
FRANK DITTRICH, WARREN COUNTY LODGING ASSOCIATION
SARAH MCLENITHAN, DEPUTY CLERK OF THE BOARD

Mr. Taylor called the meeting of the Personnel Committee to order at 9:07 a.m.

Motion was made by Mr. Sokol, seconded by Mr. Girard and carried unanimously to approve the minutes of the prior Committee meeting, subject to correction by the Clerk of the Board.

Copies of the meeting Agenda were distributed to the Committee members and a copy of same is on file with the meeting minutes.

Before commencing the Agenda review, Mr. Taylor announced that Maureen Schmidt, *Commissioner of the Department of Social Services*, and Cynthia Schrock Seeley, *Deputy Commissioner of the Department of Social Services/Chief Legal Counsel*, were in attendance to make a statement relative to concerns related to a recent newspaper article regarding the Department of Social Services' Child Protective Services Unit. Ms. Schmidt introduced Ms. Schrock Seeley who read aloud the following statement:

“Confidentiality is an extremely serious matter that not only prohibits the Department from discussing or commenting on matters relating to child welfare cases, but is codified by State Law and further regulated by the New York Codes, Rules and Regulations. Confidentiality is a legal requirement that the Department does not hide behind; it is a standard that we are proud to uphold. It is these laws and rules that protect those vulnerable citizens with whom we work, children and adults alike. Except as expressly authorized by law, the Department is precluded from any comment on child protective services cases and is unable to address facts of a case.

“A violation of these protections is a crime. Any person who willfully permits and any person who encourages the release of any data and information contained in the State central register to persons or agencies not permitted by law shall be guilty of a Class A misdemeanor. Unauthorized disclosure

may also result in civil liability.

“With that being said, pursuant to the Social Services Law, the Department can and will state that a report is currently under investigation. Under State Law, we are expressly precluded from providing any further information on this case. Also pursuant to the Social Services Law, under certain circumstances, and only after completion of an investigation that results in an indication, the Commissioner may disclose certain statutorily determined information regarding a case. This would only be considered should the Department determine that such disclosure would not be contrary to the best interest of the child, the child’s siblings or other children in the household.

“We have consulted with counsel to the New York State Office of Children and Family Services, who has confirmed this position. Thank you.”

Paul Dusek, *County Administrator*, commented that he had held extensive discussions with Department of Social Services staff, as well as with Chairman Geraghty, concerning the aforementioned newspaper article and the process that needed to take course. He stated that based on the statements made by Ms. Schrock Seeley today, his confidence in the leadership of the Department of Social Services was maintained.

Commencing the Agenda review, Mr. Taylor announced they would begin with Item 2, *referral from the Criminal Justice Committee*, as Marcy Flores, *Public Defender*, was due to be in Court shortly. He then proceeded to read aloud a request from the Criminal Justice Committee, *Public Defender*, seeking to amend the Table of Organization and Salary Schedule to create and fill the new position of 6th Assistant Public Defender, *Annual Salary of \$45,000*, within the Public Defender’s Office effective August 24, 2015. Ms. Flores advised that the salary for this position, as well as the associated fringe benefits, would be completely funded by New York State Office of Indigent Legal Services (*NYSOILS*) grant funding, leaving no expense to the County.

Motion was made by Mr. Vanselow, seconded by Mr. Dickinson and carried unanimously to approve the request and the necessary resolution was authorized for the August 21st Board Meeting.

Returning to Agenda Item 1, Mr. Taylor introduced Jackie Figueroa, *Executive Assistant to the County Human Resources Director*, to speak about the report on tracking of salary implications for positions filled which was included in the Agenda packet. Ms. Figueroa indicated that four new vacancies had been added to the report since the last Personnel Committee meeting, one of which had been filled; she also noted a recent vacancy in the Treasurer’s Office for a Payroll Technician which would be included on the list for next month.

Moving on to Agenda Item 3, Mr. Taylor presented a referral from the County Clerk-Motor Vehicles Committee pertaining to a reorganization of Department of Motor Vehicles (*DMV*) staff, as previously approved by the Reallocation Committee, which included the following:

Position Title	Current Grade/Salary	New Grade/Salary	Effective Date
MV License/Reg Clerk #1	Grade 6/\$28,607	Grade 8/\$31,452	January 1, 2016
MV License/Reg Clerk #2	Grade 6/\$29,127	Grade 8/\$31,972	January 1, 2016
MV License/Reg Clerk #7	Grade 6/\$33,506	Grade 8/\$36,785	January 1, 2016
MV License/Reg Clerk #8	Grade 6/\$33,506	Grade 8/\$36,785	January 1, 2016
MV License/Reg Clerk #10	Grade 6/\$30,137	Grade 8/\$33,082	January 1, 2016
Senior MV Examiner	Grade 8/\$36,785	Grade 10/\$39,529	January 1, 2016
MV Supervisor	Grade 12/\$44,111	Grade 15/\$47,504	January 1, 2016

Motion was made by Mr. Kenny, seconded by Ms. Wood and carried unanimously to approve the request and the necessary resolution was authorized for the August 21st Board Meeting.

Mr. Taylor reported that Agenda Item 4 pertained to a referral from the Health Services Committee, *Mental Health*, requesting to amend the Table of Organization and Salary Schedule to reduce the salary for the Office of Community Services Deputy Director-Clinical position from \$65,234 to \$62,700 effective retroactive to August 10, 2015.

Motion was made by Mr. Sokol, seconded by Mr. Vanselow and carried unanimously to approve the request and the necessary resolution was authorized for the August 21st Board Meeting.

Continuing to Agenda Item 5, Mr. Taylor addressed a referral from the Social Services Committee, *Department of Social Services*, requesting to reclassify the existing Senior Social Services Investigator position (*Grade 13*) to a Supervising Social Services Investigator (*Grade 15, Annual Base Salary \$47,004*), effective January 1, 2016 and amend the Table of Organization accordingly.

Motion was made by Mr. Simpson, seconded by Ms. Wood and carried unanimously to approve the request and the necessary resolution was authorized for the August 21st Board Meeting.

Mr. Taylor remarked that Agenda Item 6 consisted of a referral from the Support Services Committee, *County Attorney*, requesting to ratify the actions of the County Attorney in hiring a Temporary Legal Assistant at the rate of \$25 per hour starting on July 29, 2015 and continuing for a period not to exceed eight weeks, with the associated costs to be paid from Budget Code A.1420.130, *Law(County Attorney), Salaries - Part-Time*.

Motion was made by Mr. Girard, seconded by Mr. Dickinson and carried unanimously to approve the request and the necessary resolution was authorized for the August 21st Board Meeting.

Moving on, Mr. Taylor extended privilege of the floor to Mr. Dusek to address Agenda Item 7 which referred to requests/items to be discussed by the County Administrator. Mr. Dusek noted that an executive session would be required to hold discussion regarding the vacant County Human Resources Director position; he noted that Kate Hogan, *District Attorney*, was in attendance to address the Committee and he suggested allowing her to conduct her business before moving into the executive session. As the Committee was in agreement, privilege of the floor was extended to Ms. Hogan.

Ms. Hogan indicated she had raised concerns yesterday with regard to limitations on the amount investigators for her Office were allowed to make, and she noted that two of her Investigators were close to reaching this limit. She requested authorization to create a new part-time Investigator position which would be funded from asset forfeiture funds, at no additional cost to the County, in order to avoid the limitation issue which could leave her Office with a lack of necessary investigative staff.

Motion was made by Mr. Girard and seconded by Mr. Vanselow to approve the request.

Mr. Dickinson questioned whether there was a time limit for this position or if it would continue indefinitely and Ms. Hogan replied she would ultimately eliminate another position. In response to a question posed by Mr. Thomas, Ms. Hogan confirmed this would be a part-time position with no benefits.

There being no further discussion on the matter, Mr. Taylor called the question and the aforementioned motion was carried unanimously, thereby authorizing the necessary resolution for the August 21st Board Meeting.

Ms. Hogan stated her appreciation for the Committee's action to accommodate her Department.

Returning to the need for an executive session to discuss the employment history of a particular person, as well as matters relating to the possible employment of a particular person, motion was made

by Mr. Sokol, seconded by Mr. Kenny and carried unanimously to enter into an executive session pursuant to Section 105(f) of the Public Officer's Law.

Executive session was held from 9:17 a.m. until 9:36 a.m. Both Mr. Merlino and Ms. Figueroa entered the meeting during the executive session.

Upon reconvening, Mr. Taylor announced no action had been taken during the executive session.

Motion was made by Mr. Dickinson, seconded by Mr. Simpson and carried unanimously to appoint Ms. Figueroa as the County Human Resources Director at a salary of \$72,500 effective August 24, 2015 and the necessary resolution was authorized for the August 21st Board Meeting.

There being no further business to come before the Committee, on motion made by Mr. Kenny and seconded by Ms. Wood, Mr. Taylor adjourned the meeting at 9:38 a.m.

Respectfully submitted,
Sarah McLenithan, Deputy Clerk of the Board
As transcribed by Amanda Allen, Clerk of the Board