

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: PERSONNEL & ADMINISTRATION

DATE: JANUARY 30, 2020

COMMITTEE MEMBERS PRESENT:

SUPERVISORS SIMPSON
GERAGHTY
FRASIER
MAGOWAN
MCDEVITT
MERLINO
WILD

COMMITTEE MEMBERS ABSENT:

SUPERVISORS BRAYMER
CONOVER

OTHERS PRESENT:

JACKIE FIGUEROA, COUNTY HUMAN RESOURCES DIRECTOR
PATRICIA NENNINGER, PERSONNEL OFFICER
FRANK THOMAS, CHAIRMAN OF THE BOARD
RYAN MOORE, COUNTY ADMINISTRATOR
MARY ELIZABETH KISSANE, COUNTY ATTORNEY
AMANDA ALLEN, CLERK OF THE BOARD

SUPERVISORS BEATY
BRUNO
DIAMOND
DICKINSON
DRISCOLL
HOGAN
LEGGETT
SEEBER
STROUGH

ROBERT BLAIS, MAYOR, VILLAGE OF LAKE GEORGE
ROBERT TERWILLIGER, ASSISTANT COUNTY ATTORNEY
TERRY COMEAU, WARREN COUNTY UNDERSHERIFF
TAMMIE DELORENZO, ASSISTANT TO THE COUNTY ADMINISTRATOR
AMY DREXEL, EMERGENCY SERVICES COORDINATOR
SARA FRANKENFELD, GIS ADMINISTRATOR
KEVIN HAJOS, SUPERINTENDENT OF PUBLIC WORKS
JESSE JACKSON, PRESIDENT & CEO, LOOK MEDIA
DOUG MILLER, ADIRONDACK SPORTS COMPLEX
GINA MINTZER EXECUTIVE DIRECTOR, LAKE GEORGE CHAMBER OF
COMMERCE AND CVB
LARRY PALTROWITZ, LEGAL COUNSEL FOR THE COUNTY
MIKE SWAN, COUNTY TREASURER
TRAVIS WHITEHEAD, TOWN OF QUEENSBURY RESIDENT
DON LEHMAN, *THE POST STAR*
THOM RANDALL, *ADIRONDACK JOURNAL*
SARAH MCLENITHAN, DEPUTY CLERK OF THE BOARD

Please note, the following contains a summarization of the January 30, 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/>

Mr. Simpson called the meeting of the Personnel & Administration Committee to order at 10:01 a.m.

Motion was made by Mr. McDevitt, seconded by Mr. Geraghty and carried by majority vote, with Mr. Magowan abstaining, to approve the minutes of the previous 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.

Mr. Simpson offered privilege of the floor to anyone present wishing to address the Committee on any matter.

Travis Whitehead, *Town of Queensbury Resident*, questioned why the appointments for the Warren-Washington Counties Industrial Development Agency and Civic Development Corporation did not go before the Personnel & Administration Committee for review prior to being presented at the Board Meeting like they had last year and he voiced his disdain for not being reappointed. Messrs. McDevitt and Magowan concurred that Mr. Whitehead had been a productive member of the Warren-Washington Counties Industrial Development Agency and Civic Development Corporation and felt he should be reappointed.

Mr. Simpson advised he was going to jump ahead to Agenda Item 6 which pertained to a Request/Item to be discussed by the Clerk of the Board regarding a request to amend Resolution No. 440 of 2019, which authorizes payment for services submitted by Warren County Coroners, to include provision for payment of fees related to removal to/from funeral home when off site refrigeration is required.

Amanda Allen, Clerk of the Board, apprised since the County had started utilizing The Glens Falls Hospital to perform autopsies an issue had arose that Terry Comeau, *Warren County Undersheriff and former County Coroner*, was present to expound upon this item. Mr. Comeau stated that Glens Falls Hospital had taken over autopsy services for the County in July of 2019 and in late December of 2019/early January 2020 an issue arose with storage for the deceased due to an increase in the number of autopsies performed. He advised as a result of this M.B. Kilmer Funeral Homes provided transportation and storage services for the County for four case which the current resolution did not provide authorization to make payment for. He noted as a result of this issue Glens Falls Hospital decided to increase their storage capacity.

Motion was made by Mr. Geraghty, seconded by Mr. Magowan and carried unanimously to approve the request as outlined above and the necessary resolution was authorized for the February 21st Board Meeting.

Returning to the Agenda Items 1A-D, Mr. Simpson apprised these pertained to the following Items/Request to be Discussed by the Human Resources Director and/or Personnel Officer:

- 1A) *Human Resources* - Review of report on tracking of vacancies filled. Review of report on tracking of vacancies filled.

Jackie Figueroa, *County Human Resources Director*, advised a copy of the report was included with the Agenda and she was available to answer any questions regarding same.

- 1B) *Human Resources* - Amending the 2019 Salary Schedule to correct the salary for Assistant Social Services Attorney #2 position.

Ms. Figueroa stated there had been turnover in the Assistant Social Services Attorney #2 position and an individual was hired at the entry level rate per the new salary grid for attorneys which was never formally amended within the 2019 Salary Schedule. She said as a result of this a resolution was required to decrease the salary to the amount the person was hired for.

Motion was made by Mr. Magowan, seconded by Mr. Geraghty and carried unanimously to approve the request as outlined above and the necessary resolution was authorized for the February 21st Board Meeting.

- 1C) *Human Resources* - Amending the Warren County Alcohol & Drug Testing Policy for Employees Holding a Commercial Driver's License (CDL).

Ms. Figueroa apprised this request was based off of a new requirement by the Federal Department of Transportation Federal Motor Carrier Safety Administration which was establishing a national clearing house for information for individuals who held a CDL.

A discussion ensued.

Motion was made by Mr. Geraghty, seconded by Mr. Merlino and carried unanimously to approve the request as outlined above and the necessary resolution was authorized for the February 21st Board Meeting.

- 1D) *Human Resources* - Amending personnel policies for County employees outside the bargaining units.

Ms. Figueroa informed the County had a practice where the employees outside the bargaining units contribution toward health insurance costs was the same as those within the CSEA (*Civil Service Employees Association*). She advised since the CSEA had a new contract pending it was necessary to amend the personnel policies for County employees outside of the bargaining units contingent upon the ratification of the CSEA contract.

Motion was made by Mr. Geraghty, seconded by Mr. McDevitt and carried unanimously to approve the request as outlined above and the necessary resolution was authorized for the February 21st Board Meeting.

Mr. Simpson advised Agenda Item 2 concerned a referral from the Criminal Justice Committee, *Sheriff*, involving a request to amend the Table of Organization and Salary Schedule to create and fill the new position of 9th Assistant Public Defender, *Annual Salary \$69,891*, effective February 24, 2020.

Motion was made by Mr. Magowan, seconded by Mr. Geraghty and carried unanimously to approve the request as outlined above and the necessary resolution was authorized for the February 21st Board Meeting.

Mr. Simpson stated Agenda Items 3A-B pertained to the following referrals from the Human Services Committee, *Social Services*:

- 3A) Request to amend the Table of Organization and Salary Schedule to create and fill the new position of Caseworker, Part-Time, Temporary (up to 20 hrs/wk), *Grade 16, Base Annual Salary \$43,390*, effective February 24, 2020.

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 February 21st Board Meeting.

- 3B) Request to amend the Table of Organization and Salary Schedule to delete the position of Caseworker #11 effective February 24, 2020.

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 February 21st Board Meeting.

Agenda Items 4A-B, Mr. Simpson advised pertained to the following referrals from the Public Safety Committee:

- 4A) *Office of Emergency Services* - Request to amend the Table of Organization and Salary Schedule to create and fill the new position of Fire Coordinator - Temporary, *Hourly rate of \$45.6093*, not to exceed \$10,000 and delete the position of Grant Administrator.

Motion was made by Mr. Geraghty, seconded by Mr. Merlino and carried unanimously to approve the request as outlined above and the necessary resolution was authorized for the February 21st Board Meeting.

- 4B) *Sheriff* - Request to amend Resolution No. 234 of 2019 to extend the effective date for the Building Maintenance Mechanic Part Time Temporary position to April 30, 2020, as well as to increase the Annual Base Salary for 2020 to \$48,673.83 in accordance with the 2020 Salary Schedule.

Motion was made by Mr. Geraghty, seconded by Mrs. Frasier and carried unanimously to approve the request as outlined above and the necessary resolution was authorized for the February 21st Board Meeting.

Mr. Simpson informed Agenda Item 5 involved a referral from the Support Services Committee, *Weights and Measures*, regarding a request to amend the Table of Organization and Salary Schedule to create and fill the new position of Weights & Measures Inspector - Per Diem #2 (*\$28.9285/hr - not to exceed \$8,000 per year*), retroactive to February 28, 2020.

Motion was made by Mr. Geraghty, seconded by Mr. Magowan and carried unanimously to approve the request as outlined above and the necessary resolution was authorized for the February 21st Board Meeting.

Mr. Simpson stated Agenda Items 7A-C concerned the following Requests/Items to be Discussed by the County Administrator:

- 7A) Request for a transfer of funds within the 2019 Budget in the amount of \$5,500 to cover the costs of legal fees associated with Westmount settlements per contract and costs incurred by the County Administrator for general operations.

Ryan Moore, *County Administrator*, advised these transfers were required to clean up the accounts for 2019.

Motion was made by Mr. Magowan, seconded by Mr. Merlino and carried unanimously to approve the request as outlined above and the necessary resolution was authorized for the February 21st Board Meeting.

- 7B) Request to amend the Warren County Credit Card Policy to add cards in the name of the Commissioner of Social Services and the Director of Health Services, both with a monthly credit limit of \$1,000.

Tammie DeLorenzo, *Assistant to the County Administrator*, stated this request stemmed from the use of petty cash by these departments which meant the money was spent prior to being audited. She informed issuing low limit credit cards to these departments meant that all of the purchases would be audited by the County Auditor prior to the credit card bill being paid. She added some reimbursement was received for use of the credit card, pointing out St. Lawrence County had received \$150,000 in incentives for purchases they made on a County credit card. She said the hope was for additional reimbursements to be received by issuing these two cards.

Motion was made by Mr. Geraghty, seconded by Mr. Merlino and carried unanimously to approve the request as outlined above and the necessary resolution was authorized for the February 21st Board Meeting.

7C) 2020 Census update.

Mr. Moore reminded the Committee members that a resolution was adopted at the January 17th Board Meeting which authorized a transfer of funds in the amount of \$25,000 from the Contingent Account to pay for a contract with the Southern Adirondack Library System for the purpose of serving as the County's pass-through agency for Census Outreach with the notion that these funds would be returned when the State grant funding was received. He stated since then he had learned the County could not use the Southern Adirondack Library System because they were a 501(c)(1) organization and not a 501(c)(3) entity. He apprised he was pleased they had not yet moved forward with spending any of the money on the contract since they had previously been told the Southern Adirondack Library System would likely be an approved organization to handle the work, but now they were being told this was not the case. He mentioned he was also notified the budget that had been put together by the Planning & Community Development Department had to be scrapped due to the State's requirement that 75% of the grant funds had to be provided to not-for-profits to allow the not-for-profits to move forward with managing the Census Outreach Programs rather than the Counties. He informed according to his contact at the State they were discussing whether to consider all libraries not-for-profits, as well as whether they would waive the requirement that 75% of the funding had to be provided to not-for-profits to manage the Program in areas like Warren County where it presented a hardship because the not-for-profits located here were small and did not have sufficient staff to handle a project of this caliber. He advised the Planning & Community Development Department was working to compile facts regarding these not-for-profits pertaining to why this would not work here as compared to downstate New York where more robust not-for-profits were located following which this information would be submitted to the State to assist them with their discussion as to whether they wanted to consider the County's public libraries as not-for-profits and to waive that 75% expense requirement, but he was unsure of when a decision would be made. In regard to the eligibility start date for expenses for this program, Mr. Moore informed he had previously been told this would be January 1st; however, he noted, since then the State determined no expenses that preceded an award letter would be reimbursed and the process to obtain an award letter consisted of getting all of the not-for-profits that were going to carry out the work pre-qualified by the State following which an RFA's (*Request for Applications*) would have to be submitted that included the County's expense plan which had to be redone and then the State Department of Labor would review the applications, but the State could give him no inclination as to how long the review process would take. He said once the review process for the RFA was completed there would be a discussion regarding which expenses they approved, following which the RFA would be revised and approved and the award letter would be provided; however, he noted, another draft grant disbursement agreement was required in order to obtain any funding meaning the County would have to front the cash to make these expenses. He advised the Economic Growth & Development and Higher Education Committee referred a request to the Finance Committee which would delegate authority to the County Administrator to authorize contract approvals, budget amendments and expenditures up to a cumulative total of \$99,798 to effectuate the Census Outreach Project, with the County Administrator to report back to the Economic Growth & Development and Higher Education Committee on all actions taken. He added the appropriation in the County Budget that was earmarked for the Southern Adirondack Library System pursuant to Resolution No. 25 of 2020 and if it was their desire to start spending that money now then it was necessary for them to understand County money would be covering the expenses until the RFA was approved and they had an award letter in hand nor would the work be completed through the Southern Adirondack

Library System as authorized by that resolution. He added if the Committee would like him to move forward with starting the program then the request to delegate this authority to him would have to be retroactive to today.

A discussion ensued; Mr. Wild entered the meeting at 10:30 a.m.

Motion was made by Mr. McDevitt, seconded by Mr. Merlino and carried unanimously to refer the matter to the Finance Committee.

Proceeding with the Agenda review, Mr. Simpson advised Items 8A-C concerned the following Requests/Items to be discussed by the County Attorney:

- 8A) CSEA contract
- 8B) Possible Westmount settlement
- 8C) Litigation status update.

Mary Elizabeth Kissane, *County Attorney*, stated she required an executive session to discuss the CSEA contract negotiations, a possible Westmount settlement and an update on litigation. Mr. Geraghty asked if they could approve the listing of vacancies approved for filling by other Committees prior to entering into an executive session. Mr. Simpson interjected that Committee approval was not required for those positions, but they could address any questions regarding them. He noted the positions included the following:

- Buildings* - Cleaner #10, *Grade 2, Base Annual Salary \$27,438*, due to retirement.
- Health Services* - Public Health Nurse #35, *Grade 21, Base Annual Salary \$50,816*, due to retirement.
- Registered Professional Nurse #31, *Grade 19, Base Annual Salary \$47,523*, due to resignation.
- Infant Feeding Advocate (part-time not to exceed 20 hrs/wk), *Grade 3, Base Annual Salary \$28,026 (\$13.47/hr)*, due resignation.
- Public Defender* - Coordinating Assistant Public Defender, *Annual Salary \$94,475*.
- 3rd Assistant Public Defender, *Annual Salary \$69,891*.
- Legal Clerk, *Grade 5, Base Annual Salary \$30,520*.
- Public Works* - MEO(L) #5, *Grade 7, Base Annual Salary \$33,600*, due to retirement.
- MEO(L) #16, *Grade 7, Base Annual Salary \$33,600*, due to promotion.
- MEO(M) #23, *Grade 9, Base Annual Salary \$36,214*, due to resignation.
- Sheriff* - Patrol Sergeant #2, *Annual Salary \$78,519*, due to retirement.
- Patrol Officer #TBD, *Annual Salary \$42,373*, due to promotion.
- Communications Officer #14, *Annual Salary \$41,740*, due to retirement.
- Social Services* - Sr. Social Welfare Examiner #8, *Grade 11, Base Annual Salary \$38,225*.
- Caseworker #23, *Grade 16, Base Annual Salary \$43,390*, due to resignation.
- Support Investigator #6, *Grade 8, Base Annual Salary \$34,988*, due to promotion.
- Resource Clerk #3, *Grade 4, Base Annual Salary \$29,333*, due to promotion.
- Caseworker #16, *Grade 16, Base Annual Salary \$43,390*, due to resignation.

Positions filled on emergency basis since last meeting:

- Sheriff* - Communications Officer #15, *Annual Salary \$41,740*, due to termination.
- Communications Officer #21, *Annual Salary \$41,740*, due to creation.
- Investigative Sergeant #1, *Annual Salary \$78,519*, due to creation.

- Investigator #5, *Annual Salary \$72,561*, due to promotion.
- Patrol Lieutenant #3, *Annual Salary \$99,174*, due to creation.
- Patrol Sergeant #1, *Annual Salary \$78,519*, due to promotion.
- Patrol Officer #TBD, *Annual Salary \$55,517*, due to promotion.
- Patrol Officer #TBD, *Annual Salary \$42,373*, due to promotion.
- Veterans' Services* - Program Coordinator, Peer-to-Peer Support Services, *Grade 16, Base Annual Salary \$21,684*, due to resignation.

Motion was made by Mr. Geraghty, seconded by Mr. Magowan and carried unanimously to enter into an executive session pursuant to Sections 105 (d), (e) and (f) of the Public Officer's Law.

Executive session was held from 10:38 a.m. until 11:24 a.m.; Mr. Simpson exited the meeting during the executive session, and Mr. Geraghty as Vice-Chair, assumed the Chair.

Upon reconvening, Mr. Geraghty apprised a motion was required to authorize settlement agreement in the amount of \$867 for skilled nursing services for a resident at the former Westmount Health Facility. The necessary motion was made by Mr. McDevitt, seconded by Mr. Wild and carried unanimously and the necessary resolution was authorized for the February 21st Board Meeting.

Mr. Geraghty called for a motion to waive a personal jurisdiction issue for Vincelette vs. Warren County and to not approve any further extensions. The necessary motion was made by Mr. Magowan, seconded by Mr. Wild and carried unanimously and the necessary resolution was authorized for the February 21st Board Meeting.

There being no further business to come before the Personnel & Administration Committee, on motion made by Mrs. Frasier and seconded by Mr. McDevitt, Mr. Geraghty adjourned the meeting at 11:25 a.m.

Respectfully submitted,
Sarah McLenithan, Deputy Clerk of the Board