

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: **PERSONNEL**

DATE: **MARCH 7, 2007**

Committee Members Present:

Supervisors Gabriels
Kenny
Haskell
Belden
Stec
F. Thomas
Sokol

Others Present:

William Thomas, Chairman
Joan Parsons, Commissioner of
Administrative and Fiscal Services
Joan Sady, Clerk
Paul Dusek, County Attorney
Supervisor Bentley
Supervisor Caimano
Supervisor VanNess
Hal Payne, Administrator, Westmount
Health Facility
Todd Lunt, Human Resources Director
Robert Phelps, Commissioner, Department
of Social Services
Paul Butler, Recreation Facilities Manager
Patricia Auer, Director, Public Health
Teri Ross, Deputy Director, Real Property
Tax Services
Larry Cleveland, Sheriff
William Lamy, Superintendent, DPW
Nicole Livingston, Deputy Clerk

Mr. Gabriels 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 7, 2007 Personnel Committee meeting.

Mr. Gabriels apprised Item 1 on the Agenda was a Referral from the Criminal Justice Committee, District Attorney's Office. He stated it was a request to establish the position of CARE Center Coordinator as full time, based on their grant at a salary of \$47,000 and deleting position of part time CARE Center Coordinator; thereby amending the Department's Table of Organization.

Motion was made by Mr. Belden, seconded by Mr. Kenny and carried unanimously to approve the request as outlined above, with the inclusion that if the grant funding was no longer available, the position would be deleted. The necessary resolution was authorized for the next board meeting.

Mr. Gabriels said Items 2A through C were referrals from the Health Services Committee. The first, he noted, was a request to reclassify the position of Community Health Nurse, base salary of \$41,115, Grade 20 and deleting position of RPN, Employee No. 10880, base salary of \$39,466, Grade 19, effective February 14, 2007, thereby amending the Department's Table of Organization.

Motion was made by Mr. F. Thomas and seconded by Mr. Haskell to approve Item 2A as outlined above.

Privilege of the floor was extended to Patricia Auer, Director of Public Health, who explained that a Community Health Nurse was retiring and she would like to back-fill that position due to the full case load. She further explained that in order to qualify as a Community Health Nurse, there was a requirement of two-years home care or public health experience. She said if she was not able to hire a Community Health Nurse, due to lack of experience, she would need to hire a Registered Nurse, with the expectation that the individual would remain on staff until the qualification of two-years experience was met, in order to obtain the title of Community Health Nurse.

Mr. Belden questioned when the individual was retiring and Mrs. Auer replied March 31, 2007.

Following the discussion, Mr. Gabriels called the question and the **motion** was carried unanimously to approve the request to reclassify the position of Community Health Nurse as outlined above, and the necessary resolution was authorized for the next board meeting.

William Thomas entered the meeting at 9:05 a.m.

Continuing, Mr. Gabriels expounded Item 2B was a request to reclassify the position of Community Health Nurse, base salary of \$42,362, Grade 20 and deleting position of RPN, Employee No. 10841, base salary of \$40,623, Grade 19, effective October 24, 2006, thereby amending the Department's Table of Organization. He noted that this was in accordance with the union agreement and the upgrade was not done through an over-sight.

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

Mr. Gabriels added that Item 2C was a request to fill vacant position of Community Health Nurse, base salary \$39,948, Employee No. 9082, due to retirement and said that Joan Parsons, Commissioner of Administrative and Fiscal Services, would address this issue.

Motion was made by Mr. Haskell and seconded by Mr. Sokol to approve the request as outlined above.

Mrs. Parsons explained that if an individual with the two-years training experience, as discussed previously in the meeting, could not be obtained, Mrs. Auer would need to return to the Committee next month. Therefore, Mrs. Parsons suggested authorizing

the creation of the position of RPN in the budget, with a salary included, thereby allowing Mrs. Auer to fill that position if a Community Health Nurse was not available.

Mr. Haskell amended his motion to include the creation of the position of RPN, base salary of \$38,308, Grade 19, effective April 2, 2007. Mr. Sokol seconded the amended motion.

Mr. Gabriels called the question and the **motion** was carried unanimously to approve Item 2C as outlined above and to create the position of RPN as presented. The necessary resolution was authorized for the next board meeting.

Mr. Stec entered the meeting at 9:08 a.m.

Mr. Gabriels stated Item 3 on the Agenda was a referral from the Parks, Recreation and Railroad Committee requesting to fill the vacant position of Senior Building Maintenance Mechanic # 4, base salary of \$34,975, Grade 16, Employee No. 8493, due to promotion.

Motion was made by Mr. Haskell, seconded by Mr. Belden and carried unanimously to approve Item 3 as outlined above.

Mr. Gabriels said Item 4 was a referral from the Real Property Tax Services Committee, requesting to fill the vacant position of Tax Map Technician, base salary of \$32,248, Grade 13, Employee No. 10657, due to termination.

Motion was made by Mr. Belden, seconded by Mr. Haskell and carried unanimously to approve Item 4 as outlined above.

Mr. Gabriels advised Items 5A through E were referrals from the Social Services Committee. The first, he said, was a request to fill the vacant position of Head Social Welfare Examiner, base salary of \$42,863, Employee No. 1265, due to retirement.

Motion was made by Mr. Kenny and seconded by Mr. F. Thomas to approve Item 5A as outlined above.

Mr. Kenny stated there had been numerous discussions regarding the number of supervisory positions in the Medicaid Division. Mr. Haskell added it was a two to one ratio of workers to Supervisors, and he questioned the necessity of that many Supervisors.

Privilege of the floor was extended to Robert Phelps, Commissioner of the Department of Social Services (DSS). Mr. Phelps responded the number of Supervisors in the Medicaid Division was a direct result of the complexity of the program. He recommended keeping the staffing ratios and levels as they were in order to contain the program costs.

Mr. Dusek requested an executive session to discuss matters pertaining to the employment history of a particular person and **motion** was made by Mr. Kenny, seconded by Mr. Haskell and carried unanimously that executive session be declared pursuant to Section 105 (f) of the Public Officers Law.

Executive session was declared from 9:15 a.m. to 9:25 a.m.

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

Returning to the motion that was on floor prior to the executive session, approving the request to fill the vacant position of Head Social Welfare Examiner, Mr. Gabriels called the question and the motion was defeated with Mr. Sokol, Mr. Haskell, Mr. Belden and Mr. Stec voting in opposition to the request.

Mr. Gabriels said Item 5B was a request to fill the vacant position of Principal Social Welfare Examiner, base salary of \$33,970, due to promotion. He added Item 5C was a request to fill the vacant position of Senior Social Welfare Examiner, base salary of \$30,812, due to promotion.

Motion was made by Mr. Belden, seconded by Mr. Stec and carried by majority vote to table Items 5B and C, with Mr. F. Thomas voting in opposition.

Continuing, Mr. Gabriels noted Item 5D was a request to fill the vacant position of Social Welfare Examiner, base salary of \$28,203 and Item 5E was a request to fill the vacant position of Account Clerk, base salary of \$23,645, Employee No. 11016, due to lateral transfer.

Mr. Haskell apprised that the request for Item 5D needed to be changed to creating the position of Social Welfare Examiner, as opposed to filling the vacant position.

Motion was made by Mr. Haskell, seconded by Mr. F. Thomas and carried unanimously to approve Items 5D and E as outlined above. The necessary resolution to create the position of Social Welfare Examiner (Item 5D) was authorized for the next board meeting.

Mr. Gabriels expounded Items 6A and B were referrals from the Support Services Committee. The first, he noted, was a request from the Administrative and Fiscal Services Office, to fill the vacant position of Deputy Commissioner of Administrative and Fiscal Services, base salary of \$50,000, Employee No. 7597, due to promotion.

Motion was made by Mr. Haskell and seconded by Mr. Belden to approve Item 6A as outlined above.

Privilege of the floor was extended to Hal Payne, Administrator of the Westmount

Health Facility, and he explained that position was included in the 2007 budget and would be a promotion from within. He noted the position of Confidential Secretary to the Commissioner of Administrative and Fiscal Services would not be filled until a later date.

Mr. Gabriels called the question and the **motion** was carried unanimously to approve Item 6A as outlined above.

Mr. Gabriels added Item 6B was a request from the Board of Elections Office to create the positions of Voting Systems Technician (5 Republican and 5 Democratic for a total of 10 Technicians), base salary of \$15 per hour as needed. He noted the estimated budget was \$25,000 and the funds were included the budget.

Motion was made by Mr. Stec and seconded by Mr. Belden to approve the request as outlined above.

Mrs. Parsons explained that these positions were included in the budget originally as extra help; however, Mary Beth Casey, Commissioner of Board of Elections, had requested to change that and create these positions of Voting Systems Technicians.

Motion was made by Mr. Kenny, seconded by Mr. Haskell and carried by majority vote to table Item 6B; with Mr. Stec, Mr. F. Thomas and Mr. Gabriels voting in opposition to the tabling motion.

Mr. Gabriels expounded Item 7 was a referral from the Westmount Health Facility and Countryside Adult Home to decrease the salary of the Administrator of the Countryside Adult Home from the former base salary of \$7,426 to the current base salary of \$2,000, and appointing Employee No. 10872 to the title of Administrator, effective March 19, 2007; thereby amending the Department's Table of Organization.

Motion was made by Mr. Haskell and seconded by Mr. Belden to approve Item 7 as outlined above.

Mrs. Parsons explained that Rich Kelly, Personnel Officer, had suggested that with regard to the Civil Service classification, the \$2,000 should be added to the Director's salary, as opposed to having two separate titles for the individual.

Mr. Haskell amended his motion to include that the salary for the Administrator position at the Countryside Adult Home be added to the title of the Director of the Countryside Adult Home and the position of Administrator of the Countryside Adult Home be deleted; thereby amending the Department's Table of Organization. Mr. Belden seconded the amended motion.

Mr. Gabriels called the question and the **motion** was carried unanimously to approve the request as presented, and the necessary resolution was authorized for the next

board meeting.

Mr. Gabriels acknowledged that Mrs. Casey was now present at the meeting to discuss the request for the Board of Elections. He requested a motion to un-table Item 6B.

Motion was made by Mr. Stec, seconded by Mr. F. Thomas and carried unanimously to bring Item 6B from the table to the floor for further discussion.

Mrs. Casey apprised that the Board of Elections was now centralized and therefore was responsible to pay machine custodians to set the seventy machines in each of the twenty-seven polling locations. She further explained that last year they paid \$100 per person, per machine, which she felt was very expensive. She said the plan was to have five teams of custodians, each team must have a Republican and a Democrat and they anticipated creating territories for each team of custodians to be responsible for. She added they would pay \$15 an hour and \$60 per machine, versus \$100 per person per machine, which would be a potential savings.

Discussion ensued. Mr. Caimano reminded the Committee members that the funds for this request were included in the 2007 budget because elections needed to be held.

Motion was made by Mr. Stec, seconded by Mr. F. Thomas and carried unanimously to approve the request to create the positions of Voting Systems Technician (5 Republican and 5 Democratic for a total of 10 Technicians), base salary of \$15 per hour as needed, and the necessary resolution was authorized for the next board meeting.

Mrs. Casey apologized for not being present at the meeting when her request was first addressed. Joan Sady, Clerk of the Board, stated that the policy of a Department Head being required to attend the Personnel Committee meeting if they had a request on the Agenda, had been discussed numerous times at Department Head meetings. She noted memos had also been sent to Department Heads requiring the same. Mr. VanNess questioned if a resolution had been developed and if official notice had been sent to every Department Head requiring that they attend the Personnel Committee meeting if they had a request on the Agenda. Mrs. Sady replied there was not a resolution; however, it had been announced several times at the Department Head meetings. Mr. Gabriels suggested that the Department Heads be reminded again of the policy at the next Department Head meeting.

Returning to the Agenda review, Mr. Gabriels stated Item 8 was a request to amend Resolution No. 1 of 2007, Rules of the Board, to change to the name of the Personnel Committee to the Personnel/Human Resource Committee.

Motion was made by Mr. Haskell, seconded by Mr. Stec and carried unanimously to approve Item 8 as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Gabriels referred to Item 9 on the Agenda, and said that at the Committee's request, the Overtime Expense Budget Performance Report was attached for review,

per Mrs. Parsons.

Mr. Stec advised he found the report very useful and he thanked Mrs. Parsons for preparing it.

Mrs. Parsons requested permission to address the Committee. She acknowledged that she had received an inquiry from Supervisor O'Connor, who noticed that the Warren County Historian was listed under the 'umbrella' of the Support Services Committee. She said that Mr. O'Connor had noted that the Historian was responsible in the County Clerk's Office and used the records there, and he thought it would be more practical to amend the Rules of the Board (Resolution No. 1 of 2007) to include the Warren County Historian under the 'umbrella' of the County Clerk Committee.

Motion was made by Mr. Belden, seconded by Mr. Stec and carried by majority vote to approve further amendments to Resolution No. 1 of 2007 as outlined above, with Mr. Haskell voting in opposition. The necessary resolution was authorized for the next board meeting.

Mr. Gabriels said Item 10 on the Agenda was a request from Paul Dusek, County Attorney, to address the Committee. Mr. Dusek apprised Item 10A was regarding the EAP (Employee Assistance Program) and comparison of companies that provided quotes. He informed the Committee a RFP (Request for Proposal) had been completed and interviews were conducted. He provided the results of the four companies that were interviewed and their rates per employee to the Committee members, a copy of which is on file with the minutes. He noted that Value Options was the least expensive program, at a cost of \$1.01 per employee for one to three years, for an overall total of \$12,120. He added that MH Net totaled out at \$15,600 and the EAP of Warren County was the highest, with a cost of \$2.00 per employee, for a total of \$24,000 a year. He added the last one was from Harris Rothenberg, at a cost of \$1.38 per employee, for a total of \$16,560.

Mr. Dusek requested an executive session to discuss matters leading to the employment of a particular corporation, as well as union negotiations.

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

Executive session was declared from 9:55 a.m. to 10:10 a.m.

Committee reconvened and Mr. Gabriels stated no action was necessary pursuant to the executive session.

Returning to the comparison of the EAP proposals, Mr. Gabriels requested that a candidate be selected from the four options that were provided.

Motion was made by Mr. Haskell, seconded by Mr. Kenny and carried by majority vote to select MH Net as the EAP Independent Provider for Warren County, with Mr. F. Thomas voting in opposition, and the necessary resolution was authorized for the next board meeting.

Mr. Dusek advised a justification was needed as to why the low bid was not selected, which was Value Options, and stated the reasoning was that the interview with Value Options was conducted via teleconference only and when evaluating the programs, the Committee preferred MH Net.

Mr. F. Thomas questioned if the funds for this program were included in the 2007 budget and Mr. Caimano said they were not. *(Subsequent to the meeting, it was determined that the source of funding for the EAP program be referred to the Finance Committee for recommendation. Please see the minutes of the March 7, 2007 Finance Committee for further details.)*

Continuing the Agenda review with Item 10B, Mr. Gabriels expounded with regard to union negotiations, the question was the composition of the negotiating team.

Motion was made by Mr. Belden, seconded by Mr. Stec and carried unanimously that the negotiating team be comprised of Mr. Dusek, Mrs. Parsons, Todd Lunt, Human Resources Director, Rich Kelly, Personnel Officer and Hal Payne, Administrator of the Westmount Health Facility, and to retain the legal services of Mr. J. Lawrence Paltrowitz and Bartlett, Pontiff, Stewart & Rhodes, P.C. as needed. The necessary resolution was authorized for the next board meeting.

Mr. Gabriels stated that Item 10C was with regard to retaining the services of Joan Parsons and Pat Beland after their respective retirement dates.

Mr. Dusek explained that if the Board of Supervisors was desirous of retaining the services of Mrs. Parsons and Mr. Beland it would be possible to do; however, positions needed to be created in order to do so. He said that with Mr. Beland, a second Director position could be created in the Parks, Recreation and Railroad Department and Mr. Beland could be appointed to that on a temporary basis. He noted that with Mrs. Parsons, there could only be one Commissioner of Administrative and Fiscal Services because it was an appointed position; therefore Mr. Lunt developed a Management Analyst position which would be paid the same salary and could be created as a temporary position as well. Mr. Dusek added there would be a ninety day limitation under Civil Service Law, which could be renewed for an additional ninety days, if needed.

Motion was made by Mr. Stec, seconded by Mr. Haskell and carried unanimously to approve the creation of the aforementioned positions as outlined above. The necessary resolution was authorized for the next board meeting.

Mr. Dusek noted there was a separate issue with regard to Mr. Payne. He explained

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that the new Administrator of the Westmount Health Facility would be hired on March 16, 2007 presumably when the Local Law was passed before the full Board of Supervisors. At that time, he said, there would be two Administrators of the Westmount Health Facility. He advised his impression was that once the new Administrator was hired, Mr. Payne would assume responsibilities as the Commissioner of Administrative and Fiscal Services, alongside Mrs. Parsons. The Committee members agreed.

Mr. Dusek expounded that would require a resolution assigning Mr. Payne to the Commissioner's Office, as an Administrator.

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

Concluding the Agenda review, Mr. Gabriels stated Item 11 was a second request from Community Health Charities to amend Resolution No. 597 of 2006.

Motion was made by Mr. Belden, seconded by Mr. Stec and carried unanimously to refer the issue back to the original sub-committee that reviewed it before.

Mr. Lunt apprised he would like to join that sub-committee.

There being no further business to come before the Committee, on motion by Mr. Haskell and seconded by Mr. Belden, Mr. Gabriels adjourned the meeting at 10:23 a.m.

Respectfully submitted,

Nicole Livingston, Deputy Clerk