

**WARREN COUNTY BOARD OF SUPERVISORS**

COMMITTEE: **PERSONNEL/HUMAN RESOURCES**

DATE: **JULY 11, 2007**

**Committee Members Present:**

Supervisors Gabriels  
Kenny  
Belden  
Stec  
F. Thomas  
Sokol

**Others Present:**

William Thomas, Chairman  
Hal Payne, Commissioner of Administrative  
and Fiscal Services  
Joan Sady, Clerk  
Paul Dusek, County Attorney  
Supervisor Bentley  
Supervisor Caimano  
Supervisor Champagne  
Supervisor Monroe  
Supervisor Tessier  
Supervisor VanNess  
*Please see attached sign-in sheet for all  
other guests present*  
Nicole Livingston, Deputy Clerk

**Committee Member Absent:**

Supervisor Haskell

---

Mr. Gabriels called the Personnel/Human Resources Committee meeting to order at 9:03 a.m.

**Motion** was made by Mr. Belden, seconded by Mr. F. Thomas and carried unanimously to approve the minutes of the June 6, 2007 Personnel/Human Resources Committee meeting.

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

Mr. Gabriels advised Item 1 was a request from Mark Murray, President of the CSEA (Civil Service Employees Association) Unit 9000, to address the Committee regarding the EAP (Employee Assistance Program). Mr. Murray said he wanted to thank the Committee for the EAP and he added that the program that was chosen was an excellent one. He noted that the program was already being accessed and will be very helpful to employees.

Mr. Gabriels stated Item 2 was a referral from the Criminal Justice Committee: District Attorney's Office, requesting to fill the vacant position of 6<sup>th</sup> Assistant District Attorney, base salary of \$39,655, due to resignation.

**Motion** was made by Mr. Kenny, seconded by Mr. Belden and carried unanimously to approve Item 2 as outlined above. A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.

Mr. Gabriels said Items 3A through C were referrals from the DPW Committee. The first, he noted, was a request to fill the vacant position of Assistant Shop Supervisor, base salary of \$32,248, Grade 13, Employee No. 447, due to retirement. The next, he

added, was a request to fill the vacant position of Heavy Equipment Operator #5, base salary of \$28,203, Grade 8, Employee No. 380, due to retirement. Item 3C, he stated, was a request to fill the vacant position of Motor Equipment Operator-Medium, base salary of \$27,085, Grade 7, due to promotion.

**Motion** was made by Mr. Belden, seconded by Mr. Sokol and carried unanimously to approve Items 3A through C as outlined above. Copies of the Notices of Intent to Fill Vacant Positions are on file with the minutes.

Continuing, Mr. Gabriels expounded that Item 4 was a referral from the Federal Programs Committee: Office for the Aging, requesting to fill the vacant position of Meal Site Cook #11, base salary of \$16,587, Employee No. 10648, due to termination.

**Motion** was made by Mr. F. Thomas, seconded by Mr. Belden and carried unanimously to approve Item 4 as outlined above. A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.

Mr. Gabriels apprised Items 5A and B were referrals from the Health Services Committee. The first, he said, was a request to transfer the position of a Community Health Nurse, base salary of \$39,948, Grade 10, from the Long Term Program (A.4016.10 100S) to the CHHA (Certified Home Health Agency) Program (A.4010.10 100S); thereby amending the Department's Table of Organization. He noted Item 5B was a request to transfer the position of a Registered Professional Nurse, base salary of \$38,308, Grade 19, from the CHHA Program to the Long Term Program; thereby amending the Department's Table of Organization.

**Motion** was made by Mr. F. Thomas, seconded by Mr. Kenny and carried unanimously to approve Items 5A and B as outlined above and the necessary resolution was authorized for the next board meeting.

Mr. Gabriels stated Items 6A through D were referrals from the Social Services Committee. He said Item 6A was a request to fill the vacant position of Caseworker #5, base salary of \$33,012, Grade 14, Employee No. 10822, due to resignation. Item 6B, he noted, was a request to fill the vacant position of Social Welfare Examiner, base salary of \$28,203, Grade 8, Employee No. 11207, due to resignation. Mr. Gabriels added Item 6C was a request to fill the vacant position of Social Welfare Examiner, base salary of \$28,203, Grade 8, Employee No. 3085, due to resignation and Item 6D was a request to fill the vacant position of Social Welfare Examiner, base salary of \$28,203, Grade 8, Employee No. 10164, due to promotion.

**Motion** was made by Mr. Kenny, seconded by Mr. F. Thomas and carried unanimously to approve Items 6A through D as outlined above. Copies of the Notices of Intent to Fill Vacant Positions are on file with the minutes.

Item 7, Mr. Gabriels advised was a referral from the Support Services Committee: Treasurer's Office, requesting to fill the vacant position of Senior Account Clerk, base salary of \$27,085, Grade 7, Employee No. 11266, due to resignation.

**Motion** was made by Mr. Belden, seconded by Mr. F. Thomas and carried unanimously to approve Item 7 as outlined above. A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.

Continuing, Mr. Gabriels noted that Paul Dusek, County Attorney, had requested permission to address the Committee regarding Public Officers Law Section 18, specific to benefits for the LDC (Local Development Corporation). However, he said, Mr. Dusek was not present at the meeting yet; therefore, he directed the Committee members to proceed with review of the Personnel/Human Resources Addendum.

Mr. Gabriels stated Items 1A through G of the Addendum were referrals from the DPW Committee. He outlined the requests as follows:

- A)** Request to fill the vacant position of Motor Equipment Operator- Medium #4, base salary of \$28,203, Grade 8, Employee No. 10775, due to promotion.
- B)** Request to fill the vacant position of Laborer #2, base salary of \$22,116, Grade 2, Employee No. 10887, due to promotion.
- C)** Request to fill the vacant position of Motor Equipment Operator-Medium, base salary of \$27,085, Grade 7, due to promotion.
- D)** Request to fill the vacant position of Heavy Equipment Operator #6, base salary of \$28,203, Grade 8, Employee No. 8429, due to promotion.
- E)** Request to fill the vacant position of Motor Equipment Operator-Light, base salary of \$24,601, Grade 5, due to promotion.
- F)** Request to fill the vacant position of Motor Equipment Operator- Light, base salary of \$24,601, Grade 5, due to promotion.
- G)** Request to fill the vacant position of Motor Equipment Operator- Light, base salary of \$24,601, Grade 5, due to promotion.

Motion was made by Mr. Belden and seconded by Mr. Kenny to approve Items 1A through G as presented.

Mr. Champagne questioned if these appointments were based on future retirements or were they retirements already on file. William Lamy, Superintendent of DPW, distributed a spreadsheet to the Committee members entitled "Warren County DPW Highways and Bridges June 28, 2007", a copy of which is on file with the minutes. Mr. Lamy explained everything before the Committee members would result in a total of four new employees joining the DPW. He added that everything else would be a matter of promoting from within and the backfilling of positions. Mr. Lamy reviewed the spreadsheet in detail.

Mr. Dusek entered the meeting at 9:22 a.m.

Mr. Champagne said the spreadsheet provided by Mr. Lamy was an excellent way of illustrating what was going on in the Department. He noted he was very pleased with the information Mr. Lamy prepared on the spreadsheet. Mr. Gabriels agreed with Mr. Champagnes' comments and thanked Mr. Lamy for his assistance in explaining the requests.

Following discussion, Mr. Gabriels called the question and the **motion** was carried unanimously to approve Items 1A through G as outlined above. Copies of the Notices of Intent to Fill Vacant Positions are on file with the minutes.

Mr. Gabriels noted Mr. Dusek was present and referred back to Item 8 on the Agenda.

Mr. Dusek explained that all officers and employees were indemnified and defended by Warren County and there was insurance that protected that. He said the County had that authority because of the Public Officers Law Section 18. He noted that many years ago a resolution was adopted by the board that conveyed those benefits. He further stated that an issue had arose concerning the Warren County LDC (Local Development Corporation), which at one time, all of the members of the Board of Supervisors served on the LDC Board; however, it was reduced to state that seven Board of Supervisors would serve as members of the LDC Board.

Mr. Dusek expounded that although it was clear under the Public Officers Law, as well as the resolution, that the seven board members were fully protected, he was concerned that there could be a question of whether or not the President and Treasurer of the LDC were covered also. He recommended amending the resolution that previously conveyed those benefits to make it clear that the volunteers of that organization were covered as well.

Motion was made by Mr. Belden and seconded by Mr. Sokol to amend the resolution as presented by Mr. Dusek.

Mr. Caimano questioned if that Law covered those members that served on the IDA (Industrial Development Agency) Board as well; and Mr. Dusek replied he believed that it did; however, he would research that further to be certain.

Following discussion, Mr. Gabriels called the question and the **motion** was carried unanimously to amend the resolution regarding the Public Officers Law Section 18, to convey benefits to all volunteers of the LDC.

Mr. Gabriels advised prior to the executive session, John Wappett, Public Defender, had requested permission to address the Committee. Mr. Wappett recalled discussions from last year with regard to four, ten-hour day, work weeks. He further stated that his Assistant Public Defender was interested in working four, ten-hour day, work weeks, due to financial reasons. He noted that his Office was outside the bargaining unit and was not in the union.

Mr. Dusek responded that the answer would be in previous resolutions adopted by the board, specifically Resolution No. 308 of 1996, which consolidated all benefits for non-union members. He explained that if a schedule of hours was outlined in a resolution, then they would be confined to that; however, he added, if there was nothing of record, in his opinion, a Department Head could allow an employee to work four, ten-hour, work days. He clarified that when he said Department Head, he was referring to management or professional level personnel; therefore staff coverage would still be required five days a week. Todd Lunt, Director of Human Resources, volunteered to do further research regarding this issue.

Motion was made by Mr. Belden and seconded by Mr F. Thomas that a study be conducted and more information obtained with regard to four, ten-hour day, work weeks for the Committee to review at the August meeting.

Mr. Dusek clarified that Resolution No. 308 of 1996 did specifically state that the regular work week in all departments shall be forty hours, consisting of five consecutive days. Therefore, he said, if the Committee wanted to approve Mr. Wappetts' request, an amendment to the resolution would be needed.

Discussion ensued. Following discussions, Mr. Gabriels called the question and the **motion** was carried unanimously authorizing a study to be conducted and more information obtained with regard to four, ten-hour day, work weeks for non-union employees at management levels to be reviewed at the August Personnel/Human Resources Committee meeting.

Concluding the Agenda review, Mr. Gabriels expounded Item 9 was a request from Todd Lunt, Director of Human Resources, for an executive session to discuss the employment history of a particular person.

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

Executive session was declared from 9:31 a.m. to 9:39 a.m.

Mr. Stec entered the meeting during the executive session at 9:35 a.m.

Committee reconvened.

Pursuant to executive session, **motion** was made by Mr. Kenny, seconded by Mr. Sokol and carried by majority vote to proceed with a settlement agreement regarding the resignation of a particular employee in the Department of Social Services. Mr. Belden voted in opposition.

There being no further business to come before the Committee, on **motion** by Mr. Stec and seconded by Mr. Sokol, Mr. Gabriels adjourned the meeting at 9:42 a.m.

Respectfully submitted,  
Nicole Livingston, Deputy Clerk