

**WARREN COUNTY BOARD OF SUPERVISORS**

COMMITTEE: **PERSONNEL/HUMAN RESOURCES**

DATE: **OCTOBER 10, 2007**

**Committee Members Present:**

Supervisors Gabriels  
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 Tessier  
Supervisor VanNess  
Please see attached list for others present  
Nicole Livingston, Deputy Clerk

**Committee Members Absent:**

Supervisors Kenny  
Haskell

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Mr. Gabriels called the Personnel/Human Resources Committee meeting to order at 9:04 a.m.

Motion was made by Mr. Belden, seconded by Mr. Sokol and carried unanimously to approve the minutes of the September 12, 2007 Personnel/Human Resources Committee meeting, subject to correction by the Clerk.

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

Commencing the Agenda review, Mr. Gabriels stated Item 1 was a referral from the Airport Committee, requesting to fill the vacant position of Airport Maintenance Worker #3, base salary of \$28,203, Grade 8, Employee No. 11097, due to resignation. He noted that William Lamy, DPW Superintendent, had advised he would eliminate a position from the Department's Table of Organization in the Highway Department in order for this position to be filled.

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

Mr. Lamy explained he would be willing to not fill a vacant Laborer position in the Buildings & Grounds Division rather than the Highway Department; however, he said, he would like to keep the position in the Table of Organization as an unfunded position. Mr. Belden questioned if this position was included in the 2008 Budget, and Mr. Lamy replied the action that the Committee took today would determine which position would have the funding eliminated in the 2008 Budget. He further stated that he was recommending to leave the position of Laborer in the Buildings & Grounds Division in the Table of Organization unfunded for 2008.

Hal Payne, Commissioner of Administrative and Fiscal Services, apprised that the Laborer position within the Buildings & Grounds Division had been eliminated from the

2008 Budget because it had been vacant for over a year and Mr. Lamy replied it should not have been eliminated and he was choosing, at this time, not to fill that position. Mr. Payne further advised he had sent a request to Frank Morehouse, Superintendent of Buildings, regarding the elimination of this position; however, he said, he never heard back from Mr. Morehouse. Mr. Lamy said that request should have been sent to him. He noted he had received a request from Mr. Payne pertaining to a position within the Highway Department, to which he had replied, advising that the position had been filled on Monday. Mr. Lamy clarified he had spoken with Mr. Morehouse and they had agreed to not fill the vacant position of Laborer in the Buildings & Grounds Division in order to retain the position at the Airport; however, he added, they wanted the Laborer position to remain in the budget and they would delete the funding for it.

Mr. Gabriels suggested that the request be separated into two items; the first, he said, was requesting to fill the vacant position of Airport Maintenance Worker #3, base salary of \$28,203, Grade 8, Employee No. 11097, due to resignation.

Chairman Thomas entered the meeting at 9:10 a.m.

Motion was made by Mr. Belden, seconded by Mr. F. Thomas and carried unanimously to approve the request to fill the vacant position of Airport Maintenance Worker #3 as outlined above. A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.

Mr. Gabriels advised the second part to the request was that the vacant position of Laborer in the Buildings & Grounds Division remain in the Table of Organization as an unfunded position in 2008.

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.

Mr. Gabriels stated Item 2 was a referral from the Criminal Justice Committee, District Attorney, requesting to fill the vacant position of Sixth Assistant District Attorney, base salary of \$40,845, Employee No. 11377, due to resignation.

Motion was made by Mr. Sokol, seconded by Mr. F. Thomas 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 F were referrals from the DPW Committee as follows:

- A)** Request to fill the vacant position of Highway Construction Supervisor #3, base salary of \$34,975, Grade 16, Employee No. 431, due to retirement.
- B)** Request to fill the vacant position of Heavy Equipment Operator, base salary

- of \$28,203, Grade 8, Employee No. to be determined, due to promotion.
- C)** Request to fill the vacant position of Motor Equipment Operator-Medium, base salary of \$27,085, Grade 7, Employee No. to be determined, due to promotion.
  - D)** Request to fill the vacant position of Motor Equipment Operator-Light, base salary of \$24,601, Grade 5, Employee No. to be determined, due to promotion.
  - E)** Request to fill the vacant position of Laborer, base salary of \$22,116, Grade 2, Employee No. to be determined, due to promotion.
  - F)** Request to fill the vacant position of Auto Mechanic Helper #2, base salary of \$27,085, Grade 7, Employee No. 11253, due to promotion.

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

Mr. Dusek entered the meeting at 9:14 a.m.

Mr. Gabriels noted Item 4 was a referral from the Fire Prevention & Control Committee to amend Resolution No. 512 of 2007, to include longevity in the amount of \$1,400 to be added to the annual salary for the Fire Prevention and Building Code Enforcement Administrator.

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

Continuing, Mr. Gabriels expounded Items 5A and B were referrals from the Health Services Committee. The first, he said, was a request for authorization to backfill all Registered Nursing positions approved by the Health Services and Personnel/Human Resources Committees at the grades where the newly recruited nurse's educational and experience level falls.

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

Pat Auer, Director of Health Services, explained that in order to fill the position of Community Health Nurse, two years of experience was required and it was unlikely to find a candidate with that level of experience (two years of Home Care or Public Health experience); therefore, she added, she had to reclassify the position to either a Registered Nurse or Public Health Nurse level. She further clarified that the request dealt more with paperwork than anything else and would also allow her to recruit the most qualified person for the job.

Mr. Stec entered the meeting at 9:18 a.m.

Following discussions, Mr. Gabriels called the question and the motion was carried unanimously to approve Item 5A as outlined above. The necessary resolution was authorized for the next board meeting.

Mr. Gabriels apprised Item 5B was a discussion regarding the Health and Wellness Fair and possible diabetes and cholesterol screening. Privilege of the floor was extended to Todd Lunt, Director of Human Resources.

Mr. Lunt stated the Warren County Health and Wellness Fair was planned for November 8, 2007. He said that he had been approached by one of the insurance carriers with regard to possible diabetes and cholesterol screening. He noted it would cost \$15 per employee for the screening, as well as a small cost for the Nurse to administer such screening and there were funds within the Health and Wellness budget to cover the costs.

Mr. Payne questioned if all Departments outside the County Center campus would have access to this screening as well. Mr. Lunt replied he had suggested to extend the hours of the screening until 6:00 p.m. to accommodate all County employees. Mr. Belden asked if an issue of overtime being used would occur for outside employees to attend this Health and Wellness Fair and Mr. Lunt responded he did not foresee that being an issue. Mr. Lunt further explained that during past Wellness Fairs, employees attended on either their morning and afternoon breaks or their lunch breaks, not during their regular work hours. Mr. Payne advised there was enough money in the Health and Wellness budget to cover the screening for 346 employees.

Discussion ensued regarding the Health and Wellness Fair.

Motion was made by Mr. Stec, seconded by Mr. Belden and carried unanimously to authorize Mr. Lunt to pursue the diabetes and cholesterol screening during the Health and Wellness Fair, with the stipulation that it would be offered to all County employees and no overtime would be incurred due to the Fair.

Returning to the Agenda review, Mr. Gabriels expounded Item 6 was a referral from the Parks, Recreation & Railroad Committee, requesting to fill the vacant position of Naturalist #1, base salary of \$31,327, Employee No. 8685, due to resignation.

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

Mr. Lamy said he had been directed by the Parks, Recreation and Railroad Committee to review the revenue available for this program. He advised that the money available through the Trust Fund for Up Yonda, as well as income generated within Up Yonda, provided sufficient revenue to fund this position.

Mr. Gabriels called the question and the motion was carried unanimously to approve Item 6 as outlined above. A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.

Mr. Gabriels stated Items 7A through C were referrals from the Real Property Tax Services Committee. The first, he said, was a request to create the position of Real Property System Coordinator, base salary of \$25.00 per hour, effective October 15, 2007; thereby amending the Department's Table of Organization.

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

Mr. Belden question how many hours per week this individual would work and for how long a time period the position would last. Mike Swan, Director of Real Property Tax Services, advised the Deputy Director had resigned and he was requesting to create this new position in order for the individual who resigned to assist in the training of the new Deputy Director. He further stated that the services would be needed until the end of the year and he anticipated it would cost approximately \$3,000 to \$4,000 which was included within his Department's budget. He added that he had requested additional funds in the amount of \$2,000 to be included in the 2008 budget in case Mrs. Ross' services were needed next year, as well.

Mr. Gabriels said it sounded like this would be a part-time independent contractor for the County and Mr. Swan agreed. Paul Dusek, County Attorney, advised there were two ways to create a position. One way, he said, was through an independent contractor relationship which did require a contract and the individual was not considered a County employee. The other way, he continued, was to set it up as an employee and create a part-time position, which was the way this request was being handled. He added that the IRS (Internal Revenue Service) would advise if the individual was an employee or an independent contractor. Mr. Dusek stated his legal opinion was that this was the creation of an employee position, as opposed to an independent contractor

Following discussions, Mr. Gabriels called the question and the motion was carried unanimously to approve Item 7A as outlined above, with the inclusion that the position be part-time and the funds expended not exceed \$4,000 (160 hours) for this year. The necessary resolution was authorized for the next board meeting.

Mr. Gabriels apprised Item 7B was a request to fill the vacant position of Real Property Tax Services Deputy Director, base salary of \$40,563, Employee No. 9778, due to resignation.

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

Mr. Belden questioned if the base salary was the same as that of the previous Deputy Director and Mr. Swan replied it was the same base salary; however, he added, the previous Deputy Director had longevity added to the salary. Mr. Belden suggested decreasing the base salary for the position of Deputy Director to \$38,000.

Discussion ensued regarding longevity included with base salaries for union and non-union employees.

Rich Kelly, Personnel Officer, clarified that the only longevity that went with an employee who transferred from a position within the bargaining unit to outside the bargaining unit was for those employees that had been with the County for 10, 15, 20, 25 and 30 years.

Mr. Belden requested to amend the motion to decrease the base salary for the position of Deputy Director to \$38,000 plus longevity. Mr. Stec seconded the amended motion. Mr. Gabriels called the question and the motion was carried unanimously to approve the request to fill the vacant position of Deputy Director and to decrease the base salary to \$38,000 plus longevity. The necessary resolution was authorized for the next board meeting and a copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.

Mr. Gabriels said Item 7C was a request to fill the vacant position of Real Property Information Specialist, base salary of \$30,812, Grade 11, Employee No. 9220, due to promotion.

Motion was made by Mr. Stec and seconded by Mr. F. Thomas to approve the request as presented.

Mr. Belden asked if this position would be advertised and Mr. Swan replied affirmatively. Mr. Kelly added it would be a non-competitive promotion if an individual were recruited from within the Department; therefore, he added, the position would not have to be advertised. He further noted that in a promotional sequence, the individual would have two attempts at a non-competitive promotion and if they were not successful, they would be able to bounce back to the lower level title. He clarified that in a promotional sequence, every person was protected under civil service to resume their lower level title.

Mr. Gabriels called the question and the motion was carried unanimously to approve Item 7C as outlined above. A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.

Mr. Gabriels stated Item 8 was a referral from the Social Services Committee, requesting to fill the vacant position of Social Welfare Examiner, base salary of \$28,203, Grade 8, Employee No. 8681, due to resignation.

Motion was made by Mr. F. Thomas, seconded by Mr. Sokol and carried unanimously to approve Item 8 as outlined above. A copy of the Notice of Intent to Fill Vacant

Position is on file with the minutes.

Mr. Gabriels said Item 9 was discussion regarding the Defensive Driving Policy and Cool Insuring Agency. Privilege of the floor was extended to Mr. Lunt.

Mr. Lunt advised that Cool Insuring Agency did not have anyone in-house to provide the necessary training for such a course. He noted that the Agency could out-source the training and would charge the County approximately \$1,000 per training class.

Mr. Belden questioned if there would be a discount on the County insurance for implementing such a course. Amy Clute, Administrator of Self-Insurance, replied in the negative because the County was insured through NYMIR (New York Municipal Insurance Reciprocal). She further stated that this policy was being considered to save on the costs of claims, from a risk management point of view. She noted that she had reviewed the Workers Compensation claims for the last five years and there had been approximately \$12,000 worth of claims. She added that Cool Insuring Agency had reviewed the last four years of automobile claims and had determined there had been \$245,000 worth of claims.

Discussion ensued. Following discussions, it was the consensus of the Committee that Mr. Lunt continue to pursue and research a Defensive Driving Policy for County employees and report back to the Committee when he had additional information.

Concluding the Agenda review, Mr. Gabriels apprised Item 10 was a request from Paul Dusek, County Attorney, to address the Committee regarding Collective Bargaining negotiations.

Mr. Dusek requested an executive session in order to discuss Collective Bargaining negotiations.

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

Executive session was declared from 10:05 a.m. to 10:33 a.m.

Committee reconvened. Pursuant to executive session, motion was made by Mr. Stec, seconded by Mr. Belden and carried unanimously to forward the Collective Bargaining negotiations agreements with the CSEA (Civil Service Employees Association) to the full Board of Supervisors. The necessary resolution was authorized for the next board meeting.

There being no further business to come before the Committee, on motion by Mr. Belden and seconded by Mr. Sokol, Mr. Gabriels adjourned the meeting at 10:34 a.m.

Respectfully submitted,

Nicole Livingston, Deputy Clerk