

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: **PERSONNEL**

DATE: **MARCH 12, 2008**

Committee Members Present:

Supervisors Thomas
Kenny
Haskell
Belden
Stec
Sokol
Tessier

Others Present:

Frederick Monroe, Chairman
Hal Payne, Commissioner of Administrative
and Fiscal Services
Joan Sady, Clerk of the Board
Paul Dusek, County Attorney
JoAnn McKinstry, Deputy Commissioner of
Administrative and Fiscal Services
Supervisor Bentley
Supervisor Champagne
Supervisor Geraghty
Supervisor Goodspeed
Supervisor Merlino
Supervisor O'Connor
Supervisor Strainer
Supervisor Taylor
Supervisor VanNess
Patricia Auer, Director, Public Health
Robert Iusi, Director, Probation
Richard Kelly, Personnel Officer
Todd Lunt, Director, Human Resources
William Lamy, Superintendent, DPW
Julie Pacyna, Purchasing Agent
Robert Phelps, Commissioner, Dept. Of
Social Services
John Wappett, Public Defender
Michael Swan, Director, Real Property Tax
Services
Sheriff York
Nicole Livingston, Deputy Clerk

Mr. Thomas called the Personnel Committee meeting to order at 10:01 a.m.

Motion was made by Mr. Belden, seconded by Mr. Kenny and carried unanimously to approve the minutes of the February 6, 2008 Committee meeting, subject to correction by the Clerk of the Board.

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

Mr. Thomas commenced the Agenda review and stated Items 1A through F were referrals from the Criminal Justice Committee. Items 1A and B, he said, were referred by the Probation Department. Item 1A, Mr. Thomas advised, was a request to fill the

vacant position of Probation Officer, base salary of \$38,978, Employee No. 11244, due to resignation.

Motion was made by Mr. Haskell and seconded by Mr. Kenny to approve the request as presented.

Mr. Belden asked Robert Iusi, Direction of Probation, if the Department could continue to function efficiently without this position being filled. Mr. Iusi replied in the negative and explained that without this position, there would be a direct affect on public safety because the individuals that they dealt with now were far more dangerous and explosive than in previous years. He noted that this position was included in the 2008 budget and also pointed out that the Department's Probation Officers did pre-sentencing investigations for the Courts and if this position was not filled, they would not be able to respond to the Courts in a timely fashion.

Mr. Belden questioned if Probation Officers were paid by the State and Mr. Iusi responded that the positions were 18% reimbursable by the State.

Mr. Thomas called the question and the motion was carried unanimously to approve Item 1A as outlined above. A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.

Mr. Thomas added Item 1B was a request to fill the vacant position of part-time Probation Officer, base salary of \$19,489, Employee No. 11394, due to a promotional transfer.

Mr. Iusi apprised this part-time position would handle the PINS (Person in Need of Supervision) program which included individuals ages sixteen to eighteen that were under the jurisdiction of Family Court. He noted that the main purpose of the juvenile work that his Department did was to prevent placement which had become very costly. He added that the Department of Social Services (DSS) had shared their preventive services funding with the Probation Department, allowing for the position to be funded through DSS, thereby allowing the County to be reimbursed 65% by the State.

Motion was made by Mr. Kenny, seconded by Mr. Haskell and carried unanimously to approve Item 1B as outlined above. A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.

Mr. Thomas expounded Items 1C through F were referred by the Public Defender. Item 1C, he said, was a request to reclassify the position of 4th Assistant Public Defender, Employee No. 11254, from part-time (35 hours/week) to full-time (40 hours/week); and to increase the salary from the former base salary of \$39,296 to the current base salary of \$44,910, thereby amending the Department's Table of Organization. He added that a source of funding was to be determined by the Finance Committee.

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

Mr. Kenny commended the job that John Wappett, Public Defender, did under very difficult circumstances; however, he said, there was a process in Warren County in which each Department Head was requested in late summer or early fall to forecast their needs for the following year in order to assist in the budget process. He noted that the only issue Mr. Wappett brought up at budget time was this increase in hours for the 4th Assistant Public Defender; however, he stated, that request was removed by the Budget Officer. Mr. Kenny concluded that was the only request that should be entertained at this time because Items 1D through F were never discussed.

Mr. Wappett clarified that in fact the Criminal Justice Committee had recommended the increase in hours for the 4th Assistant Public Defender during the budget process. He further explained that he did report last September to the Criminal Justice Committee and to the Budget Officer that he could not in good conscience participate in the mandatory cuts to the .4's (contractual expenses) and that it could not be determined whether the increase in caseloads that he was seeing were a 'bubble' or a consistent factor. From September 2006 to September 2007, Mr. Wappett noted a 20% increase in the caseloads. He added that he was under a legal mandate to provide representation; however, he said, he was also under a legal and ethical obligation to stop taking cases if they could not provide adequate legal service due to the number of cases handled by each Assistant in his Office.

Following discussions, Mr. Thomas called the question and the motion was carried unanimously to approve Item 1C as outlined above, and the necessary resolution was authorized for the next board meeting. A copy of the request is on file with the minutes.

Mr. Thomas stated Item 1D was a request to create a new position of 5th Assistant Public Defender, full-time, base salary of \$46,000, thereby amending the Department's Table of Organization. He noted a source of funding was to be determined.

Motion was made by Mr. Tessier and seconded by Mr. Haskell to approve the request as presented.

Mr. Tessier advised that this had been discussed at great length during the Criminal Justice Committee meeting and it was determined that the creation of a new position was unavoidable, whether it happened now or in the future. Mr. Haskell questioned if it would be possible for this to be a part-time position, rather than a full-time position. Mr. Wappett explained that the problem with a part-time position was that in order for him to gain individuals with the appropriate expertise he needed to be able to offer benefit packages, which would draw individuals from private practices. Mr. Wappett advised if the Committee approved Items 1C and D, he would be willing to withdraw his next requests listed as Items 1E and F.

Mr. Belden asked if Mr. Wappett could find the funds within his budget to cover this position, as well as the increase outlined in Item 1C and Mr. Wappett replied he could fund the positions by transferring monies from other codes; however, he said, he could only cover it for a period of time and ultimately he would run out of funds before the end of the year, probably around October.

Mr. Stec suggested the possibility of approving the request to create the position with the stipulation that the position not be filled until mid-year if Mr. Wappett could get through the next few months with this position remaining vacant.

Mr. Belden stated that the salary for this position did not include the cost of fringe benefits which would increase the overall cost by approximately 40%.

Mr. Tessier amended his motion to approve the creation of the position of 5th Assistant Public Defender as outlined and to include the stipulation that the position be filled after July 1, 2008, with the source of funding to come from the Public Defenders' Budget. Mr. Haskell seconded the amended motion.

Mr. Thomas called the question and the motion was carried by majority vote to approve the creation of the position of 5th Assistant Public Defender as outlined and to include the stipulation that the position be filled after July 1, 2008, with the source of funding to come from the Public Defenders' Budget, with Messrs. Belden and Kenny voting in opposition. A copy of the request is on file with the minutes, and the necessary resolution was authorized for the next board meeting.

Mr. Thomas outlined Items 1E and F as follows:

- E) Reclassifying the position of Investigator, Employee No. 1482, to increase the hours from 16 hours per week to 24 hours; and increasing the salary from the former base salary of \$20,028 to the current base salary of \$30,042, with the source of funding to be determined; thereby amending the Department's Table of Organization;
- F) Creating a new position of Confidential Secretary, part-time (19 hours/week), base salary of \$15,647, with the source of funding to be determined; thereby amending the Department's Table of Organization;

and he expounded both Items had been withdrawn at the request of Mr. Wappett.

Continuing the Agenda review, Mr. Thomas said Item 2 was a referral from the Public Safety Committee, Sheriff & Communications, requesting to fill the vacant position of Communication Officer, base salary of \$30,100, Employee No. 11063, due to resignation.

Mr. Belden questioned if the funds were included in the 2008 budget for this position and Sheriff York replied affirmatively.

Motion was made by Mr. Haskell, seconded by Mr. Sokol 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. Thomas apprised Item 3 was a referral from the Real Property Tax Services Committee, requesting to create the position of Real Property System Coordinator, base salary of \$25 per hour, for a maximum amount not to exceed \$2,000, effective March 19, 2008; thereby amending the Department's Table of Organization.

Motion was made by Mr. Haskell, seconded by Mr. Belden and carried unanimously to approve Item 3 as outlined above, and the necessary resolution was authorized for the next board meeting. A copy of the request is on file with the minutes.

Mr. Thomas stated Items 4A through G were referrals from the Social Services Committee. Item 4A, he said, was a request to fill the newly created position of Caseworker, base salary of \$33,590, Grade 14.

Motion was made by Mr. Tessier and seconded by Mr. Kenny to approve the request as presented.

Robert Phelps, Commissioner of DSS, informed the Committee that this position was a Medicaid position in the Coordinated Care Unit and was 100% reimbursable by the State. He noted this position helped with the aging population and the placement in nursing homes, as well as alternatives to placement in nursing homes. Mr. Taylor asked if the reimbursement included benefits and Mr. Phelps replied affirmatively.

Mr. Thomas called the question and the motion was carried unanimously to approve Item 4A as outlined above. A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.

Mr. Thomas listed Items 4B through G as follows:

- B) Request to fill the vacant position of Social Welfare Examiner, base salary of \$28,697, Grade 8, Employee No. 6478, due to promotion;
- C) Request to fill the vacant position of Senior Account Clerk, base salary of \$27,559, Grade 7, Employee No. 10764, due to promotion;
- D) Request to fill the vacant position of Typist, base salary of \$22,988, Grade 3, Employee No. 10551, due to promotion;
- E) Request to fill the vacant position of Resource Clerk, base salary of \$24,059, Grade 4, Employee No. 10847, due to promotion;
- F) Request to fill the vacant position of Supervising Support Investigator, base salary of \$34,564, Grade 15, Employee No. 6736, due to a transfer; and
- G) Request to fill the vacant position of Social Welfare Examiner, base salary of \$28,697, Grade 8, Employee No. 10571, due to retirement.

Motion was made by Mr. Kenny and seconded by Mr. Tessier to approve the requests as presented.

Mr. Haskell referred to Item 4D and questioned the title of the position of Typist. He noted that he thought all Typist positions had been reclassified to Keyboard Specialist positions throughout departments. Mr. Phelps replied the two titles represented the same position and Grade level; however, he said, he had not requested to reclassify the title of Typist to Keyboard Specialist. He added he could change the title to a Keyboard Specialist rather than a Typist.

Following discussion, Mr. Thomas called the question and the motion was carried unanimously to approve Items 4B through G as outlined above. Copies of the Notices of Intent to Fill Vacant Positions are on file with the minutes.

Mr. Thomas advised Item 5 was a referral from the Support Services Committee, Purchasing Department, requesting to increase the base salary of the Deputy Purchasing Agent, Employee No. 11361, from the former base salary of \$34,070 to the current base salary of \$37,500, effective March 2, 2008. He noted that the increase was previously approved by the Committee and included in the 2008 Budget and the individual had now been employed with the Department for six months.

Motion was made by Mr. Tessier, seconded by Mr. Belden and carried unanimously to approve Item 5 as outlined above, and the necessary resolution was authorized for the next board meeting. A copy of the request is on file with the minutes.

Mr. Thomas said Items 6A through D were referred from Todd Lunt, Human Resources Director. He listed Items 6A through C as follows:

- A) Ratifying the actions of the Director of Human Resources and authorizing the Director of Human Resources to attend the Annual NYSAC Winter Conference in Colonie, New York on January 28th and 29th, 2008, using a County vehicle;
- B) Authorizing the Director of Human Resources to attend the Capital Region Human Resource Association Annual Conference in Albany, New York on March 26, 2008, using a County vehicle; and
- C) Authorizing the Director of Human Resources to attend the Worksite Wellness Level 1 Certification Course in Albany, New York on March 19th and 20th, 2008, using a County vehicle.

Motion was made by Mr. Belden, seconded by Mr. Haskell and carried unanimously to approve Items 6A through C as outlined above. Authorization to Attend Meeting or Convention forms are on file with the minutes.

Mr. Thomas added Item 6D was a request from Mr. Lunt for an executive session to discuss the employment history of a particular person. Mr. Lunt noted that Item 7, a request from Paul Dusek, County Attorney, to address the Committee regarding the PBA (Police Benevolent Association) and Alliance Union negotiations should be included in discussions during the executive session and Mr. Dusek agreed.

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

Executive session was declared from 10:36 a.m. to 11:09 a.m.

Committee reconvened and Mr. Thomas noted that no action was necessary pursuant to the executive session.

There being no further business to come before the Committee, on motion by Mr. Kenny and seconded by Mr. Sokol, Mr. Thomas adjourned the meeting at 11:10 a.m.

Respectfully submitted,

Nicole Livingston, Deputy Clerk