

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: PERSONNEL (INCLUDING CIVIL SERVICE AND HUMAN RESOURCES)

DATE: OCTOBER 21, 2008

COMMITTEE MEMBERS PRESENT:

SUPERVISORS THOMAS  
KENNY  
HASKELL  
STEC  
SOKOL  
TESSIER

OTHERS PRESENT:

FREDERICK MONROE, CHAIRMAN OF THE BOARD  
PAUL DUSEK, COUNTY ATTORNEY  
HAL PAYNE, COMMISSIONER OF ADMINISTRATIVE AND FISCAL SERVICES  
JOAN SADY, CLERK OF THE BOARD  
KEVIN GERAGHTY, BUDGET OFFICER  
SUPERVISORS GIRARD  
STRAINER

COMMITTEE MEMBER ABSENT:

SUPERVISOR BELDEN

WILLIAM LAMY, SUPERINTENDENT OF PUBLIC WORKS  
PATRICIA AUER, DIRECTOR, PUBLIC HEALTH  
ROBERT SWAN, UNDERSHERIFF  
SHANE ROSS, CHIEF DEPUTY  
KAREN PUTNEY, ADMINISTRATOR - FIRE PREVENTION & BUILDING CODE  
ENFORCEMENT  
PATRICIA TATICH, DIRECTOR - PLANNING & COMMUNITY DEVELOPMENT  
TODD LUNT, DIRECTOR, HUMAN RESOURCES  
AMANDA ALLEN, SR. LEGISLATIVE OFFICE SPECIALIST

Mr. Thomas called the meeting of the Personnel Committee to order at 9:00 a.m.

Motion was made by Mr. Haskell, seconded by Mr. Sokol and carried unanimously to approve the minutes from the October 8, 2008 Committee meeting, subject to correction by the Clerk of the Board.

Mr. Thomas noted that the meeting had been called to continue discussions that had begun in the prior Committee meeting regarding revisions to the County's Travel Policy. He added that the initial discussion had stemmed from allegations of misuse of County vehicles by staff allowed to take them home at the end of their scheduled shift.

Copies of Resolution No. 672 of 2008, Amending the Warren County Travel Policy and County Vehicle Use Regulations, were distributed to the Committee members and a copy of same is on file with the minutes.

Since the issue at hand pertained solely to those vehicles being taken home on a daily basis by County employees authorized to do so, Mr. Haskell proposed that the Committee begin with a review of Section II-D of the Travel Policy, which addressed this matter. Mr. Thomas agreed with this suggestion and he noted that this section was broken down into four categories, the first of which pertained to the Department of Public Works (DPW) and reflected that nine County vehicles were being driven home by the following staff: the DPW Superintendent; the five Highway Construction Supervisors; the Deputy DPW Superintendent; the DPW General Highway Foreman and the Superintendent of Buildings and Grounds.

Mr. Kenny stated that the County could no longer afford to do business as it had in the past and in light of increasing gas and liability expenses, they had no choice but to change the vehicle use practices to reduce costs wherever possible. Mr. Kenny advised that he would vote in favor of retaining permissions to take vehicles home only for those employees who consistently had County business to attend to between work and home.

Mr. Thomas asked Mr. Lamy to explain why the permission to take vehicles home was necessary for the five

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Highway Construction Supervisors listed in the current Travel Policy. Mr. Lamy stated that the Department of Public Works was a 24-hour per day, seven day a week operation and staff had to be available to address emergency situations affecting County roads as they occurred, which were not limited to the winter season. Mr. Lamy explained that the Highway Construction Supervisors were called upon to respond to severe storms, fallen trees, flooding and other such issues in warmer weather, as well as to inclement winter weather issues.

Mr. Lamy advised that during winter storms, the five Construction Supervisors were called upon to inspect the County's roads to determine where plowing and salting was necessary and which employees should be called in to care for the roads in the interest of public safety. He said that they also depended upon the Sheriff's Office to advise of adverse road conditions in response to which the five Construction Supervisors directed and coordinated storm related activities as necessary. Mr. Lamy noted that these employees were strategically located throughout the County and had vehicles that were equipped with gauges to reflect air and pavement temperatures to assist in the road care operation. He stated that all of the information gathered by the five Construction Supervisors through driving and checking the roads, as well as gauging temperatures, was factored into their decisions as to which roads required attention and what crews should be called in to address the situation. Mr. Lamy then apprised that the DPW Superintendent, Deputy DPW Superintendent and DPW General Highway Foreman provided oversight for the Construction Supervisors and Highway Crews, leading to the need for fleet vehicles to travel around the County for work-site visits.

Mr. Lamy pointed out that revisions to the DPW section of the Travel Policy made in 2004 had eliminated all permissions for taking County vehicles home, except for the Construction Supervisor positions. He said that when he assumed the Superintendent position in 2006 he had determined that the Construction Supervisors required supervisory oversight in order to maintain overtime costs. Therefore, he said, allowances had been included for himself and his division managers to have access to fleet vehicles for construction site visits as necessary to ensure that the appropriate number of staff were working on each project and that there was no over-staffing; these measures had been effective in reducing overtime costs thus far, he added. Furthermore, Mr. Lamy noted that when the 2006 revisions were made he had not requested access to commuter vehicles for the other Division Managers, such as the Deputy Superintendent of Engineering, Airport Manager, Director of Parks, Recreation & Railroad, Recreation Facilities Manager, Auto Mechanic Shop Supervisor or the Sign Shop Foreman, as he felt this access was unnecessary.

Because he said he understood the County's desire to reduce costs while maintaining the services provided, Mr. Lamy said that he had attempted to reduce costs in all possible areas of the Public Works operation. He advised that by calculating the miles traveled by each of the fleet vehicles, as well as the gasoline used, he had determined that the costs incurred through the use of the commuter vehicles was approximately \$5,700 annually. Mr. Lamy stated that although this was an additional cost to the County, he felt it was minimal in comparison to the public safety services provided. He added that the Committee would have to decide whether this cost was commensurate with the benefits received through the ability of DPW staff to immediately respond to any issue with road usage, as well as to maintain supervisory oversight to be sure that the correct course of action was being taken.

Mr. Kenny expressed his opinion that commuter vehicles were not necessary for the Highway Construction Supervisors for the seven months out of the year when snow emergencies were not an issue. To the contrary, Mr.

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Haskell stated that he did feel they were necessary as they allowed the Construction Supervisors to address smaller issues without having to call in a full crew. For example, he cited that in the Town of Thurman there had been several instances where small trees had fallen during windstorms occurring in summer months. He explained that a Highway Construction Supervisor, who had the use of a fleet vehicle after normal working hours, had been called to address the issue, traveling to the site and removing the obstruction without having to call for the assistance of additional staff which would have incurred overtime costs.

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

Subsequent to further discussion on the matter, Mr. Sokol stated that he felt the costs related by Mr. Lamy seemed reasonable for the services provided and Mr. Thomas agreed.

Mr. Thomas thanked Mr. Lamy for his explanation and noted that while he had no issue with most of the positions retaining the use of fleet vehicles, he did question the need for a vehicle for the Superintendent of Buildings and Grounds. Mr. Lamy replied that in anticipation of this question he had asked Frank Morehouse, Superintendent of Buildings, to provide a memo detailing the instances in which he was called to County Buildings after normal business hours, copies of which were provided to the Committee members and a copy of same is on file with the minutes. He said that Mr. Morehouse's memo explained that although he did not have specific dates when the County vehicle assigned to him was used, it was essential to his position that he have the ability to respond to a variety of situations and to be equipped to handle them with the proper tools, safety materials and communication equipment. He further explained that Mr. Morehouse had responded to instances such as power outages; smoke and fire conditions; burglar/intrusion alarms; employee issues and flooding situations. In addition, Mr. Lamy noted that Mr. Morehouse used the fleet vehicle to transfer mail between the Municipal Center to the Warrensburg DPW Shop. He advised that if access to the fleet vehicle was taken away, they would find alternate means to provide these services.

Mr. Thomas asked if it would be possible to park the vehicle assigned to Mr. Morehouse at the Warrensburg DPW Shop rather than allowing him to drive it to his home each evening and Mr. Lamy replied affirmatively. Mr. Lamy advised that in the past Mr. Morehouse had been required to park the commuter vehicle at the Town of Johnsburg's highway garage, which was approximately one-half mile from his home. Because of the closeness of the designated parking place to his home, he noted that the Board of Supervisors had previously authorized Mr. Morehouse to drive the vehicle to and from his home.

Motion was made by Mr. Kenny and seconded by Mr. Sokol to eliminate the use of a fleet vehicle for the Superintendent of Buildings and Grounds from the Warren County Travel Policy.

Following further discussion, Mr. Thomas called the question and the motion failed with Messrs. Thomas, Haskell and Tessier voting in opposition.

Motion was made by Mr. Haskell, seconded by Mr. Tessier and carried by majority vote to retain the use of a fleet vehicle for the Superintendent of Buildings and Grounds, but to mandate that the vehicle be parked at the Warrensburg DPW Shop, rather than driven to the home of the Superintendent, with Messrs. Kenny and Sokol voting in opposition.

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Moving on, Mr. Thomas directed the Committee members to the second category contained in Section II-D of the Travel Policy, Health Services.

Pat Auer, Director of Public Health, addressed the Committee and advised that currently there were no vehicles being driven home by Health Services employees. She advised that there were four vehicles being parked overnight at Town owned properties in the Towns of Hague, North Creek and Chester. She added that early morning and late afternoon home visits were scheduled in these areas to make the vehicle use as economical as possible for the County. Mrs. Auer noted that accountability measures which required that the person receiving the home visit sign and time stamp the arrival and departure of the visiting nurses were in place to ensure that the vehicles were being used as allowed by the Travel Policy and to avoid any misuse.

Mr. Thomas pointed out that Section II-F, Subsection 4 of the Travel Policy specified that two vehicles were assigned to the Health Services Department for use by the nurses in the northern part of the County, to be housed in the Towns of Hague and North Creek and he questioned why four vehicles were being used instead of the two listed in the Travel Policy. Mrs. Auer replied that she had contacted Chairman Monroe with respect to the need for a vehicle in the Town of Chester to address the needs of the community and those discussions had led to a fleet vehicle being parked in that area. She added that two vehicles were being parked in the Town of Hague as it was more cost effective to operate the second vehicle from that location than it was to return it to the Municipal Center each night.

Mr. Thomas stated that the practices and procedures in use by the Health Services Department with respect to the use of fleet vehicles seemed appropriate and the Committee agreed; thereby authorizing an amendment to the Travel Policy that would allow four Health Services fleet vehicles to be parked at satellite locations as follows: two in the Town of Hague, one in the Town of Chester and one in the Town of North Creek.

The third category listed under Section II-D of the Travel Policy referred to vehicle usage by the Sheriff's Office, Mr. Thomas stated. He noted that the Travel Policy reflected fleet vehicles were being driven home by the Sheriff, Undersheriff, Major, Patrol Lieutenant, Investigative Sergeant and Investigators. Mr. Thomas then asked Robert Swan, Undersheriff, to address the Committee on the matter.

Undersheriff Swan began by noting that Bud York, Sheriff, was unable to attend the meeting and had asked him to speak in his absence. He stated that the number of vehicles actually being driven home by employees of the Sheriff's Office was higher than what was included in the Travel Policy. Undersheriff Swan explained that the number of vehicles being driven home by employees of the Sheriff's Office had increased from 12 to 23, most of which were permitted due to the fact that the employees were constantly on-call and required to respond to emergency calls 24-hours a day. As per the request of Sheriff York, Undersheriff Swan mentioned that the number of Officers per patrol car had been doubled, meaning that two officers now traveled in each car, thereby reducing the number of patrol cars being used. He said that through these efforts approximately 3,000 less gallons of gasoline had been used as of September 2008 than had been expended in 2007, which led to reduced costs for the County in both gasoline usage and vehicle maintenance costs.

Mr. Kenny questioned what employees of the Sheriff's Office were permitted to drive County vehicles to their home and Undersheriff Swan read aloud the following list, a copy of which was distributed to the Committee members and is on file with the minutes:

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Sheriff	Lieutenant - Law Enforcement
Undersheriff	Lieutenant - Professional Standards
Chief Deputy	K-9 Officer
Major	Criminal Investigators (6)
Corrections Captain	Narcotics Officers (5)
Lieutenant - Criminal Investigations	Civil Officers (3)

Undersheriff Swan pointed out that although there were more cars being driven home, there was less personnel overall. He added that some of these positions were previously driving marked patrol cars, which were stored at the Sheriff's Office, but had now switched to driving more inconspicuous unmarked cars that were parked at their homes when off duty. Undersheriff Swan apprised that the Chief Deputy position was added at the beginning of 2008 and a vehicle had been added for that position, while the Corrections Captain was a long standing position that had recently been allotted a vehicle due to the frequency of call-ins for the employee as per State mandates which required that he come to the Corrections Facility each time an incident occurred. With respect to the three Lieutenant positions, Undersheriff Swan advised that the Criminal Investigation and Law Enforcement Lieutenants were called in very often, while the Professional Standards Lieutenant had the least frequent call-ins and was expected to respond to any incident involving a member of the Sheriff's Office staff in which there was a possibility of wrong-doing which he would investigate. Undersheriff Swan stated that the K-9 Officer position had been reinstated earlier in the year and the Officer chosen for the position had recently completed the training necessary for the position. He noted that this Officer would require the use of a special vehicle to transport the dog involved with the position to and from his home where the dog would be cared for. Undersheriff Swan added that the K-9 vehicle consisted of an existing fleet vehicle that had been outfitted with special equipment donated by the State of New York.

There were now six Criminal Investigator positions, Undersheriff Swan apprised, and he noted that the largest increase in fleet car use was attributed to the Narcotics Officer positions, for whom five used compact vehicles had been purchased. He concluded that the three Civil Officer positions had been added by Sheriff York in February of 2008 and he had allowed them to take their vehicles home because at least two of them lived in the northern parts of the County and could serve the paperwork associated with their positions in those locations prior to traveling to the Public Safety Building, thereby saving mileage and gasoline costs that would be incurred by traveling to the Public Safety Building to pick up the fleet vehicle, then traveling back to the areas in which they lived to serve paperwork.

Mr. VanNess pointed out that the costs associated with the cars used by the Narcotics Officers were funded solely by drug asset seizure monies, leaving no costs to the County. Undersheriff Swan confirmed Mr. VanNess' statement and added that a certain amount of the costs incurred through the Civil Officer positions were reimbursable based on the nature of the papers being served.

Chairman Monroe entered the meeting at 9:31 a.m.

Mr. Kenny said that he could understand the need for certain positions to have the use of a fleet vehicle to drive to their home, such as the Criminal Investigators and Narcotics Investigators; however, he added, he did not feel that it was necessary for the Corrections Captain, the Civil Officers, the Major or the Lieutenant of Professional Standards to drive fleet vehicles to their home at the end of each shift. Mr. VanNess agreed that, prior to conferring

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with Sheriff York for further explanation on the matter, he too had some issues with the positions cited by Mr. Kenny taking fleet vehicles home.

Discussion ensued with respect to the matter.

Mr. Sokol questioned if the County was bound by the PBA (Police Benevolence Association) contract to provide the Officers listed with vehicles to drive to their homes and Mr. Thomas replied in the negative.

Mr. Stec entered the meeting at 9:37 a.m.

Motion was made by Mr. Haskell, seconded by Mr. Kenny and carried unanimously to amend the Travel Policy to exclude permissions for the Major, Corrections Captain, Lieutenant for Professional Standards and two of the Civil Officers to take County vehicles home at the end of their shifts. *Note: Since the existing Travel Policy did not include the same listing of permissions as were being allowed by the Sheriff's Office, the Travel Policy would actually be amended to include permissions for the following positions to drive County vehicles to their homes: Sheriff, Undersheriff, Chief Deputy, Lieutenant - Criminal Investigations, Lieutenant - Law Enforcement, K-9 Officer, Narcotics Officers (5) and Civil Officer (1).*

Proceeding to the fourth, and final, category listed under Section II-D of the Travel Policy, entitled Fire Prevention & Building Code Enforcement, Mr. Thomas advised that this category pertained to the permissions given to the Fire Coordinator and Building Inspectors.

Mr. Thomas stated that the need for the Fire Coordinator to have a County vehicle available to him was rather obvious as he would be required to respond to emergencies as they occurred. Mr. VanNess interjected that the new Fire Coordinator, Brian LaFlure, had stated that he was not in favor of retaining the current fleet vehicle assigned to his position and the Public Safety Committee was currently discussing whether it was less costly to retain the leased vehicle or give Mr. LaFlure mileage reimbursement when using his personal vehicle to respond to emergencies. He noted that since assuming the position of Fire Coordinator, it was his understanding that Mr. LaFlure had not used the leased vehicle and had yet to seek any form of mileage reimbursement. In light of this issue, Mr. VanNess suggested that the Committee leave the Travel Policy as it was for the Fire Coordinator position pending further discussion by the Public Safety Committee. As the Personnel Committee was in agreement with Mr. VanNess' suggestion, Mr. Thomas asked Karen Putney, Administrator of Fire Prevention and Building Code Enforcement, to speak on the fleet vehicles used by the Building Inspectors in that Department.

Ms. Putney apprised that there were currently four fleet vehicles used by the Building Inspectors, three of which were used mainly for providing building inspections while the fourth provided fire safety reports throughout the County. She said that she did not have detailed information available regarding the costs incurred by allowing the Building Inspectors to drive fleet vehicles to their homes, but noted that the allowances had been made because the employees worked in the Office from 8 a.m. to 10 a.m. for public visits, thereafter leaving the Office to provide inspection services, eventually going home from the field. Ms. Putney stated that if this allowance was taken away, they would lose approximately 30 to 60 minutes of work time per Inspector each workday as the Inspector would be leaving the field in time to return to the Office to drop off their fleet vehicle before going home. She added that

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losing work time would lead to a decrease in the number of inspections they were able to provide which was not favorable due to the ever increasing number of permit applications received and resulting need for inspections. Ms. Putney stated that daily logs were kept to account for the number of miles traveled by each Building Inspector and a chart was comprised from these logs to reflect pertinent travel information for each.

When questioned as to whether she had the use of a County fleet vehicle to commute to and from work, Ms. Putney replied in the negative.

Mr. VanNess noted that the newest of the four Building Inspectors resided in the City of Glens Falls, where the County had no jurisdiction, and therefore he felt that there was no need for this person to have the use of a fleet vehicle to travel to and from work. Ms. Putney agreed that this was correct, but noted that the new employee was still within the probationary period and if it became necessary to hire another employee this issue might need to be revisited depending on residency and the need for building inspection services in that area.

Mr. Girard entered the meeting at 9:47 a.m.

Mr. Kenny questioned if there would still be a necessity to drive fleet vehicles home if the time that the Building Inspectors worked in the Office was changed to the afternoon hours of 2 p.m. to 4 p.m. and Ms. Putney replied that she did not feel this change would be convenient to the many contractors and residents seeking meetings with the Building Inspectors and would only lead to further issues. Mr. VanNess stated that he continued to receive complaints from residents and contractors regarding the backlog of inspections and he said that he felt changing the hours in the Office would only serve to increase the number of complaints received. Ms. Putney added that even if the Office hours were changed, they would still lose valuable work time in the morning when the Inspectors were traveling to the Office to pick up the County fleet vehicles before moving on to the inspection sites.

Subsequent to further discussion on the matter, motion was made by Mr. Haskell, seconded by Mr. Tessier and carried unanimously to amend the Travel Policy to allow three of the four Building Inspectors employed by the Fire Prevention and Building Code Enforcement Office to continue to drive their fleet vehicles home at the end of their shift. *Note: Subsequent to the meeting, Ms. Putney advised that two, not one, of the Building Inspectors vehicles would be kept at the Fire Prevention and Building Code Enforcement Office and would not be driven back and forth to the employees' residences.*

Mr. Thomas advised that the final issue for review pertained to the vehicle assigned for use by the Planning & Community Development Department, as outlined in Section II-F of the Travel Policy. He read that the Travel Policy specifically stated that one vehicle would be assigned to the Planning Department for use by the Construction Cost Coordinator and shall be housed at the Hague Town Hall for use on an as-needed basis.

Patricia Tatich, Director of Planning & Community Development, distributed copies of a map outlining the locations of the ongoing housing grant projects which the Construction Cost Coordinator, Martin Fitzgerald, was required to provide inspections for; *a copy of the map is also on file with the minutes.* She advised that the vehicle in question was a 2003 Chevrolet Impala that had been acquired from the Sheriff's Office and was driven solely by Mr. Fitzgerald. Ms. Tatich explained that although Mr. Fitzgerald resided in the Town of Hague, he did not drive the vehicle home each night and that it was parked at the Hague Town Hall. She said that by allowing Mr. Fitzgerald

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to pick up the car in Hague, rather than driving to the Municipal Center to get the car, the County benefitted from an additional 60 to 90 minutes of work time which would not be received otherwise. Ms. Tatich added that by having closer access to the vehicle Mr. Fitzgerald was able to begin the construction inspections early in the day allowing for the majority of the paperwork associated with his position to be completed in the afternoon when he arrived at the Planning Office.

In addition to providing the construction inspections necessary for the 132 ongoing housing grant projects, Ms. Tatich apprised that Mr. Fitzgerald was involved in facilitating public improvement projects in the Town of North Creek (Train Station complex), the Town of Lake Luzerne (Community Center) and the City of Glens Falls/Town of Queensbury (improvements to the recreation projects adjacent to the Feeder Canal).

Ms. Tatich concluded that in order to accommodate the extensive travel required by the position and to meet the Counties obligations to homeowners and governmental granting agencies in a timely and professional fashion, it was necessary to dedicate a vehicle for the program and specifically to conduct site visits. She said she respectfully requested that the Planning Department be allowed to continue to park their vehicle at the Hague Town Hall so that Mr. Fitzgerald could access the vehicle and start making inspections early in the morning and continuing until the end of each work day. Ms. Tatich stated that the costs to operate the vehicle were being provided through grant funding received in connection with the housing grant projects, a portion of which also funded Mr. Fitzgerald's salary. She added that the Planning Department had been keeping detailed travel logs for the past 15 years in order to appease State inspections in connection with grant funding as necessary.

Referring to the map provided by Ms. Tatich, Mr. Kenny pointed out that the majority of the ongoing housing projects were taking place in the Towns of Chester and Horicon, rather than in the Town of Hague where the Planning vehicle was based. He said that if the Travel Policy was changed to read that the car would be parked where the majority of the housing project activity was taking place, it would eliminate any talk of inappropriate vehicle use. Mr. Kenny stated that where an employee lived was immaterial to the process and that the car should be parked where it was needed, rather than close to an employee's home. Chairman Monroe interjected that there was room at the Chester Town Hall to park the vehicle if the Travel Policy was altered as per Mr. Kenny's suggestion.

Mr. Haskell stated that because the issue of revising the Travel Policy had arisen primarily based on allegations that the Planning vehicle was being used for private use, he felt that the allegations should be investigated more thoroughly rather than revising the Policy. Ms. Tatich agreed, adding that someone needed to come forward and give specific references as to when the vehicle was being improperly used rather than making anonymous and vague references which seemed to be based on hearsay.

Discussion ensued with respect to the matter.

Motion was made by Mr. Stec, seconded by Mr. Kenny and carried unanimously to amend the Travel Policy to state that the Planning vehicle should be parked wherever the majority of the housing grant activity was taking place, beginning with the Town of Chester where the activity was currently at the highest level.

Returning to the issue of access to a County vehicle by the Superintendent of Buildings, Mr. Lamy asked if mileage was being paid to employees for use of their private vehicles in responding to after-hours call-ins and Mr. Kenny replied in the negative, noting that mileage was not paid to salaried employees. He then asked the Committee to

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reconsider allowing the vehicle used by the Superintendent of Buildings to be parked at the County facility located in the Town of Johnsborg, rather than at the Warrensburg DPW Shop.

Mr. Kenny replied that the reason the Committee had determined that the vehicle would be kept at the Warrensburg DPW Shop was because County business was conducted between that location and the Municipal Center, while almost no County business would be conducted between the Warrensburg Shop and the Town of Johnsborg, thereby negating the need for a fleet vehicle in that area.

Upon further discussion, it was the consensus of the Committee that the vehicle should be parked at the Warrensburg DPW Shop as per the previous motion.

As there was no further business to come before the Personnel Committee, on motion made by Mr. Haskell and seconded by Mr. Stec, Mr. Thomas adjourned the meeting at 10:19 a.m.

Respectfully submitted,  
Amanda Allen, Sr. Legislative Office Specialist

