

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: **PERSONNEL**

DATE: **APRIL 7, 2010**

Committee Members Present:

Supervisors Thomas
Kenny
VanNess
Belden
Sokol
Merlino
Strainer
Conover

Committee Member Absent:

Supervisor Goodspeed

Others Present:

Paul Dusek, Commissioner of
Administrative & Fiscal Services
Joan Sady, Clerk of the Board
Kevin Geraghty, Budget Officer
Supervisor Bentley
Supervisor Champagne
Supervisor Loeb
Supervisor Pitkin
Supervisor Stec
Supervisor Taylor
Todd Lunt, Director, Human Resources
Frank O'Keefe, Treasurer
Pat Auer, Director, Public Health
Sheila Weaver, Commissioner, Department
of Social Services
Bud York, Sheriff
Shane Ross, Chief Deputy
William Lamy, DPW Superintendent
Frank Morehouse, Superintendent of
Buildings
Willilam Montfort, Commissioner, Board of
Elections
Margit Lawrence, Personnel Technician
Don Lehman, *The Post Star*
Thom Randall, *Adirondack Journal*
Nicole Livingston, Deputy Clerk

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

Motion was made by Mr. Belden, seconded by Mr. VanNess and carried unanimously to approve the minutes of the March 10, 2010 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.

Commencing the Agenda review, Mr. Thomas apprised Items 1A and B were referrals from the Health Services Committee, Health Services. Item 1A, he said, was a request to fill the vacant position WIC Assistant, base salary of \$24,908, Grade 4, Employee No. 10754, due to resignation. He noted the position (and WIC Program) was not mandated and was 100% reimbursed from the WIC grant. He added there was no

impact on the 2010 Budget and the position would be eliminated if funding was eliminated. Mr. Thomas stated Item 1B was a request to fill the vacant position of WIC Program Aide, base salary of \$23,799, Grade 3, Employee No. to be determined, due to promotion. He remarked that the position (and WIC Program) was not mandated and was 100% reimbursed from the WIC grant. He added there was no impact on the 2010 Budget and the position would be eliminated if funding was eliminated.

Motion was made by Mr. VanNess, seconded by Mr. Sokol and carried unanimously to approve Items 1A and B as outlined above, and the necessary resolutions were authorized for the next board meeting. Copies of the Notices of Intent to Fill Vacant Positions are on file with the minutes.

Mr. Thomas asserted Item 2 was a referral from the Human Services Committee, Office for the Aging, requesting to fill the vacant position of Meal Site Cook, base salary of \$23,298, Grade 2, (30 hours per week pro-rated salary of \$17,472) Employee No. 6792, due to resignation. He noted this position was not mandated and was 100% reimbursed. He stated the impact on the 2010 Budget would be a savings of approximately \$2,335.

Motion was made by Mr. Strainer, seconded by Mr. Merlino and carried unanimously to approve Item 2 as outlined above, and the necessary resolution was authorized for the next board meeting. A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.

Mr. Thomas reported Items 3A and B were referrals from the Public Safety Committee, Sheriff & Communications. He asserted Item 3A was a request to fill the vacant position of Correction Officer #3, base salary of \$33,534, Employee No. 11587, due to resignation. He said this position was mandated and there was no reimbursement. He noted the impact on the 2010 Budget would be a savings of \$4,456.32. Mr. Thomas apprised Item 3B was a request to fill vacant position of Correction Officer #51, base salary of \$33,534, Employee No. 10715, due to resignation. He added this position was mandated and there was no reimbursement. He stated the impact on the 2010 Budget would be a savings of \$8,912.59.

Motion was made by Mr. VanNess, seconded by Mr. Merlino and carried unanimously to approve Items 3A and B as outlined above, and the necessary resolutions were authorized for the next board meeting. Copies of the Notices of Intent to Fill Vacant Positions are on file with the minutes.

Mr. Thomas expounded Items 4A and B were referrals from the Social Services Committee, Social Services. Item 4A, he said, was a request to fill the vacant position of Keyboard Specialist, base salary of \$23,799, Grade 3, Employee No. 11373, due to promotion. He said this position was mandated and was reimbursed 75%. He noted the impact on the 2010 Budget would be a savings of \$416 due to longevity.

Motion was made by Mr. Strainer, seconded by Mr. Kenny and carried unanimously to approve Item 4A as outlined above, and the necessary resolution was authorized for the next board meeting. A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.

Mr. Thomas advised Item 4B was a request to fill the vacant position of Intake Clerk, base salary of \$24,908, Grade 4, Employee No. 11540, due to promotion. He remarked this position was mandated and was reimbursed 100%. He commented the impact on the 2010 Budget would be a savings of \$436 due to longevity.

Motion was made by Mr. Sokol, seconded by Mr. Merlino and carried unanimously to approve Item 4B as outlined above, and the necessary resolution was authorized for the next board meeting. A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.

Mr. Thomas stated Item 5 was a referral from the Support Services Committee, requesting to fill the vacant position of County Auditor, base salary of \$55,951, Employee No. 4550, due to retirement. He said the position was mandated and there was no reimbursement. He added the annual impact on the 2010 Budget would be a savings of \$4,700 due to longevity.

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

Paul Dusek, Commissioner of Administrative & Fiscal Services, apprised that a salary study and comparison of job duties with other counties, as well as the private sector, should be conducted prior to the salary being set. He further stated that following the receipt of that information he would recommend a salary range to the Committee for consideration. In response to an inquiry, Joan Sady, Clerk of the Board, said the effective date of retirement would be May 27, 2010.

Following discussion, Mr. Thomas called the question and the motion was carried unanimously to approve Item 5 as outlined above with the salary to be determined, and the necessary resolution was authorized for the next board meeting. A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.

Mr. Thomas reported Item 6 was a request for the Deputy Commissioner of Administrative & Fiscal Services to enroll in a job related course entitled "Politics and Leadership in the Bureaucracy", at Empire State College, commencing May 17, 2010 through August 27, 2010 for a total cost of \$508.40.

Motion was made by Mr. VanNess, seconded by Mr. Merlino and carried unanimously to approve Item 6 as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Thomas expounded Todd Lunt, Director of Human Resources, had two items to address with the Committee. Mr. Lunt advised that due to a clerical error, the former Personnel Officer was entitled to a vacation payout of approximately \$8,000 for unused vacation time. He stated that authority for the payout was needed. He noted that there was a policy in place that no longer allowed for vacation carryover that exceeded five days, in order to avoid these types of situations.

Motion was made by Mr. VanNess and seconded by Mr. Conover to authorize the vacation payout to the former Personnel Officer as presented.

Mr. Champagne questioned how this had occurred if there was a policy in place that set limitations to the amount of carryover vacation time allowed. Mr. Dusek explained that the former Personnel Officer was granted permission to carryover vacation time from a prior Chairman of the Board. He recommended that a memo be sent to all Department Heads requesting information as to any employees that may have received similar approval to carryover vacation time that exceeded the five day maximum. He also suggested that a resolution be adopted that allowed for only five days of vacation time to be carried over, with a stipulation that the time be used by the end of February and that the Chairman of the Board no longer grant permission for any carryover time above and beyond the five day maximum. Discussion ensued.

Following discussion, Mr. Thomas called the question and the motion was carried unanimously to authorize the vacation payout settlement to the former Personnel Officer. The necessary resolution was authorized for the next board meeting.

Motion was made by Mr. Sokol, seconded by Mr. Belden and carried unanimously to authorize only five days of vacation time to be carried over, with a stipulation that the time be used by the end of February each year and that the Chairman of the Board no longer grant permission for any carryover time above and beyond the five day maximum. The necessary resolution was authorized for the next board meeting.

Mr. Lunt stated the next item he wished to address with the Committee was the matter of reducing the one hour paid lunch for non-union employees. He noted that he had researched the lunch breaks of Saratoga, Washington and Essex Counties and discovered that there was no consistency in policies. Mr. Dusek asserted that the matter was more complicated than just reducing the one hour lunch break, and the real issue was the length of the workday. He added that the one hour lunch break was a benefit to non-union employees. He remarked that all Union members had received raises and non-union employees had not. He opined that before the Supervisors decided to remove another benefit to the non-union employees, he felt more research needed to be completed.

Mr. Thomas apprised Item 7 was a request from Mr. Dusek to address the Committee regarding a proposed local law on the County Administrator position.

Mr. Dusek distributed a draft local law to the Committee members, a copy of which is on file with the minutes. He reviewed the draft in detail with the Committee. He noted that the local law was drafted based on his understanding of what the Supervisors expectations were of him. He advised he needed to meet with the Personnel Officer prior to the final version of the local law being approved due to certain civil service components. He reviewed the qualifications listed as follows: a Jurist Doctorate Degree, a Masters in Business Administration or a Masters in Public Administration and explained that he had included these because he believed this was the level of education that the Supervisors would want for of this type of position and added that these qualifications were flexible based on the desire of the Board. He stated that he also included at least five years of experience as a County Department Head, County Attorney or equivalent experience in Federal, State, local government or private sector comparable position. He said that he wanted to make it broad enough in order to solicit other candidates that may have worthwhile experience in running an organization from these different areas.

Mr. Strainer questioned if Mr. Dusek researched similar local laws in other counties and Mr. Dusek responded that he had reviewed Saratoga County's Local Law; however, he noted, he was relying on his knowledge and experience to try to provide the Board of Supervisors with the caliber of candidates that they would want in the future for this position. Mr. Taylor suggested that the wording be changed from 'shall possess' to 'should possess' in the qualifications section of the local law.

Mr. Dusek reviewed Section 4 of the draft in detail which outlined the powers and duties of the County Administrator. He highlighted the importance of the County Administrator to act as a liaison between the Supervisors and the Department Heads. He pointed out Section 5 which stated "Nothing herein contained shall operate to divest the Board of Supervisors or any other elected Officer of any functions, powers and duties." He commented that it was very important for all to understand that the Board sets the policies and directions for the County, not the County Administrator. He continued that the Board had the final determination as to how things would be operated in the County, the County Administrator's job was to make sure the Board was provided all the information necessary to make good decisions and to carry out their wishes; however, he said, ultimately it was administrative and not intended to ever supercede the power of the Board.

Referring to Section 6, Mr. Conover suggested the wording of 'cooperate' be stronger. He recommended that the word 'accountable' be included. Mr. Champagne opined that some sort of assessment should be included, as well, in terms of the duties of the County Administrator and Mr. Dusek acknowledged the request. Discussion ensued.

Following discussions, Mr. VanNess requested that all Supervisors receive copies of this draft to review prior to the adoption of such. Mr. Dusek confirmed there was no rush to adopt this local law and he would make the changes as recommended, mail it to all Supervisors and return to the Committee next month with a revised draft. He noted

that there were no new positions added to the staffing of the County Administrator's Office listed in the draft local law. He asserted that there was a Confidential Secretary position that was vacant and unfunded, which would remain for the time being. He said the position of Assistant to the County Administrator listed in the draft was the current Deputy Commissioner of Administrative & Fiscal Services and the Fiscal Assistant to the County Administrator listed was the current Deputy Commissioner of Fiscal Services.

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

Respectfully submitted,

Nicole Livingston, Deputy Clerk