

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: **PERSONNEL**

DATE: **MAY 12, 2010**

Committee Members Present:

Supervisors Thomas
Kenny
VanNess
Belden
Goodspeed
Sokol
Merlino
Strainer
Conover

Others Present:

Fred Monroe, Chairman of the Board
Paul Dusek, County Attorney/Commissioner
of Administrative & Fiscal Services
Joan Sady, Clerk of the Board
Kevin Geraghty, Budget Officer
Supervisor Bentley
Supervisor Champagne
Supervisor McCoy
Supervisor Pitkin
Supervisor Taylor
Kathy Barrie, Personnel Officer
Todd Lunt, Director, Human Resources
Sheila Weaver, Commissioner, Department
of Social Services
Bud York, Sheriff
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 April 7, 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 Social Services Committee. Item 1A, he said, was referred from Countryside Adult Home and was a request to fill the vacant position of Institutional Aide, base salary of \$23,799, Grade 3, Employee No. 11208, due to resignation. He noted the position was not mandated and was 50% reimbursed. He added that this position will be used to provide duties as necessary and is intended to reduce overtime costs.

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

Paul Dusek, County Attorney/Commissioner of Administrative & Fiscal Services, advised that this position was a per diem position and therefore Committee approval was not necessary. He noted that this position did not include any benefits.

Mr. Strainer withdrew his motion and Mr. Sokol withdrew his second to the motion.

Mr. Thomas stated Item 1B was referred from Social Services and was a request to fill the vacant position of Caseworker #28, base salary of \$34,776, Grade 14, due to maternity leave. He remarked that the position was mandated and was 75% reimbursed. He added that this position was being filled on a temporary basis to cover maternity leave and therefore will have no impact on the 2010 Budget.

Mr. Dusek asked Sheila Weaver, Commissioner of the Department of Social Services, to explain this request. Ms. Weaver explained that this was only needed for four months to fill a temporary vacancy resultant from maternity leave. Mr. Dusek further questioned how there was no impact to the budget and Ms. Weaver stated that there was currently a vacant position that was not being filled and the allocated funds associated with that would be utilized. Kathy Barrie, Personnel Officer, interjected that this request did not require Committee approval either and Mr. Dusek agreed. In response to an inquiry, Mr. Dusek clarified that this would be classified as a temporary position.

Mr. Thomas asserted Items 2A and B were referrals from the Personnel Officer. He advised Item 2A was a request for a Transfer of Funds to cover the final payout at retirement of the former Personnel Officer and to transfer funds for the salary of the part-time exam monitor from Salaries-Overtime to Salaries-Part-time, for a total amount of \$2,182.

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

Mrs. Barrie noted that the transfers were from various codes within the departmental budget and not from overtime. Mr. Geraghty reminded the Committee members that the Personnel departmental budget would have been on track had the eight week vacation carry over for the former Personnel Officer not surfaced. Mr. Dusek said that Todd Lunt, Director of Human Resources, had provided him with a summary of possible concerns relating to similar situations. Mr. Lunt confirmed he had provided a list of carry over time from 2009 into 2010 that was authorized. He added that he had not received any indication that there were unknown circumstances for carry over time that would arise in the future. Mr. Dusek acknowledged that he would verify that for the Committee members and report back next month. He recalled that last month a resolution was adopted that clarified a prior resolution regarding Personnel Policies which would rectify similar situations in the future.

Mr. Thomas called the question and the motion was carried unanimously to approve Item 2A as outlined above, and to refer same to the Finance Committee.

Mr. Thomas reported Item 2B was a request for a Transfer of Funds from Contingent Fund (A.1990 469) due to the underfunding of the 2010 budget for the Personnel

Officer position and for the final payout upon retirement of the former Personnel Officer, in the amount of \$23,000.

Motion was made by Mr. VanNess, seconded by Mr. Sokol and carried by majority vote, with Mr. Belden voting in opposition, to approve Item 2B as outlined above, and to refer the same to the Finance Committee.

Mr. Thomas apprised Item 3 was a referral from the Director of Human Resources, requesting permission to attend the New York State Public Employer Labor Relations Association, Inc. Annual Conference in Saratoga Springs from July 21 through July 23, 2010, at a cost of \$325, and said funds were included within the departmental budget (A.1435 444 Human Resources Travel/Education/ Conference).

Motion was made by Mr. Kenny, seconded by Mr. Belden and carried unanimously to approve Item 3 as outlined above.

Mr. Thomas expounded Item 4 was for discussion regarding the County Auditor position. He noted that the Committee authorized the filling of the vacant position at the April 7, 2010 Personnel Committee meeting.

Mr. Dusek apprised that this was appropriate to be discussed in an executive session, due to the matter leading to the appointment of a particular person. Motion was made by Mr. VanNess, seconded by Mr. Belden and carried unanimously that executive session be declared pursuant to Section 105 (f) of the Public Officers Law.

Executive session was declared from 9:19 a.m. to 9:39 a.m.

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

Concluding the Agenda review, Mr. Thomas advised Item 5 was a request from Paul Dusek, County Attorney/Commissioner of Administrative & Fiscal Services, to review the draft of proposed Local Law No. 2 of 2010 which was included with the Agenda.

Mr. Dusek reminded the Committee that they had reviewed this draft regarding the position of County Administrator last month and revisions were suggested at that time which had since been made. He noted he had received one additional comment which suggested that Section 8 of the Local Law be corrected relative to the possible event that the County Administrator and the Chairman of the Board should be incapacitated to include the following statement: "In the event of the Chairman's inability to serve as acting County Administrator, the Board of Supervisors shall appoint an acting County Administrator.", which was included in the proposed Local Law.

Mr. Strainer opined that the duties would become the responsibility of the Administrator's Deputy and Mr. Dusek countered that the Deputy would act in his

absence for a short-term, an acting Administrator would serve for a long-term and ultimately the Board of Supervisors would select a replacement. He clarified that if he were out of the Office for a day or a week, the Deputy would act in his absence.

Motion was made by Mr. VanNess and seconded by Mr. Conover to approve the proposed Local Law as presented.

Mr. Belden asked if this required a Public Hearing and Mr. Dusek replied affirmatively and explained that the proposed Local Law would be introduced at the May 21, 2010 Board Meeting and would subsequently authorize the Public Hearing to be held at the June 18, 2010 Board Meeting. Mr. Dusek apprised he had another proposed Local Law that would be discussed at the Finance Committee meeting today concerning publications of local laws. He noted that Joan Sady, Clerk of Board, had raised concerns in the past regarding the costs associated with publishing local laws in their entirety. He asserted that as County Attorney, he had not been in favor of publishing summaries of local laws due to his concern with the way that the laws were written and the statutes of the State. He recognized that a number of counties had moved towards the summation of local laws; therefore, he continued, he prepared a compromise position which would allow summaries of local laws to generally be published, unless the specific local law said that the entire text needed to be published. Mr. Dusek apprised if there was a critical local law being considered, he would recommend that it be published in full. He concluded that this would afford the County the opportunity to save money on the publications and also protect the County in the event that the local law was important enough to be published in full.

Following discussion, Mr. Thomas called the question and the motion was carried unanimously to approve proposed Local Law No. 2 of 2010 as outlined above, and the necessary resolution was authorized for the next board meeting.

There being no further business to come before the Committee, on motion made by Mr. Kenny and seconded by Mr. VanNess, Mr. Thomas adjourned the meeting at 9:47 a.m.

Respectfully submitted,

Nicole Livingston, Deputy Clerk