

## WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: **PERSONNEL**

DATE: **NOVEMBER 10, 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/Administrator  
Joan Sady, Clerk of the Board  
Kevin Geraghty, Budget Officer  
Supervisor Bentley  
Supervisor Champagne  
Supervisor Loeb  
Supervisor McCoy  
Supervisor McDevitt  
Supervisor Stec  
Supervisor Taylor  
Kathy Barrie, Personnel Officer  
Todd Lunt, Director, Human Resources  
Pat Auer, Director, Public Health  
Julie Pacyna, Purchasing Agent  
Barbara Taggart, Administrator,  
Westmount Health Facility  
Sheila Weaver, Commissioner, Department  
of Social Services  
Don Lehman, *The Post Star*  
Nicole Livingston, Deputy Clerk

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

Motion was made by Mr. Sokol, seconded by Mr. Belden and carried unanimously to approve the minutes of the October 6, 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 Action Agenda review, Mr. Thomas apprised Items 1A through D were referrals from the Health Services Committee. Items 1A and B were referred from Health Services, and 1A, he said, was a request to fill the vacant position of Public Health Nurse, base salary of \$43,150, Grade 21, Employee No. 10298, due to resignation. He noted this position was not mandated and was reimbursed from Medicare, Medicaid and private health insurances.

Motion was made by Mr. Sokol, seconded by Mr. VanNess and carried unanimously to approve Item 1A 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 1B was a request to authorize distribution of an annual \$1,500 stipend to the hourly pay rate of Nurses in Health Services, as opposed to dividing the stipend over twenty-six County pay periods.

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

Kathy Barrie, Personnel Officer, said that when raises were given in the next Union contract agreements, the \$1,500 would need to be subtracted from the salaries before the percentage was added in, otherwise the \$1,500 would get skewed. Paul Dusek, County Attorney/Administrator, agreed and added that approval of this request would lead to the execution of an agreement with the Union, including the terms identified by Mrs. Barrie. In response to an inquiry, Mr. Dusek advised this would include seven Nurses that performed IV therapy off-duty. He asserted that the stipend had been allotted since 2002 and this would only alter the way the payment was divided. He noted that in 2006 the stipend had been incorporated into wages, leading to overtime payments; however, he said, that was removed in 2009. He stated that to resolve the issue, negotiations were held with the Union and this was the proposed solution. Mr. Geraghty clarified this was an accounting glitch that they were trying to correct. Mr. Dusek added that a separate line item would be created within the budget to ensure proportionate payment over the year, because Nurses were only required to sign up for six month intervals and it was possible for an individual to only perform six months of off-duty IV therapy, resulting in a \$750 payment. He concluded that this would allow the stipend to be included for overtime calculation purposes.

Mr. Goodspeed entered the meeting at 9:08 a.m.

Following discussion, Mr. Thomas called the question and the motion was carried unanimously to approve Item 1B as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Thomas asserted Items 1C and D were referred from Westmount Health Facility. Item 1C, he continued, was a request to fill the vacant position Dietary Service Supervisor, base salary of \$41,246, Employee No. 5709, due to retirement. Mr. Thomas added Item 1D was a request to fill the vacant position of Social Worker, base salary of \$34,776, Grade 14, Employee No. 9796, due to resignation.

Motion was made by Mr. Sokol, seconded by Mr. Belden and carried unanimously to approve Items 1C and D 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 reported Item 2 was a referral from the Human Services Committee, Office for the Aging, requesting to fill the vacant position of Meal Site Cook #8, base salary of \$17,472, thirty hours per week, Employee No. 10209, due to retirement. He noted this position was mandated and was 25% reimbursed.

Motion was made by Mr. VanNess, seconded by Mr. Strainer 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 advised Items 3A through C were referrals from the Social Services Committee, Social Services. Item 3A, he said, was a request to create the position of Keyboard Specialist #4, base salary of \$23,799, Grade 3, and delete the position of Typist #9, base salary of \$23,799, Grade 3; thereby amending the Department's Table of Organization. He added Item 3B was a request to create the position of Keyboard Specialist #5, base salary of \$23,799, Grade 3, and delete the position of Typist #5, base salary of \$23,799, Grade 3; thereby amending the Department's Table of Organization. Mr. Thomas expounded Item 3C was a request to fill the vacant position of Keyboard Specialist #5, base salary of \$23,799, Grade 3, Employee No. 9132, due to resignation. He added this position was mandated and was 100% reimbursed.

Motion was made by Mr. Kenny, seconded by Mr. Conover and carried unanimously to approve Items 3A through C as outlined above, and the necessary resolutions were authorized for the next board meeting.

Mr. Thomas remarked the next matter on the Agenda was Item IV. Topics to be reported on/discussions/updates, and he said, Item 1 was for discussion on Resolution No. 689, Approving and Adopting County Time Clock Policy and Procedure for the time and attendance system, which was tabled at the October 15, 2010 Board Meeting.

Mr. Kenny requested a justification for those included on the list of exempt employees. Mr. Dusek apprised two positions under the Information technology (IT) Department were removed from the list. He explained that the list was generated by the employees that, historically, were not eligible for overtime and were generally of the managerial categories, although computer workers, under Federal Law, fell into a special exception allowing for exemption from overtime if certain criteria were met. Mr. Dusek further stated when individuals were not eligible for overtime, they worked whatever hours were necessary to complete the job. To preserve the ability to not pay those individuals overtime, he continued, it was important to treat them as managerial under the Fair Labor Standards Act, which included a number of criteria to make that determination, one being time punching and how their time was accounted for. He recommended that the list be approved, while an additional review of all the positions included on the list was completed.

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

Mr. Kenny requested that the policy be further amended to include the stipulation that the exempt employees punch the time clock upon arrival.

Mr. VanNess amended the motion to include the provision that all exempt employees would punch in at arrival and Mr. Strainer amended the second to the motion. Mr. Thomas called the question and the motion was carried unanimously to approve the County Time Clock Policy and Procedure for the time and attendance system as outlined above. The necessary resolution was authorized for the next board meeting.

Mr. Thomas noted Item IV. 2 was a request from Mr. Dusek for an executive session to discuss labor negotiations. Mr. Dusek further stated that matters concerning the Sheriff's Alliance would be discussed.

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

Executive session was declared from 9:20 a.m. to 10:38 a.m.

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

There being no further business to come before the Committee, on motion made by Mr. VanNess and seconded by Mr. Strainer, Mr. Thomas adjourned the meeting at 10:40 a.m.

Respectfully submitted,

Nicole Livingston, Deputy Clerk