

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: PERSONNEL

DATE: MAY 9, 2012

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COMMITTEE MEMBERS PRESENT:

SUPERVISORS CONOVER  
KENNY  
SOKOL  
MERLINO  
TAYLOR  
STRAINER  
DICKINSON  
GIRARD  
MASON

OTHERS PRESENT:

DANIEL G. STEC, CHAIRMAN OF THE BOARD  
PAUL DUSEK, COUNTY ADMINISTRATOR  
JOAN SADY, CLERK OF THE BOARD  
KEVIN GERAGHTY, BUDGET OFFICER  
SUPERVISORS BENTLEY  
THOMAS  
KATHY BARRIE, PERSONNEL OFFICER  
WAYNE LAMOTHE, ASSISTANT PLANNING DIRECTOR  
MKE SWAN, COUNTY TREASURER  
PAM VOGEL, COUNTY CLERK  
SUZANNE WHEELER, ACTING COMMISSIONER, DEPARTMENT OF SOCIAL  
SERVICES  
BUD YORK, WARREN COUNTY SHERIFF  
JOHN STROUGH, TOWN OF QUEENSBURY RESIDENT  
DON LEHMAN, *THE POST STAR*  
AMANDA ALLEN, DEPUTY CLERK OF THE BOARD

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

Motion was made by Mr. Kenny, seconded by Mr. Dickinson and carried unanimously to approve the minutes from the April 11<sup>th</sup> Committee meeting, subject to correction by the Clerk of the Board.

Commencing the agenda review with Item 1, Mr. Conover detailed a request from the Clerk of the Board to amend Resolution No. 424 of 2011, Approving Standard Workday and Time Reporting Resolution for all Elected and Appointed Officials for Retirement Purposes, to reflect updated information as required by the Office of the NYS Comptroller.

Motion was made by Mr. Dickinson, seconded by Mr. Sokol and carried unanimously to approve the aforementioned request and the necessary resolution was authorized for the May 18<sup>th</sup> Board meeting. *A copy of the request is on file with the minutes.*

Mr. Conover announced that Agenda Item 2 consisted of a request from the County Clerk-Motor Vehicles Committee to fill the vacant position of Senior Motor Vehicle Examiner, Grade 8, Employee No. 10372, Annual Base Salary of \$30,230, due to retirement, and backfill any vacancies created due to promotion. He noted this was a non-mandated Union position that received no reimbursement.

Motion was made by Mr. Strainer, seconded by Mr. Dickinson and carried unanimously to approve the request to fill the vacant position of Senior Motor Vehicle Examiner, as outlined above, and the necessary resolution was authorized for the May 18<sup>th</sup> Board meeting. *A copy of the Notice of Intent to Fill Vacant Position form is on file with the minutes.*

Moving on to Agenda Item 3, Mr. Conover relayed a request from the County Treasurer to create and fill the position of Account Clerk PT #1, Grade 4, Annual Base Salary of \$12,033, and delete the position of Principal

Account Clerk #1 (part-time), thereby amending the Department's Table of Organization. He advised that this was a non-mandated position that received no reimbursement.

When asked to comment on the request, Mike Swan, County Treasurer, explained that the Principal Account Clerk #1 position had been created and filled by a person who had retired from County service and returned to work on a part-time basis. He further explained that this person was now resigning and he desired to abolish the position and replace it with an Account Clerk position that would have a lower salary and no benefits, but could assume the appropriate duties. Mr. Swan stated that the position was necessary to the Treasurer's Office as one of its primary functions was to monitor and track occupancy tax funding. Mr. Dickinson questioned whether anyone had been identified to potentially fill the position and Mr. Swan replied in the negative.

Motion was made by Mr. Dickinson, seconded by Mr. Kenny and carried unanimously to approve the previously mentioned request and the necessary resolution was authorized for the May 18<sup>th</sup> Board meeting. *A copy of the request is on file with the minutes.*

Mr. Conover advised that Agenda Item 4 included a request from the Criminal Justice Committee, Public Defender, to appoint Joy A. LaFountain as Assigned Counsel Administrator, Annual Base Salary of \$40,404, effective May 21, 2012. He said that this was to be a permanent appointment, following completion of probationary period by reason of Civil Service Law, subject to waiver by the County Administrator.

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

Paul Dusek, County Administrator, apprised that Ms. LaFountain had worked for the County in the capacity of Assigned Counsel Administrator for a number of years; he added that they had only recently learned that the position was subject to Civil Service regulations, requiring that competitive testing be held for the position. Mr. Dusek advised that in light of this new information, Ms. LaFountain had been required to take and pass a Civil Service examination in order to maintain her position, which she had been successful in doing. In order to complete the process, he explained that the Civil Service Law called for the governing body, in this case the Board of Supervisors, to formally appoint Ms. LaFountain as Assigned Counsel Administrator. Mr. Dickinson questioned how Ms. LaFountain had scored on the test and Mr. Dusek replied that he did not have the test results available, but confirmed that hers had been one of the top three test scores.

Mr. Conover called the question and the prior motion to appoint Joy LaFountain as Assigned Counsel Administrator was carried unanimously, thereby approving the necessary resolution for the May 18<sup>th</sup> Board meeting. *A copy of the request is on file with the minutes.*

Proceeding with the agenda review, Mr. Conover read aloud Items 5A, B and C, which consisted of the following:

- 5A) Request to create the position of County Planner, Annual Base Salary of \$69,000, effective May 21, 2012 and delete the position of Assistant Planning Director, thereby amending the Department's Table of Organization. This was a non-Union position that was not mandated and did not receive any reimbursement;
- 5B) Request to create the position of Associate Planner (part-time not to exceed 20 hours per week), Annual Salary not to exceed \$30,000, thereby amending the Department's Table of Organization. This was a non-Union position which was not mandated and did not receive any reimbursement; and
- 5C) Request to appoint Wayne LaMothe as County Planner effective May 21, 2012, to serve at the pleasure of the Board.

Mr. LaMothe advised that Pat Tatich, the prior County Planner, had retired and was now returning to work in a part-time capacity as an Associate Planner, the position they were asking to have reinstated. He said he was willing to assume the County Planner position and take over management of the Planning & Community Development Department. Mr. LaMothe pointed out that while it was correct that neither position was mandated, they did receive some reimbursement for salaries in connection with the grants administered by the Department.

Motion was made by Mr. Taylor and seconded by Mr. Dickinson to approve Agenda Items 5A, B and C as outlined above.

Mr. Kenny questioned how they had arrived at a \$30,000 salary figure for the part-time Associate Planner position and Mr. LaMothe responded that it was based on the salary Ms. Tatich had received prior to her retirement. He added that while they might be able to hire someone else to fill the position at a lesser salary, they would not have the 30+ years of experience that Ms. Tatich had collected during her tenure with the County. Joan Sady, Clerk of the Board, clarified that the salary associated with the position was not to exceed \$30,000, which was not clearly reflected in the agenda.

Following further questioning on the requests, Mr. Dusek clarified that the request to create the County Planner position was unnecessary as it already existed in the County Budget. He explained that during the 2012 Budget process, the decision had been made to downsize the Planning Department from two full-time Planner positions to one full-time and one part-time, following which Ms. Tatich had made the decision to retire from her position as County Planner and assume the part-time position of Associate Planner. Mr. Dusek advised that Ms. Tatich's former salary was much higher than what was being proposed for Mr. LaMothe, representing a savings to the County; he added his agreement with Mr. LaMothe's prior statement that although they could likely hire someone to fill the Associate Planner position at a lower salary, they would be relinquishing Ms. Tatich's vast experience in doing so. At Mr. Taylor's prompting, Mr. Dusek noted that the Warren County Planning Board had been dissolved and its planning review duties transferred to Mr. LaMothe, increasing the workload associated with his position. Despite the increase in responsibility and decrease in staff work-time, Mr. Dusek noted that Mr. LaMothe and Ms. Tatich were successfully maintaining the Department's operations.

At Mr. Kenny's request, three separate votes were held for Items 5A-C, all of which were approved by majority vote, with Mr. Kenny voting in opposition to Item 5B, and the necessary resolutions were approved for the May 18<sup>th</sup> Board meeting. *Copies of the requests are on file with the minutes. Note: Subsequent to the meeting it was determined that only two resolutions would be necessary, one appointing Mr. LaMothe as County Planner, and another that created the position of Associate Planner (part-time), with a salary not to exceed \$30,000, and deleted the position of Assistant Planning Director.*

Resuming the agenda review, Mr. Conover announced that items 6A and B consisted of requests from the Social Services Committee, Department of Social Services, which he outlined as follows:

- 6A) Request to create and fill the position of Principal Social Welfare Examiner #3, Grade 15, Annual Base Salary of \$36,410, thereby amending the Department's Table of Organization, as well as to backfill any vacancies created by promotion. This was a mandated position that would receive 100% State reimbursement.
- 6B) Request to create and fill the position of Senior Social Welfare Examiner #4, Grade 11, Annual Base Salary of \$33,026, thereby amending the Department's Table of Organization, as well as to backfill any vacancies created by promotion. This was a mandated position that would receive 100% State reimbursement.

Motion was made by Mr. Sokol, seconded by Mr. Dickinson and carried unanimously to approve Item 6A and the necessary resolution was authorized for the May 18<sup>th</sup> Board meeting. *A copy of the request is on file with the minutes.*

Motion was made by Mr. Dickinson, seconded by Mr. Girard and carried unanimously to approve Item 6B and the necessary resolution was authorized for the May 18<sup>th</sup> Board meeting. *A copy of the request is on file with the minutes.*

Mr. Conover noted that Agenda Items 7A-E consisted of Items to be Discussed by the County Administrator, which he asked Mr. Dusek to address.

Item 7A, Mr. Dusek apprised, consisted of a request for JoAnn McKinstry, Assistant to the County Administrator, to enroll in a Managerial Leadership Course at Empire State College at a cost to the County of \$547.33. He said that Mrs. McKinstry had taken a number of courses over the years that directly correlated with her position; he added his opinion that the Managerial Leadership Course she desired to enroll in would be especially beneficial and he recommended Committee approval of the request.

Motion was made by Mr. Taylor, seconded by Mr. Sokol and carried unanimously to approve the aforementioned request and the necessary resolution was authorized for the May 18<sup>th</sup> Board meeting. *A copy of the request is on file with the minutes.*

Mr. Dusek pointed out that Agenda Items 7B and C were related in that both pertained to necessary clarifications/amendments to the wage adjustment schedule previously approved, Item 7B requesting amendments to Resolution Nos. 236, 238 and 241 of 2012 to correct salaries listed therein, while Item 7C included a resolution drafted with the intention of amending Resolution No. 235 of 2012 to amend/clarify the salary study and schedule of per diem hourly increases. Mr. Dusek provided a brief review of the attachment to the proposed resolution, outlining some of the salaries that had been previously reported incorrectly.

Motion was made by Mr. Taylor, seconded by Mr. Dickinson and carried unanimously to approve both Items 7B and 7C and the necessary resolutions were authorized for the May 18<sup>th</sup> Board meeting. *Copies of the supporting documentation for both items are on file with the minutes.*

Moving on to Item 7D, Mr. Dusek recommended the purchase of a full service time clock for the Sheriff's Jail at an estimated cost of \$1,600 to \$1,700 in order to alleviate delays experienced by Corrections staff when clocking in. He noted that Corrections staff had only seven minutes to enter the building, submit to a security screening, clock in and make it to their daily pre-shift briefing meeting. Mr. Dusek further noted that they were only able to permit a certain amount of time for this process without having to pay overtime; he added that if staff were punching in ten minutes before their specified shift, for instance, the Federal Fair Labor Standards Act would likely be triggered, requiring that the County pay overtime wages. Additionally, he noted, any issue with the time clock would cause delays leading staff to be late for their shift, which would also cause problems. Mr. Dusek concluded that having two time clocks available to staff would alleviate this issue and he recommended the purchase using monies from the contingent fund.

Motion was made by Mr. Sokol, seconded by Mr. Girard and carried unanimously to authorize purchase of a second time clock for the Sheriff's Jail with the source of funding being the contingent fund and the necessary resolution was approved for the May 18<sup>th</sup> Board meeting.

Mr. Dusek apprised that Agenda Item 7E pertained to the RFP (request for proposal) results for the Employee Assistance Program (EAP), as reflected in the tabulation sheet distributed with the meeting agenda; *a copy of the*

*tabulation sheet is also on file with the minutes.* Mr. Dusek said that MHNNet Behavioral Health had previously provided these services for County staff, but their contract term was ending. He pointed out that of the bid responses received, the lowest had been from E4 Health, Inc. at a cost of \$1.10 per employee per month, which was lower than the rate of \$1.33 per employee per month offered by MHNNet, representing a savings to the County. Mr. Dusek advised that the E4 Health proposal appeared to offer all of the same services provided by MHNNet, and pursuant to an in-person interview process with E4 Health representatives to confirm this was the case, he would be comfortable in recommending a change in provider. He added that usage of the program was minimal, and due to privacy laws, they were unable to determine the ways in which it was used; given this information, he said they were unsure whether they intended to continue to program indefinitely and would seek to continue the provisions allowing a 90-day opt clause for this purpose. Mr. Kenny commented that if the program were able to save the life of one employee, it had been worth its cost and Mr. Dusek agreed with this assessment.

Mr. Taylor noted the RFP results reflected one local provider, while the rest were located some distance away, the preferred provider being in Texas, and he questioned whether there was a value to choosing the local provider instead. Mr. Dusek responded that while he would always prefer to use a local provider, he could not advocate it in this case because the service rate quoted was much higher.

Motion was made by Mr. Dickinson, seconded by Mr. Taylor and carried unanimously to authorize a new contract with E4 Health, Inc. for EAP (Employee Assistance Program) services, to include a 90-day opt out clause, contingent upon the results of an interview with the County Administrator to confirm the services to be provided, and the necessary resolution was approved for the May 18<sup>th</sup> Board meeting.

Concluding the agenda review with the Pending Items section, Mr. Dusek noted that there had not been any recent issues relative to the vacation policy or possible flexibility for Department Heads, and he recommended that the issue be removed from the Pending Items List. Relative to Pending Items 2 and 3, pertaining to discussions tabled at prior Committee meetings regarding changes to positions within the Bargaining Unit, Mr. Dusek stated that although he had attempted to contact the Union representatives, but had been unable to confirm concurrence with the requests and therefore, no action could be taken.

There being no further business to come before the Personnel Committee, on motion made by Mr. Dickinson and seconded by Mr. Girard, Mr. Conover adjourned the meeting at 9:35 a.m.

Respectfully submitted,  
Amanda Allen, Deputy Clerk of the Board