

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: PERSONNEL

DATE: AUGUST 8, 2012

COMMITTEE MEMBERS PRESENT:

SUPERVISORS CONOVER
KENNY
SOKOL
TAYLOR
STRAINER
DICKINSON
GIRARD
MASON

OTHERS PRESENT:

DANIEL G. STEC, CHAIRMAN OF THE BOARD
PAUL DUSEK, COUNTY ADMINISTRATOR
MARTIN AUFFREDOU, COUNTY ATTORNEY
JOAN SADY, CLERK OF THE BOARD
KEVIN GERAGHTY, BUDGET OFFICER
SUPERVISORS BENTLEY
THOMAS
WESTCOTT
WOOD

COMMITTEE MEMBER ABSENT:

SUPERVISOR MERLINO

KATHY BARRIE, PERSONNEL OFFICER
MIKE SWAN, COUNTY TREASURER
BARBARA TAGGART, ADMINISTRATOR, WESTMOUNT HEALTH FACILITY
JEFFERY TENNYSON, SUPERINTENDENT OF PUBLIC WORKS
SUZANNE WHEELER, ACTING COMMISSIONER, DEPARTMENT OF SOCIAL SERVICES
BUD YORK, WARREN COUNTY SHERIFF
MAURY THOMPSON, *THE POST STAR*
AMANDA ALLEN, DEPUTY CLERK OF THE BOARD

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 July 11th Committee meeting, subject to correction by the Clerk of the Board.

Copies of the Personnel agenda were distributed and a copy is also on file with the minutes.

Commencing the agenda review with Section III, Action Agenda, Mr. Conover announced that Item 1 consisted of a referral from the Criminal Justice Committee, District Attorney, requesting to delete the part-time position of Grant Administrator, Annual Salary of \$5,150, Employee No. 10774, and amend the Departmental Table of Organization accordingly. Joan Sady, Clerk of the Board, advised the Grant Administrator position had been vacated due to retirement and she noted the District Attorney's Office intended to absorb those duties using existing staff.

Motion was made by Mr. Kenny, seconded by Mr. Girard and carried unanimously to approve the request as outlined above and the necessary resolution was authorized for the August 17th Board meeting. *A copy of the request is on file with the minutes.*

Mr. Conover advised Agenda Items 2A and 2B included referrals from the Health Services Committee. Item 2A, he said, was a request from the Public Health Division requesting authorization for Dorothy Muessig, Registered Nurse, to enroll in a job related course entitled "Theoretical Foundations of Nursing" at SUNY Plattsburgh in pursuit of her Bachelor's Degree in Nursing. Mr. Conover advised the course would extend from August 27 - December 17, 2012 at a total cost of \$725 and upon course completion with a grade of C or better, 50% reimbursement of \$362.50 would be provided.

Motion was made by Mr. Strainer, seconded by Mr. Dickinson and carried unanimously to approve the request and the necessary resolution was authorized for the August 17th Board meeting. *A copy of the request is on file with the minutes.*

Continuing to Item 2B, Mr. Conover outlined a request from the Westmount Health Facility to fill the vacant position of Director of Nursing, Annual Salary of \$65,139, due to resignation, and he noted the final salary for the position was to be determined based on the completion of a salary study. He added that this was a non-Union position which was not mandated and received 53% State reimbursement.

Mr. Strainer questioned whether the vacancy was already being advertised and Mr. Sokol responded in the negative, advising the position had only recently been vacated. Barbara Taggart, Administrator of the Westmount Health Facility, interjected that the position had recently been advertised. In response to a second question posed by Mr. Strainer as to the salary being offered for the position, Paul Dusek, County Administrator, advised the Director of Nursing was a very high level position that directed all other nursing positions within the Westmount Health Facility. He said that in completing the salary study to determine the appropriate compensation for the position, he had found the current salary of \$65,139 to be very low in comparison to other facilities who were typically paying salaries in the range of \$70,000 to \$80,000 for the same position. Mr. Dusek stated that although he had been very surprised with these findings, Westmount had been successful in obtaining a Director of Nursing at the current lower salary level in past; for this reason, he added, he felt the current salary figure should be used for the lower end of the salary range, with the higher end being in the \$75,000 to \$80,000 range. Mr. Dusek suggested that they begin the search for the Director of Nursing using the \$65,000 salary figure but allowing it to be increased to a higher level in order to attract a person with the necessary education and experience for the position. Ms. Taggart noted the Director of Nursing was a very hard position to fill due to the associated requirements which indicated an appropriate candidate would have a Registered Nurse designation and experience working with the New York State Department of Health, strong clinical skills, the ability to work with and manage staff, troubleshooting nursing systems, detecting and resolving issues as well as a number of other factors. Ms. Taggart concluded that this was a very important position to the Facility. Mr. Strainer then asked if the employee currently filling the position was leaving due to salary issues and Mr. Dusek replied that he did not believe this was the case.

Mr. Dusek advised that during his salary study he had also reviewed the Assistant Director of Nursing position, as he felt this might be where they would draft experienced candidates from, and had found the salary for that position to be in the \$65,000 to \$70,000 range. Therefore, he continued, it was unlikely someone in that position would be attracted to the Director of Nursing due to the increased level of responsibility for the same pay. Mr. Dusek reiterated that while they should begin their candidate search using the current \$65,000 salary figure, he would not be surprised if the process ended by filling it at a higher level. Mr. Strainer asked if there was a current staff member that could be promoted to the Director of Nursing position and Mrs. Taggart replied in the negative.

Mr. Dickinson suggested that a salary range of \$65,000 to \$80,000 be approved for the position in order to attract an appropriate candidate. Mr. Kenny said he felt it might not be appropriate to proceed in this manner as they were not as likely to attract someone for the position at the lower salary if it was known they were willing to pay a higher wage. Mr. Dusek clarified that a new review process had been implemented when hiring using salary ranges. He explained that the Department Head was only allowed to offer the position with a salary at the low end of the scale and if they determined a need for a higher salary, his Office must be consulted first to ensure the increase was appropriate. Mr. Dusek added that in cases where the recommended salary was significantly higher than the lower level of the salary range, the matter would be brought to the Committee's attention for approval. He stated that each candidate would be carefully assessed and a salary determined based on their qualifications. Mr. Taylor said he agreed with the review process implemented by Mr. Dusek, but noted there were many people seeking jobs and

he felt \$65,000 was a very good salary.

Motion was made by Mr. Dickinson, seconded by Mr. Girard and carried by unanimous vote, with Mr. Taylor voting in opposition, to approve the filling of the Director of Nursing position with a salary range of \$65,000 to \$80,000 and the necessary resolution was authorized for the August 17th Board meeting. *A copy of the Notice of Intent to Fill Vacant position form is on file with the minutes.*

Resuming the agenda review, Mr. Conover advised Item 3 included a request from the Public Works Committee, Department of Public Works, requesting to fill the vacant position of Assistant Engineer #2, due to retirement. He added that a salary range of \$43,000 - \$48,000 had been approved for the position, with a final salary to be determined based on qualifications and experience, subject to final review and approval by the County Administrator. Mr. Conover said this was a non-Union, non-mandated position which received no reimbursement.

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

Mr. Strainer questioned how long the position had been vacant and Jeffery Tennyson, Superintendent of Public Works, noted that it had been vacant for a couple of weeks and they hoped to fill it as soon as possible.

Mr. Conover called the question and the aforementioned motion was carried by majority vote with Mr. Dickinson abstaining, and the necessary resolution was authorized for the August 17th Board meeting. *A copy of the Notice of Intent to Fill Vacant Position form is on file with the minutes.*

Item 4, Mr. Conover apprised, included a request from the Social Services Committee to fill the vacant position of Caseworker #23 in the Child Protective Services Unit, Grade 14, Annual Base Salary of \$35,385, due to resignation. He noted this was a Union position which was mandated and received 50% Federal and 25% State reimbursements.

Motion was made by Mr. Sokol, seconded by Mr. Dickinson and carried unanimously to approve the request and the necessary resolution was authorized for the August 17th Board meeting. *A copy of the Notice of Intent to Fill Vacant Position form is on file with the minutes.*

Proceeding to Item 5, Mr. Conover detailed a request from the Support Services Committee, Self-Insurance, to amend the Departmental Table of Organization to set a salary of \$36,000 for the Deputy Insurance Administrator position effective August 6, 2012. He pointed out that prior Resolution No. 361 of 2012 authorized the creation of the Deputy Insurance Administrator position with a salary range of \$36,000 - \$40,000.

Motion was made by Mr. Strainer, seconded by Mr. Taylor and carried unanimously to approve the request as outlined above and the necessary resolution was approved for the August 17th Board meeting. *A copy of the request is on file with the minutes.*

Mr. Conover announced that Item 6 included a request from the Clerk of the Board to amend Resolution No. 358 of 2012 to correct the Annual Salary indicated for Mealsite Manager #2 for the Office for the Aging which should be \$17,780, rather than \$17,768.

Motion was made by Mr. Strainer, seconded by Mr. Dickinson and carried unanimously to approve the request and the necessary resolution was authorized for the August 17th Board meeting. *A copy of the request is on file with the minutes.*

Privilege of the floor was extended to Mr. Dusek to address Item 7, Items to be Discussed by the County Administrator. Mr. Dusek distributed a draft resolution entitled "Providing for Background Checks of Candidates for Managerial Level Employment with the County of Warren", which he proceeded to detail briefly; *a copy of the draft resolution is on file with the minutes*. Mr. Dusek recalled that in the past, they had discussed the possibility of introducing background checks for higher level employees and he felt that this would be an opportune time to do so in light of the vacant Director of Nursing position. He pointed out that the resolution proposed called for background checks to be made for positions such as division managers, Director of Nursing, attorney, coordinator and other similar positions and noted that an offer of employment shall not be made until after the background check was performed. Mr. Dusek said that in preparing the resolution, he had copied the format used by the Town of Queensbury and had also included verbiage indicating Alliance Worldwide Investigative Group, Inc. would provide the background checks as this was also the vendor used by the Town of Queensbury. He advised that other vendors could be used for these services, but he had no other names to list when the resolution was written. Mr. Dusek estimated the costs of the background checks to be in the range of \$300 - \$400 per instance and in keeping in compliance with the County's Purchasing Policy, an RFP (request for proposal) was not necessary for these services as the associated costs were below the designated threshold requiring one; he said the costs of the background checks would be covered by the respective Department. Mr. Dusek advised the Sheriff's Office would be excluded from the background checks as they provided their own which were much more elaborate and invasive and he said that at some point in the future, they might want to consider expanding to other levels of employees with lesser background checks.

Mr. Conover asked if future applications for employment would include an authorization for the background check and Mr. Dusek replied affirmatively.

Mr. Tennyson noted his concern with the resolution, advising that a background check would delay the process to fill vacant positions and he suggested that instead, they might consider revising the resolution to add verbiage that if an offer for employment was made, it would be contingent upon completion of a background investigation. Additionally, he said this would save money as they would not be authorizing background checks for every candidate, but only those they intended to make an offer to.

Following further discussion on the matter, motion was made by Mr. Dickinson, seconded by Mr. Taylor and carried unanimously to approve the draft resolution to include the amendment suggested by Mr. Tennyson, for presentation at the August 17th Board meeting.

Concluding the agenda review, the Pending Items section was reviewed, as follows:

- 1) Mr. Dusek distributed a draft resolution entitled "Amending Resolution Nos. 235 of 2012 and 310 of 2012; Amending and/or Clarifying the Salary Study and Schedules with Regard to Less Than Part-Time, Temporary and Per Diem Employees"; *a copy of the proposed resolution is on file with the minutes*. He noted that the proposed resolution would address those positions not specifically identified in prior resolutions, such as workers hired on a temporary basis to fill vacancies in different areas, as well as the "less than part-time" positions which worked less than 20 hours per week. Mr. Dusek advised the general practice for determining a salary for these positions had been to use the base pay rate for the position in question; he added that the problem with this practice was that for these positions, the 2009 salary freeze remained in force as there was no subsequent resolution providing authority to increase rates commensurate with other similar positions as was provided by Resolution Nos. 235 and 310 of 2012. The proposed resolution would provide a general directive as to how the less than part-time and temporary positions not previously addressed should be handled and also indicated that no matter how long they were used,

these positions would not receive any type of longevity pay. In response to a question posed by Mr. Conover, Mr. Dusek advised the impact to the budget for these changes would vary based on the use of the positions in question which fluctuated according to necessity, but he noted the amount necessary to fund the difference in salary for the positions currently in use was \$830.

Following further discussion, motion was made by Mr. Dickinson, seconded by Mr. Taylor and carried unanimously to approve the proposed resolution and authorize its presentation at the August 17th Board meeting.

- 2) Relative to discussion on employee sick leave payout, Mr. Dusek noted that an executive session was necessary to discuss the employment history of a particular person.

Motion was made by Mr. Sokol, seconded by Mr. Kenny and carried unanimously to declare an executive session pursuant to section 105(f) of the Public Officer's Law.

Executive session was held from 9:44 a.m. to 10:17 a.m.

Upon reconvening, motion was made by Mr. Sokol, seconded by Mr. Girard and carried by majority vote, with Mr. Taylor voting in opposition, to authorize payment of \$982.22 to an unnamed County employee for sick leave payout and the necessary resolution was authorized for the August 17th Board meeting.

There being no further business to come before the Personnel Committee, on motion made by Mr. Strainer and seconded by Mr. Girard, Mr. Conover adjourned the meeting at 10:18 a.m.

Respectfully submitted,
Amanda Allen, Deputy Clerk of the Board