

Warren County Board of Supervisors

RESOLUTION NO. 769 OF 2011

Resolution introduced by Supervisors Loeb and Goodspeed

**A RESOLUTION AUTHORIZING SETTLEMENT IN THE MATTER
OF DISCIPLINARY CHARGES AGAINST SHEILA M. WEAVER,
COMMISSIONER OF SOCIAL SERVICES**

WHEREAS, Warren County commenced a disciplinary proceeding against Sheila M. Weaver by service of disciplinary charges and specifications dated September 15, 2011 and supplemented and amended charges dated November 10, 2011, and

WHEREAS, Stephen A. Pechenik, Esq. was appointed Hearing Officer to preside over the disciplinary hearing, and

WHEREAS, negotiations have occurred in an effort to resolve the disciplinary proceeding, and

WHEREAS, the Warren County Attorney has presented the terms and conditions of a proposed settlement to the Warren County Board of Supervisors for consideration and deliberation, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors approves the settlement of the disciplinary proceeding commenced against Sheila M. Weaver, upon the following terms and conditions which are summarized as follows:

1. Sheila M. Weaver tender her resignation from employment with Warren County effective January 18, 2012. A letter of resignation has in fact been tendered by Sheila M. Weaver to Warren County.
2. Sheila M. Weaver has, in fact, under oath on the stenographic record of the disciplinary proceeding admitted that by acting as the authorized representative of Michael Hester in an application for public health assistance benefits to the Warren County Department of Social Services and otherwise involving herself in that

RESOLUTION NO. 769 OF 2011

PAGE 2 OF 3

application and its re-certification while simultaneously serving as the Commissioner of the Warren County Department of Social Services she violated the Warren County Department of Social Services Employee Handbook as well as the Warren County Code of Ethics.

3. The settlement agreement is contingent upon Sheila M. Weaver discontinuing with prejudice any and all claims or proceedings that she has commenced against Warren County, et al. in the New York State Division of Human Rights or the Equal Employment Opportunity Commission.
4. The settlement agreement is conditioned upon Sheila M. Weaver executing a comprehensive release in favor of Warren County.
5. The settlement agreement is conditioned upon Sheila M. Weaver through her attorneys obtaining a resolution by Adjournment in Contemplation of Dismissal of the pending criminal charges being prosecuted by Special Prosecutor Derrick Champagne, the Franklin County District Attorney, which request for an adjournment in contemplation of dismissal shall be made by Ms. Weaver's attorneys.
6. Provided that all conditions of the settlement have been met, for the period of January 18, 2012 extending through May 31, 2012 Sheila M. Weaver shall receive payments from Warren County in the equivalent amount of her final salary and health insurance benefits with Ms. Weaver making the required contributions towards the health insurance premiums in the equivalent amount she contributed toward the premiums during her employment with Warren County.
7. The settlement agreement is contingent upon the execution by Sheila M. Weaver and her counsel of a stipulation, waiver and release agreement between Warren County

RESOLUTION NO. 769 OF 2011

PAGE 3 OF 3

and Sheila M. Weaver.

8. If for any reason the conditions of the settlement agreement are not satisfied, the disciplinary proceeding with all charges shall be reinstated,

and be it further

RESOLVED, that the Warren County Attorney is authorized to enter into a stipulation, waiver and release agreement which discontinues the disciplinary proceeding and contains all of the terms, conditions and agreements as set forth herein.