

**PERSONNEL COMMITTEE
ROOM 318
OF THE
PUTNAM COUNTY OFFICE BUILDING
CARMEL, NEW YORK 10512**

Members: Chairwoman Nacerino, Legislators Castellano and Tartaro

Tuesday

June 17, 2014

The meeting was called to order at 6:03 p.m. by Chairwoman Nacerino who requested Legislator Castellano lead in the Pledge of Allegiance. Upon roll call, Chairwoman Nacerino and Legislators Castellano and Tartaro were present.

Item #3) Approval/Personnel Committee Meeting Minutes/May 19, 2014

Chairwoman Nacerino made a motion to approve the minutes; seconded by Legislator Tartaro. All in Favor.

Item #10) Discussion/Director of Communications/County Executive's Office

Chairwoman Nacerino stated at the last Personnel Committee meeting Legislator LoBue questioned who the Director of Communications was in the County Executive's Office. She stated she was not aware of this matter as well and she would like clarification.

Director of IT/GIS Tom Lannon stated starting in December he was looking for someone to help the IT Department with the County Website. He stated he talked to the Director of Communications and she suggested hiring a temporary employee to assist the IT Department with the County Website. He stated he made plans to hire the individual that the Director of Communications suggested. He stated he also discovered the Director of Communications would be on vacation. He stated the temporary employee could also fill in for the Director of Communications temporarily with the IT Department's budget because he wanted to expose the potential temporary employee to what she would be working on. He stated the part-time temporary employee ("Employee") is still working with the IT Department. The Director of Communications has returned from vacation. He stated the Employee worked out really well.

Chairwoman Nacerino questioned if this Employee was paid through the IT Department temporary line.

Director Lannon stated that is correct, the Employee was paid through the IT Department temporary line.

Chairwoman Nacerino questioned if this Employee is still hired.

Director Lannon stated the Employee is still a part-time temporary employee.

Legislator LoBue stated this matter came to her attention through a Hudson Valley News Paper Reporter. She stated she thought the Employee was hired temporarily. She stated the first pay week was April 4th. She stated she was surprised that the Employee was being paid through the IT Department. She questioned the purpose of this Employee.

Director Lannon stated there was no one in this position prior. He stated there was a Temporary Employee working on the telephone wiring; however that employee was no longer needed. Therefore, there was an ability to hire an employee to work on the County Website.

Legislator LoBue stated she has seen this employee carrying around cameras and videotaping. She stated she found out the Employee placed an advertisement for the County Executive. She stated that is why she finds this matter confusing.

Director Lannon stated placing an advertisement was not done through the IT Department. He stated the IT Department has never placed an advertisement.

Legislator LoBue stated there was much discussion with the District Attorney's Office hiring a Communications Director. She stated District Attorney Levy is paying for that employee personally. She stated she has a problem how the Employee is being paid through the County. She stated she does not like the fact that the Legislature was not aware of this matter.

Legislator Oliverio stated his concern is the Facebook Posts the County Executive made. He stated the photos for the County Website are being placed on the County Executive's campaign website. He stated it is against election law to spend tax payer dollars or utilize County Employees to campaign. He stated this matter is "on the edge". He stated he has seen the Employee following the County Executive and taking photos during many events like the County Business Expo. He stated he is perplexed if the Employee is publicizing for the County or for the County Executive's campaign. He questioned if the Employee is a publicist for the County Executive.

Director Lannon stated the Employee's tasks do not involve being a publicist for the County Executive. He stated for the Putnam County Business Expo the Employee was not working for the County. He stated he did not attend that event, nor did he pay for the Employee to be at the Putnam County Business Expo.

Legislator Oliverio questioned if the Employee was working for the County for the D-Day Event and for the Senior Picnic Event.

Director Lannon stated the Employee was working for the County for the D-Day Event and the Senior Picnic at the County Golf Course.

Legislator Oliverio questioned what the Employee's tasks were at the Senior Picnic Event.

Director Lannon stated the Employee's tasks were to videotape the event and assist with setting up the PA System.

Legislator Oliverio stated he has an issue with using County Funds to enhance the County Executive's appearance.

Chairwoman Nacerino stated as elected official like the County Executive, attending the events is part of their jobs and the County Executive is still serving the people of the County. She stated the County Executive is going to have her picture taken at an official event.

Legislator Oliverio stated he agrees with Legislator Nacerino in that it is a positive thing about being an incumbent. He stated County tax dollars are paying for the publicity for the County Executive.

Chairwoman Nacerino stated this scenario is not different from last year. She stated there has never been state of the art technology or a state of the art website.

Legislator LoBue stated she worked under the Bondi Administration for three (3) years and the issue of using media never occurred. She stated she does not agree with what is occurring. She stated everything is being done as a press release before things are passed or addressed. She stated she has an issue with the Employee working for the County and then working privately for the County Executive politically. She stated there needs to be disclosure and if the Employee is working for the County Executive, it has to be made public.

Legislator Albano stated the Legislators are all public officials. He stated Senator Ball constantly has pictures taken and it is seen as a normal thing. He stated he does not see anything wrong with the County Executive taking pictures during County Events. He stated he would have an issue if it was strictly political.

Director Lannon stated the IT Department was looking at the Westchester County and Dutchess County Websites as a model. He stated the IT Department was not able to do a similar website with the manpower he had in the past. He stated adding the Employee on a part-time base allowed information to get out to the County Residence, like the Senior Picnic. He stated the goal is to get the information and events details that will occur to the public.

Legislator Oliverio stated it bothers him when looking at the political campaign website and see the same pictures and videos on the County Website. He stated he believes that is crossing the line.

Legislator LoBue stated the County Executive's Administration asked for an increase in the temporary line for the Communication Director. She stated the temporary line was originally at \$16,500 and was increased to \$30,000. She stated she voted against the proposed increase because she believes the increase was done for political reasons. She stated she believes this is a misuse of County money.

Chairwoman Nacerino questioned how many hours a week does the Employee work.

Director Lannon stated the schedule is made a week prior and is based on the events occurring. He stated the Employee works a maximum of five (5) hours a day.

Chairwoman Nacerino stated **people like** to feel part of the County by seeing things posted. She believes it brings the people closer to the County.

Legislator LoBue stated for the record from April 4, 2014 to June 13, 2014 \$16,000 was accrued. She stated there is approximately \$18,000 left in the temporary line.

Director Lannon stated as of today there is approximately \$17,000 left in the temporary line.

Chairwoman Nacerino stated she is more comfortable with the Employee as a County Employee and being authorized personnel versus an employee paid out of pocket like District Attorney Levy's Communication Director because of the potential liability issues.

Legislator Oliverio questioned if the Employee is a publicist for the County.

Director Lannon stated the Employee is not a publicist. He stated her title is an Administrative Assistant. He stated as part of the Employee's job they will get information and put it on the website, help departments with rebranding, help plan for events, and print out posters.

Legislator LoBue questioned if the IT Department paid for the D-Day advertisement.

Director Lannon stated no, the IT Department did not place the advertisement.

Item #4) Approval/Ratification/Putnam County Sheriff's Department Police Benevolent Association (PBA) Memorandum of Agreement Contract

Director of Personnel Paul Eldridge stated the prior agreement between the County and the Police Benevolent Association (PBA) expired December 31, 2011. He stated the negotiations began in 2012. He stated in the end of 2013 there was an impasse, which resulted in Public Employment Relations Court assigning a mediator. He stated then mediation occurred for three days (3); February 19th, April 4th and May 12th. He stated mediation resulted to the Memorandum of Agreement ("MOA") being signed on May 12th and was passed by the PBA. He stated in 2005 the Governor extended the Binding Arbitration. He stated the three (3) parties; the County, the Sheriff's Department and the PBA did not want to go through interest arbitration. He stated the agreement was passed by the Union after the MOA was signed by the County Executive Odell, Sheriff Smith and President of the PBA Jim Bambino and the two (2) attorneys.

Chairwoman Nacerino stated starting the duration of the contract is January 1, 2012 to December 31, 2016. She stated there is no retroactive pay. She questioned if the 1.5% and the 2.0% are compounded in the current year.

Director Eldridge stated yes, they are compounded in the current year. He stated the MOA avoids two (2) interest arbitration, which saved a lot of money and time. He stated there are three (3) policies being emplaced. He stated one (1) of them is the drug and alcohol policy that includes random drug testing. He stated the 207-c policy is now formalized. He stated there is also now a formalized tier.

Chairwoman Nacerino stated considering the economic times, she believes this is a very fair and equitable contract.

Chairwoman Nacerino made a motion to approve Ratification/Putnam County Sheriff's Department Police Benevolent Association (PBA) Memorandum of Agreement Contract; Seconded by Legislator Tartaro. All in favor.

Item #5) Approval/Budgetary Transfer (14T086)/Commissioner of Finance/Funding for the Contract Settlement Between Putnam County and the Putnam County Sheriff's Department Police Benevolent Association (PBA)

Chairwoman Nacerino made a motion to approve Budgetary Transfer (14T086)/Commissioner of Finance/Funding for the Contract Settlement Between Putnam County and the Putnam County Sheriff's Department Police Benevolent Association (PBA); seconded by Legislator Tartaro. All in favor.

Item #6) Approval/Resolutions Three (3):

- a) **Approval/Resolution To Amend the Salary of Captain Assigned to The Correctional Facility of the Putnam County Sheriff's Department**
- b) **Approval/Resolution To Amend the Salary of Lieutenant Assigned To the Correctional Facility of the Putnam County Sheriff's Department**
- c) **Approval/Resolution To Amend the Salaries of Captains In the Putnam County Sheriff's Department**

Chairwoman Nacerino stated the three (3) resolutions before the Personnel Committee were done in conjunction of the PBA. She stated she met with the employees and the Undersheriff to go over the logistics of the resolutions. She stated she recognizes the concept being brought forth with these resolutions. She stated the Captains and Lieutenants will be making less than those in PBA. She stated this is an effort to correct the inequities that exist. She stated as of now from a financial perspective it is better to stay in the unionized positions. She stated there is zero (0) percent in contribution for health benefits and there is a 5% contribution for those in management positions.

Director Eldridge stated Deputy Sheriffs contingent of thirteen (13) more years have to pay a 0% contribution for benefits.

Chairwoman Nacerino stated those under PBA have 0% contribution for dental and optical plans and those in management positions have reduced dental with no optical benefits. She stated those under PBA receive \$750 tuition reimbursement and those in management positions do not receive any tuition reimbursement. She stated those under PBA receive four (4) personal days a year and those in management positions receive two (2) personal days a year. She stated those in management positions do not receive overtime, or comp time. Those under PBA receive 20 paid vacation days and those in management positions receive 18 paid vacation days. She stated PBA

receives ten (10) sick days and those in management positions receive six (6). She stated the Legislature is cognizant of the benefits set forth and management positions become less attractive. She stated the resolutions brought forth: an individual that has the title of Captain will receive an increase to ensure they pose a 15% increase in base salary of the highest paid individual holding the position of First Sergeant and an individual that has the title of Lieutenant in the Correctional Division will receive an increase to ensure they pose a 7.5% increase in base salary of the highest paid individual holding the position of First Sergeant. She stated these numbers appear to be ambitious at this time and there are some questions regarding the contract.

Legislator Oliverio stated the officers of the Sheriff's Department deserve this. He stated he has no problem with those not under the PBA contract receiving 15% higher than a 1st Sergeant. He stated those in the lower ranks will not have a desire to become officers.

Chairwoman Nacerino stated she agreed with Legislator Oliverio. She stated the County is retarding the growth and stimulation for the future. She questioned what defines the highest paid.

Director Eldridge questioned what constitutes base salary. He stated he is not sure if the base salary includes benefits.

Legislator Oliverio stated he interprets base salary as the highest salary without the "add ons".

Director Eldridge stated he wants to be positive that everyone is on the same page because to most people base salary means everything that is included other than overtime.

Commissioner of Finance William Carlin stated the resolution should define what base salary is.

Legislator Oliverio stated once the term base salary is clarified the County should equalize.

Chairwoman Nacerino stated she supports these resolutions. She stated there is a need to have equitable salary in place for managerial officer positions. She stated the Legislature needs to be clear on the language.

Undersheriff Convery stated the deputy sheriffs that become managerial officers are those that come up in the ranks. There needs to be a differential between the ranks. He stated some individuals cannot afford to leave the Union Contract and take the managerial positions.

Chairwoman Nacerino stated a budgetary transfer was not prepared nothing can be moved as of yet.

Legislator Oliverio questioned would it be possible to clarify the term base salary and numerical increases prior to the June Audit and Administration Committee meeting.

Undersheriff stated he can provide the financial information needed before the June Audit and Administration Committee meeting.

Legislator LoBue stated this is not part of the PBA Contract that was just settled and this is outside cycle. She questioned how this matter came about. She stated this can open up the “flood gate” for the rest of the County. She stated she would like to see the financial information.

Chairwoman Nacerino stated the County is “upside-down” and so is CSCA. She stated it is important to recognize this is not a unique situation in the County.

Legislator LoBue stated in the past Chairwoman Nacerino has stuck with the budget cycle.

Chairwoman Nacerino she stated she believes the Legislature should stick to the budget cycle, however the Legislature did open of the “flood gates” when we allowed restructuring to take place. She stated in 2015 she requests the Legislature take a second look at this matter and go back to old policy and procedure. She stated there is a long term impact. She stated precedent will be set and morale will be lowered. She stated the three (3) resolutions before the Personnel Committee came before us because the timing was right in terms of conjunction with the PBA Contract set forth. She stated the three (3) resolutions would be implemented July 1st to equalize the managerial positions and those that are under the PBA Contract.

Legislator LoBue stated in terms of restructuring in the District Attorney’s Office, it was not one (1) penny over the budget. She stated now the Legislature is changing the budget.

Legislator Albano stated the budget will not necessarily be changed. He stated he believes that this matter is being rushed if it is discussed next Monday at the Audit and Administration Committee meeting. He stated he would like to see more information, but he understands this is well deserved.

Legislator LoBue stated if this matter is discussed now and then is changed during the budget time; she would not have a problem. She stated this matter is being rushed.

Chairwoman Nacerino stated this is a collective decision of the Legislature. She stated the logistics needs to be worked out.

Legislator Albano stated the Audit and Administration Committee Agenda goes out tomorrow, and he believes this matter will not move that quickly.

Legislator Oliverio stated this is not a matter of restructuring. He stated no one would move from being a deputy sheriff to become a managerial officer. He stated this matter needs to be conducted at a fast pace. He stated this is different from the District Attorney’s Office. He stated the officers put their lives on the line. He stated government was set up for the health and safety of its constituents; these individuals represent that notion. He stated it would be an insult to not consider the resolution.

Chairwoman Nacerino stated she understands the resolutions do not involve restructuring. However, the Legislature keeps looking at salary changes, which is something that has not been done in the past. She stated there is a lot of work involved when making salary changes. She stated she would prefer to do salary changes during the budget season moving forward in 2015.

Legislator Tartaro stated everyone is in agreement that the salaries should be raised. He stated the salary changes go far beyond restructuring because the proposal can be a template for other departments. He stated this matter is a big binding step and the Legislature should use due diligent. He stated he believes the extra month would not be a deal breaker.

Chairwoman Nacerino stated the Legislature needs to agree on the term of “base salary” and the Legislature needs to agree upon what the terms and conditions are. She questioned if it would be an issue to take longer on this matter than anticipated.

Undersheriff Covery stated no, it would not be an issue and the Sheriff’s Department can clarify the notion of base salary.

Legislative Counsel Van Ross stated if the Legislature feels they need more time the Legislature can always make the resolution retroactive.

Chairwoman Nacerino stated worst case scenario, the item can be tabled at the Audit and Administration Committee meeting.

Legislator Castellano stated he does not have a problem with this matter as long as the financials are okay.

Chairwomen Nacerino made a motion to move all three (3) items to Audit Committee for discussion and review of the additional information that has been requested to be submitted for the Audit Committee Meeting; seconded by Legislator Tartaro. All in favor.

Item #7) Approval/Standard Work Day & Reporting Resolution/Required by: NYS Retirement System

Chairwoman Nacerino mad a motion to approve Standard Work Day & Reporting Resolution/Required by: NYS Retirement System; seconded by Legislator Tartaro. All in favor.

Item #8) Approval/Fund Transfer (14A051)/Highway & Facilities/Putnam Invests in Leaders of Tomorrow (PILOT) Program

Chairwoman Nacerino made a motion to approve Fund Transfer (14A051)/Highway & Facilities/Putnam Invests in Leaders of Tomorrow (PILOT) Program; seconded by Legislator Tartaro. All in favor.

Item #9) Approval/Memorialization/Yates County Legislature: Requesting the Governor and the NYS Legislature to Refrain From Enacting New Public Employee Benefit Mandates

Legislative Counsel Van Ross stated the memorialization by July will be moot.

Chairwoman Nacerino stated se believed the Legislature should document their support regardless.

Chairwoman Nacerino made a motion to approve Memorialization/Yates County Legislature: Requesting the Governor and The NYS Legislature to Refrain from Enacting New Public Employee Benefit Mandates; seconded by Legislator Castellano. All in favor.

Item #11) Other Business - None

Item #9) Adjournment

There being no further business, at 7:02 P.M. Chairwoman Nacerino made a motion to adjourn; seconded by Legislator Castellano. All in favor.

Respectfully submitted Administrative Assistant Lisa Sommers.