

**PERSONNEL COMMITTEE MEETING  
HELD IN ROOM 318  
PUTNAM COUNTY OFFICE BUILDING  
CARMEL, NEW YORK 10512**

**Members: Chairwoman Nacerino, Legislators Albano and Jonke**

**Thursday**

**June 22, 2017**

The meeting was called to order at 7:20p.m. by Chairwoman Nacerino who requested Legislator Jonke lead in the Pledge of Allegiance. Upon roll call Chairwoman Nacerino and Legislators Albano and Jonke were present.

**Item #3) Approval/Personnel Committee Meeting Minutes - May 25 & May 10, 2017**

Chairwoman Nacerino stated that the minutes were accepted as submitted.

Chairwoman Nacerino made a motion to waive the rules and accept the additional for agenda items # 4 & #9; Seconded by Legislator Albano. All in favor.

**Item #4) Approval/Standard Work Day and Reporting Resolution**

Chairwoman Nacerino made a motion to approve the Standard Work Day and Reporting Resolution; Seconded by Legislator Albano. All in favor.

**Item #5) Proposed PBA Contract/Proposed Action**

Chairwoman Nacerino stated the proposed PBA/Memorandum of Agreement was addressed at the March 23, 2017 meeting. She stated this Committee took no action at that time due to the fact that the lack of support from the Legislature was unanimous. She stated since the situation has remained status quo for the last three (3) months, the Legislature agreed it would be appropriate to move this matter to a vote to the July 5, 2017 Full Meeting of the Legislature. She stated it is her hope and expectation no matter the outcome that we remain professional and respectful towards one another, something that was seriously lacking during the March 2017 encounter and thereafter.

Legislator Jonke made a motion to approve and move the Proposed PBA Contract to the July Full Meeting; Seconded by Legislator Albano. All in favor.

**Item #6) Approval/Fund Transfer (17T103)/Cover Overtime Due to Vacancies/Sheriff's Department**

Chairwoman Nacerino made a motion to approve and move to the Audit & Administration meeting Fund Transfer (17T103)/Cover Overtime Due to Vacancies/Sheriff's Department; Seconded by Legislator Jonke. All in favor.

**Item #7) Approval/Fund Transfer (17T082)/ Cover Overtime Due To Vacancies/Sheriff's Department**

Legislator Albano made a motion to approve and move to the Audit & Administration meeting Fund Transfer (17T082); Seconded by Legislator Jonke.

**Item #8) Approval/Fund Transfer (17T085)/ Cover Overtime Due To Vacancies- Feb. 2017/Sheriff's Department**

Legislator Jonke made a motion to approve and move to the Audit & Administration meeting Fund Transfer (17T085)/ Cover Overtime Due To Vacancies- Feb. 2017/Sheriff's Department; Seconded by Legislator Albano. All in favor.

**Item #9) Request to Restructure District Attorney's Personnel/ District Attorney Tendy**

District Attorney Tendy stated his Chief Assistant Attorney Joseph Fonseca returned to private practice, back in June of 2017. He stated also a victim/witness advocate decided to seek employment opportunities elsewhere. He stated as a result of these vacancies he would like to request approval to give some members of his staff an increase. He stated per his proposal there will still be a cost savings in his department. He stated that he has discussed his proposal with his staff, and they are all on board. He stated that he has decided not to fill the position of "First Assistant Attorney" (*he promoted that employee to the position of Chief Assistant Attorney*), which the salary for that position was \$132,600. He stated he would have the Chief Assistant District Attorney and the other Assistant District Attorneys (ADA) in his office will pick up the role of the "First Assistant Attorney". He stated that he will be hiring an "Appellate Attorney", who is an expert in appellate work and motion practice. He stated the candidate he would like to have in the "Appellate Attorney" position would come in at a salary of \$92,000. He stated that is a savings from the \$132,600 of about \$40,000. He stated that the "Victim/Witness Advocate" position had a salary of \$31,066. He stated in an Office his size he believes one (1) person can handle the role and responsibility of contacting victims and witnesses along with the assistance of his ADAs and one of his Investigators. He stated his proposal is to leave the Victim/Witness Advocate position vacant. He stated leaving that position vacant results in a \$31,066 savings to the County. He stated with the total savings of approximately \$70,000 he requested four (4) of his full-time ADAs be given raises for the extra work they will be taking on, as well as one Investigator, and his Confidential Secretary. He stated with the recommendation of increases he is proposing the bottom line will still be a savings to the County in the amount of \$39,166 from his department's salary budget.

Chairwoman Nacerino stated that she supports the concept of the District Attorney working within his department's budget for restructure. She stated the Legislature honored the same action by District Attorney Tendy's predecessor. She stated that she did speak with District Attorney Tendy stating she would recuse herself from the consideration of the Confidential Secretary proposal because she has a personal friendship with the person in the position of Confidential Secretary. She stated that she is in support of the request related to the ADAs.

Legislator Albano stated that he agrees that he will leave it up the District Attorney to manage his staff within the parameters of his department's budget.

Legislator Jonke questioned how District Attorney Tendy came to the requested amounts and if he has a percentage of specific formula.

District Attorney Tendy stated his recommendations came from his evaluation of the workload for each of the individuals. He briefly elaborated.

Chairwoman Nacerino stated she would like to separate the vote to the request for a salary increase for the four (4) ADAs from the request for a salary increase for the Confidential Secretary.

Legislator LoBue questioned Personnel Director Eldridge as to whether there is a residency requirement for the Chief position in the District Attorney's Office.

Personnel Director Eldridge stated no.

County Attorney Bumgarner stated for clarification whomever is designated to act on behalf of the District Attorney must live in the County, however the designee can be anyone in the office, it does not have to be the Chief.

Legislator LoBue questioned who the designee is in the District Attorney's Office.

District Attorney Tendy stated it is Assistant District Attorney Joe Charbonneau.

Legislator LoBue stated the requested increase for the Confidential Secretary is an 11% increase.

District Attorney Tendy stated as documented in his correspondence the Confidential Secretary "has changed the way they do business in his office. She has modernized our monetary oversight, has interfaced with all the other departments very well, and at my request she has learned the jobs of all the clerical staff so she can fill in as needed and she cheerfully does."

Legislator LoBue stated it is difficult because this would set a precedent. She stated that all of the Department Heads approach the Legislature and present a case supporting the need to give the employees in their departments an increase. She stated that 11% is a large proposal.

District Attorney Tendy stated that he made his recommendation also based on salaries of other District Attorney's Offices and looked in the private sector for an employee who does similar duties.

Legislator LoBue stated that she respects District Attorney Tendy's opinion and the fact that he is here supporting his staff. She stated it is the responsibility of the Legislature to look at the money and the finances of the County. She stated that she does not find it an appropriate comparison to compare to the private sector. She stated the Confidential Secretary salary in the District Attorney's Office of Putnam County is comparable to the other Confidential Secretary positions in Putnam County.

Legislator Sullivan stated that he does appreciate the proposal made, while still resulting in a cost savings. He stated that he agrees that District Attorney Tendy has the ability to manage his department within his budget.

Legislator Scuccimarra stated that she agrees that the ADAs be compensated a decent salary based on what they do for the County. She stated her only concern is the Confidential Secretary salary increase. She stated that she is sure that there are other departments that value their

Confidential Secretary and would love to give them more money. She stated that is a huge increase request.

District Attorney Tandy stated he would agree if he were asking for an increase for the position that would have an impact on the taxpayers.

Chairwoman Nacerino stated the decisions of the Legislature are based on the overall good of the employees of the County, not just based on a single scenario or person. She stated the decisions of the Legislature resonate with morale and resonate with the entire County. She stated as a point of reference that all of Putnam County management employees did receive a 2% increase in January of 2017.

Chairwoman Nacerino made a motion to approve and move to the Full Meeting salary adjustments to the following Positions in the District Attorney's Office: Position #s 116510/102, 104, 105, 108, 112, 122; Seconded by Legislator Jonke. All in favor.

Legislator Albano made a motion to approve and move to the Full Meeting a salary adjustment to the following Position in the District Attorney's Office: Position # 116510/114; No second, motion failed.

**Item #10) FYI/2017 Accident Report - Duly Noted**

**Item #11) Other Business- None**

**Item #8) Adjournment**

There being no further business, at 7:52P.M. Chairwoman Nacerino made a motion to adjourn; Seconded by Legislator Jonke. All in favor.

Respectfully submitted by Diane Trabulsy, Deputy Clerk of the Legislature.