

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

Members: Chairwoman Nacerino, Legislators Castellano and Tartaro

Tuesday

April 22, 2014

The meeting was called to order at 6:30 p.m. by Chairwoman Nacerino who requested Legislator Tartaro 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/February 18th & March 18th, 2014

Chairman Nacerino made a motion to approve the minutes; Seconded by Legislator Castellano. All in Favor.

Item #4) Approval/Highway & Facilities Department/Budgetary Amendment (14A030)

Commissioner of Highway & Facilities Fred Pena stated using outside sources is a temporary measure to fill the vacancies for the Highway and Facilities Department. He stated it is crucial that the Highway and Facilities Department select individuals to fill those vacancies carefully.

Chairwoman Nacerino questioned who is the Highway and Facilities Department using for the outside sourcing?

Commissioner Pena stated the Highway and Facilities Department is outsourcing to C&S Engineering Company.

Chairwoman Nacerino made a motion to approve the Budgetary Amendment 14A030; Seconded by Legislator Castellano. All in Favor.

Item #5) Approval/Office For Aging/Fund Transfer (14T045)

Chairwoman Nacerino made a motion to approve the Fund Transfer 14T045; Seconded by Legislator Tartaro. All in Favor.

Item #6) Approval/Office For Aging/Fund Transfer (14T048)

Office of the Aging Director Patricia Sheehy stated the Fund Transfer will be used to enhance the Office for the Aging's transportation for shopping.

Legislator Scuccimarra questioned where the Seniors would be shopping.

Director Sheehy stated the Seniors would go to stores like Kohl's, Wal-Mart, and Christmas Tree Shop.

Legislator Scuccimarra questioned when the transportation for the Seniors would be in effect.

Director Sheehy stated the Office for Aging would begin transporting the Seniors to go shopping in May. She stated the Seniors being services are generally the same individuals being transported to our senior centers and our senior housing. She stated when Seniors give up their driver's license it can become challenging to shop.

Chairwoman Nacerino made a motion to approve the Fund Transfer 14T048; Seconded by Legislator Tartatro. All in Favor.

Item #7) Approval/District Attorney's office/Fund Transfer (14T050)

Chairwoman Nacerino stated for clarification there will be three (3) positions affected. She stated the first position affected is a Prosecutor who recently left. She stated the District Attorney's Office then reduced the salary to \$62,000. She stated District Attorney Levy is now asking to increase the salary to \$80,000. She stated the second position was changed to \$57,295 in the 2014 Budget and the salary is proposed to be increased to \$70,000. She stated the third position is proposed to be increased \$10,000. She stated she understands there will be no Fiscal Impact; she believes this issue goes beyond Fiscal Impact. She stated the Legislature has a Fiduciary Responsibility to be fair to all Putnam County Departments. She stated as Chairwoman of Personnel she believes the increase in the Prosecutors' salary is a bit excessive. She stated the Legislature values all our County employees.

District Attorney Adam Levy stated he respectfully suggests the Legislature think about their decision. He stated the Legislature has to understand what the Assistant District Attorneys' job entails. He questioned what would happen if Prosecutors left Putnam County for a bigger salary. He stated he would like to create an office with experienced attorneys to protect Putnam County's Residence. He stated one (1) Assistant District Attorney took the position for \$57,000 because she believed an increase in salary could potentially occur if there would be a zero Fiscal Impact. He stated to reject the Fund Transfer request only because of the way it may be perceived in other Putnam County Departments is short-sighted.

Chairwoman Nacerino stated she disagreed with District Attorney Levy. She stated it is the Legislature's responsibility to encompass the feelings of other County Departments. She stated she acknowledges the importance of the District Attorney's Office, but the Legislature is struggling to get the County's Managers raises. She stated the County Managers have not received a raise in half a decade. She stated the Legislature is also trying to settle two (2) unresolved union contracts. She stated the Legislature needs to take all factors into consideration and how the Fund Transfer request affects the County as a whole.

Legislator Tartaro stated District Attorney Levy came before the Personnel Committee two (2) months ago and made a compelling argument that the District Attorney's Office cannot get a qualified Prosecutor with the salary of \$57,000. He stated the Legislature was behind the proposition 100 percent. He stated he was recently made aware of the concept of the Vacancy

Control Program. He stated he feels the Legislature needs to be cognizant of what goes on in other County Departments. He stated the Legislature has made changes to the District Attorney's Office but he feels if the Legislature gave the Assistant District Attorney another raise within a two (2) month span there would be ramifications.

Legislator Oliverio stated two (2) months ago the Legislature applauded District Attorney Levy's ingenuity in restructuring the salaries. He stated the Legislature believed it was okay. He stated he does not see the difference in what District Attorney Levy is currently proposing. He stated he agrees with District Attorney Levy in how the County has to pay to obtain the best Prosecutors. He stated the District Attorney's Office does a wonderful job. He stated if the proposal was going to increase the budget he would then vote no but, the Fund Transfer request will not create a Fiscal Impact. He stated he would have no problem if other Department Heads desired to restructure salaries within their department when there is not going to be a Fiscal Impact. He stated having a Department Head decide where the money within their department is best used shows great management.

Chairwoman Nacerino stated in the County there are many seasoned Department Heads who are struggling with the same economic conditions and have not received a raise in almost six (6) years. She stated that she believes this is something important to consider by the Personnel Committee when reviewing the Fund Transfer Request. She stated the Legislature does have plans of restructuring. She stated the Legislature has to consider how our policies and procedures are going to be adhered to in the future. She believed to receive an increase of \$8,000 after being employed for six (6) weeks is excessive and it hurts the moral of the County. She stated there is a lot more to consider in this matter than Fiscal Impact. She stated the Legislature needs to consider how the Legislature handles similar matters in the future and how the Legislature equally distributes compensation throughout the County.

Legislator Gross stated a Prosecutor is a specialized person. He stated the Legislature should be careful in micromanaging departments in the County. He stated the Legislature should respect the positions of the Elected Officials on how they run their department. He stated perhaps this matter is the "kick off point" in addressing the other positions that should be given a raise. He stated he has confidence in District Attorney Levy. He stated the County needs people that can win court cases. He believes the Legislature should support the proposed Fund Transfer without any question.

Legislator Scuccimarra stated she believes the District Attorney's Office is an "island of itself". She stated the District Attorney's Office is a specialized group of people. She stated there is a lot occurring in the County in terms of drug abuse and she believes it is imperative to have "topnotch" people in the courtroom. She stated from the perspective of her husband, who is a judge, it is challenging when dealing with attorneys who are fresh out of law school.

Chairwoman Nacerino stated the Legislature needs to decide what direction the Legislature wants to go in because in the past the County waited for the budget process to consider giving an employee/s a raise.

Legislator Oliverio stated in the past the raises have impacted the County fiscally. He stated District Attorney Levy's Fund Transfer Request has a zero Fiscal Impact. He stated he agreed with Legislator Scuccimarra and Legislator Gross in how the District Attorney's Office is specialized. He stated when the Legislature begins to second guess our Elected Officials, the Legislature would be micromanaging. He stated District Attorney Levy has saved the County money.

Chairwoman Nacerino stated she agreed with Legislator Oliverio in how District Attorney Levy has saved the County money.

Legislator Tartaro stated he does not understand the Vacancy Control. He stated there is \$700,000 the County needs to make up. He stated he has the utmost respect for District Attorney Levy and his recommendations. He stated the Legislature broke protocol and gave District Attorney Levy his previous request. He stated the Legislature should add the Fund Transfer Request to the Budget during the budget process, which is only eight (8) months from now. He stated District Attorney Levy makes a valid argument, but he is looking at the matter from a different perspective.

Legislator Albano stated he agreed with Legislator Tartaro. He stated the County has Vacancy Control that the Legislature built in for this particular reason. The budget season is the time when the Legislature adjusts salaries unless there are extenuating circumstances. He stated the Legislature should address this matter during budget season.

Legislator Oliverio stated when District Attorney Levy appeared to the Legislature two (2) months ago and at that time District Attorney Levy stated if he had the opportunity to give raises to his employees he would do so.

District Attorney Levy stated he agreed with Legislator Oliverio. He stated the District Attorney's Office has developed highly qualified Prosecutors. He stated he agreed with Chairwoman Nacerino that open dialogue is a good thing but, to suggest it is inappropriate to give raises to his employees because of a fairness purposes is short-sighted. He suggested for the Legislature to reflect back when Undersheriff Convery stated the Sheriff's Department does not need to increase the size of our County Jail because there is no need for it. He stated this is in part because of the Putnam County Drug Treatment Court Program. He stated over \$100,000 has been saved due to the seasoned Prosecutors in District Attorney's Office. He stated the skill set is not the same with Prosecutors who are straight out of law school. He stated the Legislature needs to ask what it is worth to the County in the event the Prosecutor who handles the Narcotic Cases and the County's Drug Treatment Court were to leave the employment of the County. He stated if the Prosecutor chooses to leave the District Attorney's Office, he is not obligated to send a Prosecutor to the County's Drug Treatment Court. He stated he could hire a new Prosecutor to only do misdemeanor cases. He stated the District Attorney's Office has to be autonomous because the employees in this department are responsible to make sure the Residence of Putnam County adheres to the law and are held accountable when they break the law. He stated his department is also responsible to ensure innocent people are not caught up in the system because that would result in costing the Residence of Putnam County millions of dollars.

Chairwoman Nacerino stated she acknowledges everything that District Attorney Levy stated. She stated she brought the Sheriff's Department into the conversation due to Elected Officials have a little more latitude than other County Departments. She stated only a Budget Transfer was provided to the Personnel Committee and no other back-up information was provided by District Attorney Levy. She stated the Legislature is the decision making body, therefore the Legislature should have been given various documentation to make an informed decision.

District Attorney Levy stated Chairwoman Nacerino never personally requested more information from the District Attorney's Office.

Chairwoman Nacerino stated as Chairwoman for the Personnel Committee, she needs to look at the Fund Transfer Request from other perspectives. She stated she needs to take into consideration all of the hardworking people within the County. She stated the Legislature has a budget process. She stated she believes there would be more than just a Fiscal issue with the Fund Transfer Request.

Legislator Oliverio stated as long as there will not be a Fiscal Impact he will vote yes. He stated he applauds District Attorney Levy for rearranging the budget.

Legislator Albano stated the Vacancy Control Factor will indirectly affect the County's budget. He stated the County has quality employees who should be making more money. He stated the difficulty is to adjust the Legislature's approach.

Chairwoman Nacerino stated the Legislature needs to make a decision on how the Legislature is going to adhere to the policy for the County. She stated once the Legislature sets precedent the Legislature then has to abide by what was said. She stated the Legislature must remain consistent and fair.

Legislator Gross stated the Prosecutors for the District Attorney's Office are specialized personnel and he would like the Personnel Committee to move the matter to the May Meeting.

Legislator Scuccimarra stated she agreed with Legislator Gross. She stated the Legislature needs to consider the "Drug Crisis" that is occurring in Putnam County. She stated the Drug Crisis is a big problem and the District Attorney's Office is facing the problem head on. She stated if the County did not have the Prosecutor who conducts Drug Treatment Court; it would affect the County's Jail. She stated she believes the Legislature needs to make an exception.

Chairwoman Nacerino stated she places a high value on all of the County Employees. She stated she is thinking from the perspective that the Legislature's decisions will affect other County Departments.

Legislator Castellano stated the previous employee who was making \$80,000 was replaced by a new employee who is now making \$62,000. He questioned if the new employee's job significantly is different than the previous employee.

District Attorney Levy stated there is not a significant difference. He stated the new employee requires more oversight from the Chief Assistant District Attorneys and him. He stated Assistant District Attorneys (“ADA”) go to Court Programs at 7:00pm at no overtime cost to the County because it is part of the ADAs’ job. He stated he made it clear to the Prosecutors in his department that when there is an opportunity to restructure the budget with no Fiscal Impact, he will advocate on his employees’ behalf.

Legislator Albano stated the Legislature and District Attorney Levy have mixed emotions. He stated he believes the matter should be moved to the Audit Meeting.

Chairwoman Nacerino stated the County all has to work together and coexist. She stated there are morale issues that could occur.

Legislator Tartaro made a motion to approve District Attorney’s Office/Fund Transfer (14T050); Seconded by Joe Castellano. All in Favor.

Item#8) Update/County Executive’s Department Head Meeting of April 08, 2014/Legislator Tartaro

Chairwoman Nacerino stated a few months back the Legislature began to implement an initiative to have an Open Door Policy through the County Executive to attend the Department Head meetings throughout the County. She stated the Open Door Policy allows a foster of communication. She stated the Legislators attending the Department Head meetings are on a volunteer and rotating base.

Legislator Tartaro stated he attended the meeting. He stated one (1) item that stood out from the meeting was how many agencies are concerned with the Heroin Epidemic. He stated at the meeting there was a discussion on how the Paladin Center is going to be used for driver training. He stated the Credit Card Payment Pilot Program was discussed and how it got off to a great start. He stated Dr. Beals also mentioned the 5k Run for Life.

Chairwoman Nacerino stated the Heroin Epidemic is huge and does not just affect Putnam County. She stated people are joining forces to resolve the situation.

Legislator Tartaro stated a matter that was reinforced by the Department Heads is there is no such thing as bad Heroin. He stated the issue of overdoses in many cases is when the users come out of rehab and their bodies cannot handle the amount of drugs they use to be able to handle. He stated it is a good thing that Narcan is becoming available. He stated the Heroin Crisis needs to be addressed.

Item#9) Other Business- No business

Item #10) Adjournment

There being no further business, at 7:30 p.m. Chairwoman Nacerino made a motion to adjourn; Seconded by Legislator Tartaro. All in favor.

Respectfully submitted by Lisa Sommers, Administrative Assistant of the Legislature.