

**PERSONNEL COMMITTEE MEETING
HELD IN ROOM 318
PUTNAM COUNTY OFFICE BUILDING
CARMEL, NEW YORK 10512**
Members: Chairwoman Nacerino, Legislators Jonke & Montgomery

Wednesday

December 11, 2019

The meeting was called to order at 6:30PM by Chairwoman Nacerino who requested that Legislator Montgomery lead in the Pledge of Allegiance. Upon roll call Legislators Jonke, Montgomery and Chairwoman Nacerino were present.

Chairwoman Nacerino explained that District Attorney Tendy has an item on the Protective Services meeting agenda scheduled to immediately follow this meeting. She stated District Attorney Tendy has a time constraint with his schedule. She stated therefore this meeting will Recess, the Protective Services Meeting will Open and District Attorney Tendy's matter will be addressed. Then the Protective Services meeting will Recess and then this meeting, the Personnel Committee Meeting, will Reconvene.

6:32PM - Chairwoman Nacerino made a motion to Recess the Personnel Meeting; Seconded by Legislator Jonke. All in favor.

7:30PM – Chairwoman Nacerino made a motion to Reconvene the Personnel Meeting; Seconded by Legislator Jonke. All in favor.

Item #3 - Approval/ Amending County Policy For Non-PBA Retiree Health Insurance Benefits Contribution Schedule/ Personnel Director Paul Eldridge

Personnel Director Eldridge stated in October 2015 a schedule of contributions were approved for Retirees, not including PBA retirees, theirs is set by contract. He stated the goal of this proposal is to make the retirees contribution more equitable for those with a pension amount between \$40,000 and \$64,900. He stated the proposal is that a retiree with an annual pension of \$40,000 - \$52,499 pay 21.5% Retiree Health Insurance Benefit Contribution . He explained currently the category is a retiree with a pension of \$40,000 - \$64,999 is paying 25% Retiree Health Insurance Benefit Contribution. He stated in summary another category would be added. He stated that he has discussed this with Commissioner of Finance Carlin who agreed this would be a more equitable approach and this proposal is supported by the County Executive.

Chairwoman Nacerino stated in summary an additional tier is being introduced to break down the larger tier that currently is in place. She questioned when this was adopted in 2015, was it understood this amendment would stay fixed or are the increase percentages subject to increases.

Personnel Director Eldridge stated it was passed and approved via a resolution, so it can be changed and modified. He stated the Administration believes the system has been working well,

except for the proposal that is being made this evening. He stated he believes for the foreseeable future this would be in place.

Chairwoman Nacerino stated she has heard that the current contribution table has been burdensome to those who fall in the \$40,000 - \$64,999 and are paying 25%. She stated that she will support this amendment.

Legislator Jonke questioned what the estimated fiscal impact would be to the County.

Personnel Director Eldridge stated it is very nominal. He stated Commissioner of Finance Carlin stated it is a minor impact to the County but could be significant to the individuals involved.

Legislator Montgomery stated this proposal is a benefit to the Retiree. She questioned if Director Eldridge had conversation with CSEA and PuMA.

Personnel Director Eldridge stated he had conversation with CSEA and they are supportive.

Legislator Montgomery stated this proposed amendment has not been discussed prior to tonight's meeting, yet it is on the agenda for consideration to be approved. She stated that she is making a point. She stated that she has seen some inconsistency with different matters being brought forward for approval and it being stated there needs to be more time spent on it.

Chairwoman Nacerino stated she recognized Legislator Montgomery's point. She stated, however, the insertion of this tier has been discussed at many Personnel Committee meetings in the past. She stated this is not a policy it is an amendment to a resolution, which is different than a policy.

Legislator Montgomery stated she would like to point out that prior to tonight's meeting she contacted the Legislative Office and inquired as to when and what committee agenda had this matter been discussed before. She stated there was no record of it being on a committee agenda prior to tonight.

Legislator Albano stated this is a common sense move. He stated he does not want to see this delayed. He stated this all began due to the fact that Health Insurance has gone up in cost over the years it was too burdensome and unfair to the taxpayers to absorb.

Legislative Counsel Robert Firriolo stated he has a recommendation for an addition to the draft resolution prepared by the Personnel Department which this Committee is about to vote on. He explained there was another resolution #93 of 2017 which amended resolution #227 of 2015. He stated it would be more comprehensive to list the 2017 resolution in the verbiage of this proposed resolution. He stated the amendment in 2017 addressed some language used in the resolution there was no change to the tiers.

Chairwoman Nacerino made a motion to approve the Amending County Policy For Non-PBA Retiree Health Insurance Benefits Contribution Schedule with the proposed insertion of referencing Resolution #93 of 2017; Seconded by Legislator Jonke. All in favor.

Item #4 - Discussion/ Proposed – Reclass to Deputy Sheriff Sergeant/ Sheriff Langley

a. Memorandum From: Sheriff Langley Dated: December 3, 2019 In Response to request from Chairwoman Nacerino regarding the proposed Reclass Position

Chairwoman Nacerino stated this matter has been discussed at great length, because there were some outstanding questions. She stated it was clarified after the discussion of this matter at the last Personnel Committee Meeting on November 19, 2019, that this would not be able to be considered until January 2020, because the funding was placed in the 2020 sub-contingency. She stated in January 2020 the Sheriff's Department would submit a written request to have the funding moved from Sub-contingency. She stated since the November meeting there were questions sent to Sheriff Langley. She stated that Sheriff Langley did send a written response. She stated she will ask him to speak to those items.

Sheriff Langley stated he will address each question. He stated the Proposed Sergeant would possibly report to the Patrol Lieutenant or Patrol Captain as is already the case in the Patrol Division and Youth Aid Bureau (YAB). He stated the Proposed Sergeant possibly would report to the Nelsonville Sub – Station. He stated that would satisfy any needs that might arise in the Haldane and Putnam Valley School Districts. He stated the current plan is to split the school districts and have one Sergeant primarily responsible for Haldane, Putnam Valley and Mahopac and the other Sergeant would primarily be responsible for the Brewster and Carmel Districts. He stated the Sergeants would also have overlapping responsibility at all school districts and will become familiar with the Administration at each school district.

Chairwoman Nacerino stated the word “possibly” was used, if that is not where the Proposed Sergeant would report what is the alternative to that possibility.

Captain Tompkins stated the Proposed Sergeant would report to the Sheriff's Department or the Nelsonville sub-Station, whichever works out the best.

Sheriff Langley stated the Proposed Sergeant on a typical day will address any administrative and scheduling issues. He stated the Proposed Sergeant will be tasked to dedicate a large portion of time to establishing a collaborative security action plan and develop contingency plans in the event of an emergency that the Sheriff's Department could implement with the cooperation and support of the School Districts. He stated the Proposed Sergeant would also be responsible for the coordination and implementation of school and community events. He stated during the summer break and non-schooldays the Proposed Sergeant would cover road patrol assignments, in an effort to reduce patrol operating costs.

Chairwoman Nacerino stated she would like to applaud the Sheriff because collaboration, security and action plans and developing contingency plans are paramount and ever changing. She did question why one of the duties of the Proposed Sergeant would be to attend the proms, football games etc. She stated with so much turmoil with the overtime and salaries, she believes it would make sense to utilize the Deputies.

Captain Tompkins stated that the Deputies are quite capable. He stated the challenge is a Supervisor is needed because they learn the Incident Command System in Supervisor Training and that comes into play when operating with other agencies such as EMS and Fire Departments.

Chairwoman Nacerino questioned if this is past practice to always have a Sergeant at all extracurricular activities?

Captain Tompkins stated he is not saying that. He stated a Sergeant must be present during the planning of an emergency response plan.

Chairwoman Nacerino stated that the Legislature has belabored this issue. She stated however when there are outstanding questions among the Legislators respectfully, we want to address the questions. She stated from her perspective all of the questions have been addressed, and the concerns of the Legislators have been stated. She stated, as she stated during the Budget meeting, she will support this position. She stated there is one more question that has been raised during the discussions of this matter, will the Proposed Sergeant have a take home vehicle. She stated it is her opinion that a vehicle does not need to be attached to this position.

Sheriff Langley stated that he understands the point being made by Chairwoman Nacerino. He requested that Personnel Director Eldridge speak to this matter.

Personnel Director Eldridge stated the Labor Counsel for the County was contacted regarding this inquiry. He stated Labor Counsel's opinion was that since the other Sergeants have a take home vehicle the Proposed Sergeant position would also have to have a vehicle.

Chairwoman Nacerino stated respectfully they will take that into consideration with the proposed upgrade. She stated the Legislators are looking at strategies and ways to save taxpayer dollars.

Sheriff Langley stated he understands. He stated that he has removed two (2) vehicles from the Narcotics Division.

Personnel Director Eldridge stated that Labor Counsel will continue to research this matter.

Chairwoman Nacerino reiterated for clarification that the money is in the 2020 sub-contingency budget line. She stated this matter can move forward in January 2020, once the 2020 budget becomes active. She stated that all questions have been exhausted, and if there are any further questions this evening, she requested they be brought forward. She stated the take home vehicle is a non-issue at this time, since at the advice of Labor Counsel it a requirement of the policy.

Legislator Sullivan stated that he is not sure that Director Eldridge has actually stated that.

Personnel Director Eldridge stated Labor Counsel indicated if it were challenged the County would probably lose the case.

Sheriff Langley stated there will not be a new vehicle purchased for the Proposed Sergeant position.

Legislator Montgomery stated she has been advocating for this from the beginning. She stated that she believes the SRO and SPO Program is essential for our communities. She stated she believes the Deputies in this Program need to have a Supervisor to go to in incidents of trauma and crisis. She stated the debriefing that takes place after incidents require a Supervisor. She stated the national average of Sergeants to Officers is 7- 8 reporting Officers to (1) one Sergeant. She stated currently there are 25 Deputies reporting to (1) one Sergeant. She stated the new position could be added support for the Garrison School District, that does not have an SRO or SPO. She stated she has learned that the laws are very different when applied to an Officer handling a situation involving a youth. She stated she sees there is a lot of pressure on the Deputies in dealing with these cases. She stated they need support. She stated she is disappointed that this matter is still in front of this committee. She stated she hopes it gets moved forward this evening.

Legislator Jonke stated he wanted to thank Sheriff Langley and Captain Tompkins for the responsiveness, and he looks forward to supporting this request in the future.

Legislator Addonizio stated she would also like to thank Sheriff Langley and Captain Tompkins for answering all of the questions the Legislators have had. She stated she is in full support of this request.

Legislator Castellano stated he would like clarification on (1) one point. He stated firstly for the record, he is thankful and appreciates all of the information that Sheriff Langley and Captain Tompkins have provided, and he is in full support of the request. The Sheriff stated no new vehicle will be purchased for this position. He questioned if there is a vehicle currently in the fleet that can be assigned to the new Sergeant position.

Captain Tompkins stated there is (1) one car in the fleet that could be used. He stated as a point of reference related to the take home vehicle, most of the candidates for this position live in Putnam County.

Legislator Sayegh stated she also wanted to thank the Sheriff and the Captain for coming to this meeting and participating in this discussion. She stated this was first discussed mid 2019 and it was the Legislature's opinion to wait until the 2020 budget allowing time to vet all the questions and concerns that were attached to this request. She stated that she believes this makes sense.

Legislator Montgomery stated Captain Tompkins brought up a really good point about the Incident Command System. She stated that it is a national system which government officials are recommended to use. She stated she would like to see the Incident Command System practiced and strengthened per the part of the plan where the Towns and County work together. She stated that the FEMA website has Incident Command System training for elected officials and the private sector training, we are all in this together.

Legislator Sullivan stated he would like to address a comment made earlier that one of the Putnam County School District's does not have an SRO. He stated as far as he understands the School District has to request an SRO.

Sheriff Langley stated his understanding is the SRO program is funded 50/50 between the requesting School District for a Middle School and a High School. He stated an SRO requested for an Elementary School requires the School District to fund it 100%. He stated that he has participated in discussions with the Superintendent of the Garrison School to seek funding for an SPO for the school. He stated they have responded that they do not have the funds to cover that. He has recommended that they contact their NYS Elected Officials to see if there is funding available at the State level that would help them. He stated to date there has been no change.

Chairwoman Nacerino stated she would like clarification that part of the requested Sergeant job responsibilities will include that the person will stop in and oversee from time to time, it will not be a planted position in the Garrison School District. She stated she wants that to be clear.

Sheriff Langley stated that is correct.

Legislator Montgomery questioned if other elementary schools in Putnam County have SROs.

Sheriff Langley stated all of the other elementary schools in Putnam County have an SPO. He stated that the Brewster Elementary Schools: CV Starr and JFK have an SRO also.

Personnel Director Eldridge stated when the County first started the SRO program the Funding came from the Federal Government through a "COPS Grant". He offered that as a recommendation to be researched for funding.

Chairwoman Nacerino stated this matter will be visited again in January 2020. She requested that Sheriff Langley please send a memo requesting that the money be transferred from the sub-contingency budget line.

Item #5 - Approval/ Fund Transfer (19T392)/ To Properly Allocate and Cover Overtime & Temporary Budget Lines/ Highways & Facilities Commissioner Fred Pena

Chairwoman Nacerino stated there has been a lot of discussion regarding the use of Overtime and the allocations of Overtime. She stated Legislator Sullivan articulated, in her opinion, last evening a statement which she agrees with. He stated that there is Overtime that can be controlled and there is Overtime driven by circumstance. She stated agenda item #5 is a fund transfer to cover Overtime that was precipitated by circumstance, due to the storms. She stated the Legislature would like backup documentation to specify where, when and why Overtime was needed.

Chairwoman Nacerino made a motion to waive the rules and accept the additional; Seconded by Legislator Jonke. All in favor.

Chairwoman Nacerino stated there was an explanation provided from Highways and Facilities Department explaining the reason for the overtime. She read the email providing the explanation into the record.

Legislator Montgomery stated she appreciates the explanation. She questioned why there is no one present to explain this request. She stated the Legislature requests other Department Heads to attend meetings to provide an explanation for their requests. She stated that she finds it to be an odd practice to ask some and not others to attend the meetings to provide explanation.

Legislator Jonke stated he believes this request was explained well in the additional backup. He stated that he will be supporting the request.

Chairwoman Nacerino made a motion to approve Fund Transfer (19T392)/ To Properly Allocate and Cover Overtime & Temporary Budget Lines; Seconded by Legislator Jonke. All in favor.

Item #6 - FYI/ 2019 Accident Report – Duly Noted

Item #7 - Other Business

Chairwoman Nacerino made a motion to waive the rules and accept the additional; Seconded by Legislator Jonke. All in favor.

- a. **Approval/ Budgetary Amendment (19A068)/ Stipend – Project Manager/ Commissioner, planning, Development and Public Transportation Sandra Fusco**
- b. **Approval/ Fund Transfer (20T001)/ To fund the Stipend for the Project Manager for the Southeast, NY – Danbury, CT Rail Link Feasibility/ Commissioner, planning, Development and Public Transportation Sandra Fusco**

Chairwoman Nacerino stated a letter of necessity was submitted to her as Chairwoman of this Committee for the above items. She stated there is a portion of the Southeast, NY -Danbury, CT Rail Link Feasibility study that will go to the Physical Services Committee. She stated however this is a Personnel portion matter regarding the Stipend for the Manager. She stated in the letter of intent this could not be sent for consideration by the Personnel Committee until the various open issues were resolved/ finalized by the working partners on this project: Putnam County, MTA/ MNR Railroad, NYMTC and the City of Danbury. She read the letter of necessity into the record. She stated the actual project will be addressed at the next Physical Services Committee Meeting, December 17, 2019. She stated she would like to move forward with the personnel portion this evening. She stated she would like to approve #7a & 7b in concept pending the outcome of the requested approval that will be addressed at the December 17th Physical Service Committee Meeting.

Legislator Montgomery stated this is confusing. She stated that this involves a very big project that she needs to do a lot of homework on. She stated she will support it now, but stated we are proposing something without question contingent on something else.

Chairwoman Nacerino stated her motion will be to approve the stipends for the Project Manager pending the approval of the feasibility study at the Physical Services Committee Meeting. She stated at which time there will be an opportunity to address any questions.

Legislator Sullivan stated he would like the public to know this is a huge project that the MTA is reviewing. He explained there is a rail line between Danbury, Connecticut and Southeast. He stated the \$1 million has been approved by the MTA to conduct the study. He stated this is a small part of that. He stated there is a potential for a new rail line between Brewster, Southeast and Danbury, Connecticut.

Legislator Jonke stated as a follow up to Legislator Sullivan. He stated the proposed new rail line would be a great benefit for the people in his district. He stated currently there is a large portion of commuters that come from Danbury, CT and park in the Southeast and Brewster Metro North Parking spots. He stated this proposed project will reduce traffic and increase the number of available parking spots.

Chairwoman Nacerino made a motion to approve, contingent on the approval of the Southeast, NY – Danbury, CT Rail Link Feasibility study to be addressed at the December 17th Physical Services Meeting, Budgetary Amendment (19A068) in the amount of \$5,000 and Fund Transfer (20T001); Seconded by Legislator Jonke. All in favor.

Jerry Ravinsky, resident, stated he would like to comment on the importance of the Sheriff's Department Road Patrol.

Chairwoman Nacerino stated that is not an item on this agenda. She explained it will be discussed during the Protective Services meeting which will immediately follow this meeting.

Item #8 - Adjournment

There being no further business at 8:20PM Chairman Nacerino made a motion to adjourn; Seconded by Legislator Montgomery. All in favor.

Respectfully submitted by Deputy Clerk Diane Trabulsky.