

PERSONNEL COMMITTEE MEETING
Held via Audio Webinar Pursuant to Temporary Emergency Orders
Members: Chairman Jonke Legislators Nacerino & Sullivan

Tuesday **6:00PM** **April 13, 2021**
(Immediately Followed the 6:00pm Economic Development Comm Mtg.)

The meeting was called to order at 6:52PM by Chairman Jonke who requested that Legislator Castellano lead in the Pledge of Allegiance. Upon roll call Legislators Nacerino, Sullivan and Chairman Jonke were present.

Item #3 - Approval/Personnel Committee Meeting Minutes: December 15, 2020, February 10, 2021 & March 9, 2021

Chairman Jonke stated the minutes were accepted as they were submitted.

Item #4 - Approval/ Fund Transfer (21T062)/ To Cover Overtime Expenses from February due to 6- Correction Officers Vacancies and 1- Officer on 207C/ Sheriff Langley (Protective Comm review 4/20 also)

Chairman Jonke requested that Sheriff's Department Captain Greenough speak to the agenda item. However, due to technical issues he was unable to speak.

Chairman Jonke stated he will make a motion to approve this. He stated if there are questions, they could be addressed at the Audit & Administration Meeting.

Chairman Jonke made a motion to Approve Fund Transfer (21T062)/ To Cover Overtime Expenses from February due to 6- Correction Officers Vacancies and 1- Officer on 207C; Legislator Nacerino. All in favor.

Item #5 – Approval/ Budgetary Amendment (21A026)/ Reclassification & Reorganize Environmental Health- Health Department/ Commissioner of Health Dr. Nesheiwat

Chairman Jonke made a motion to Waive the Rules and Accept the Additional; Seconded by Legislator Sullivan. All in favor.

Chairman Jonke stated the matter will be addressed by Commissioner of Health Dr. Nesheiwat, and the Personnel Director Eldridge. He stated also on the meeting call from the Health Department are Bill Orr, Shawn Rogan and Shanna Siegle, in the event anyone has questions they would like addressed by them. He thanked Commissioner of Health Dr. Nesheiwat for joining them. He stated he had a conversation with the Commissioner earlier today, right after he had been notified that the CDC had shut down any administration of the Johnson & Johnson/ Janssen COVID-19 Vaccine. He stated that required a great deal of reaction, reorganization etc... to address the Putnam County POD that was scheduled to take place to administer the Jansen vaccine. He expressed his appreciation to Dr. Nesheiwat and his staff for all that they are doing to keep the residents of Putnam County safe.

Commissioner of Health Dr. Nesheiwat expressed his appreciation to Chairman Jonke. He stated agenda item #5 & #6 both relate to the three (3) & five (5) year plan. He stated the employees who are part of this reorganization have agreed to accept increased responsibilities. He stated he would also like to welcome Alison Kaufman, the new full-time Epidemiologist. He stated he would also like to welcome Shanna Siegel to her new positions as Supervising Public Health Educator. He requested that Director of Personnel Paul Eldridge speak to the proposed reorganization.

Director of Personnel Paul Eldridge began by speaking to agenda item #5. He stated last year Shawn Rogan was promoted from Associate Public Health Sanitarian (Associate Sanitarian) to Director of Environmental Health Services. He stated the position of the Associate Sanitarian has specific regulations, rules and requirements that exist across the State of New York. He stated the individual who has been selected to be reclassified into the position of the Associate Sanitarian has taken on many of the daily work requirements of the position. He stated the individual has been working in the County's Health Department for 18 years. He stated the individual has proven that he can handle the wide range of responsibilities. He stated from his position this is a natural progression and something that is required to have the proper structure in accordance with the State's Sanitary Code.

Legislator Nacerino stated her support for the request.

Legislator Sullivan stated his support for the request.

Legislator Albano stated he has recognized a positive improvement to the process of moving things through the Department since Shawn Rogan became Director of Environmental Health Services. He stated he supports this request and the proposal to put the right people into the positions they belong in.

Legislator Montgomery stated she would like to welcome Shawn Rogan to his new position. She stated she has worked with him in past years, and he has always been very helpful.

Chairman Jonke clarified that Shawn Rogan filled the Director position in 2020, last year. He stated the proposal being considered is to fill the position that was vacated last year when Mr. Rogan took the promotion to be the Director of Environmental Health Services. He stated he believes this proposal is a good move for the Health Department. He expressed his appreciation for the work that Commissioner of Health Dr. Nesheiwat has put into this, based on his vision for the future of the Department and to meet the needs of the Department.

Chairman Jonke made a motion to Approve Budgetary Amendment (21A026)/ Reclassification & Reorganize Environmental Health- Health Department; Seconded by Legislators Nacerino and Sullivan. All in favor.

Item #6 - Approval/ Budgetary Amendment (21A025)/ Reorganization of Health Education Department/ Commissioner of Health Dr. Nesheiwat

Legislator Jonke made a motion to Waive the Rules and Accept the Additional; Seconded by Legislator Nacerino. All in favor.

Chairman Jonke stated Personnel Director Eldridge will speak to this proposal.

Personnel Director Paul Eldridge stated personnel changes occur all of the time, the personnel business is never static. He stated in July of 2020 the Supervisor of the Public Health Education Unit left Putnam County employment. He stated the prior incumbent was also the Epidemiologist. He stated with the vacancy of the position, the structure of the position was analyzed. He stated it was decided to split the position into two (2) positions. He stated the request was made of the Legislature and approved in 2020 for a 21 hour a week Epidemiologist position. He stated as Commissioner of Health Dr. Nesheiwat stated, a very qualified individual did fill the position. He stated there is clearly more work than 21 hours a week can accomplish. He stated part of this request tonight is to move the 21 hour a week position to a 35 hour a week, full time position. He stated he believes the County was very fortunate to be able to recruit this individual and believes it will benefit the County and the residents to capitalize on the skill and experience. He stated also the individual who has filled the position of Supervising Public Health Educator, is an employee from the Health Department. He stated that change in positions then created a gap in the duties that were being handled by the employee who took the promotion to Supervising Public Health Educator. He stated fortunately there was another employee in the department who was able take on some of those duties and bring additional capabilities, most particularly in social media. He stated they are requesting a modest change from Public Health Program Assistant, grade 12 to a Senior Public Health Program Assistant, grade 14. He stated they are also looking for Clerical Assistant. He stated also they are proposing a reclassification of the Receptionist, Spanish Speaking to Office Assistant II, Spanish Speaking. He stated there still is a need for a Receptionist, so that position is included to be a funded position in the Health Department.

Legislator Nacerino expressed her support and agreement with this request. She stated Personnel Director Eldridge's presentation spoke to the fact that these employees stepped up for the people of Putnam County and deserve to be compensated and classified.

Legislator Sullivan stated this is a great opportunity for the people who have worked so hard in the Health Department. He stated this provides an opportunity for them to advance their careers and their positions. He stated the County is fortunate to have such qualified people who are able to move up into the next level of their positions. He expressed his support for this proposal and his appreciation to Commissioner of Health Dr. Nesheiwat and Personnel Director Eldridge for their fine explanation of what is being requested.

Legislator Addonizio stated public health agencies nationwide have been struggling to stay ahead of the outbreak. She stated the public health agencies have been faced with one of the worst public health emergencies in a century. She stated these proposed changes will keep the Putnam County Health Department operating with utmost efficiency.

Legislator Montgomery questioned Personnel Director Eldridge as to whether any of the job descriptions that were provided were new or are they all the existing job description for each

position. She stated she printed, from the County website, a copy but have not yet compared them to the ones sent to the Legislature from the Personnel Director's office.

Personnel Director Paul Eldridge stated they have been updated to reflect some of the changes and assignments, as described. He stated the newest is the Office Assistant II, Spanish Speaking.

Legislator Montgomery questioned who has the authority to revise the job descriptions.

Personnel Director Paul Eldridge stated the NYS Civil Service Law Section 22 gives the authority to the Personnel Officer/ Director of Personnel or Commissioner. He stated he has both the authority and responsibility to classify new positions and any existing positions.

Legislator Montgomery questioned when the revisions were made.

Personnel Director Paul Eldridge stated they have been reviewing this matter for some time. He stated some of them may have been revised as of last week.

Legislator Montgomery stated the Legislature last week approved \$50,000 in funding to pay a Consultant, that primarily takes the role of Information Officer from the Health Department. She stated in these job descriptions she sees duplication. She stated in reviewing her notes from the past year plus when the Epidemiologist position was eliminated. She explained at that time she raised her concerns for that action. She stated she urged the Legislature and the County Executive over the past year and a half, that the County's Health Department needed the expertise of personnel dedicated exclusively to epidemiology. She stated she raised that point at every legislative meeting that she can remember, to rehire an Epidemiologist. She expressed her relief that the County is hiring an Epidemiologist. She stated again, it is her opinion that the money that is being spent on a consultant should be going to the Health Department. She stated she would like to say that Shanna Siegel has been an exemplary employee.

Chairman Jonke stated the contract for \$50,000 was for a Public Relations Consultant and it did not go through the Personnel Committee. He stated he does not see that Legislator Montgomery's comparison is valid. He stated the people in the Health Department, in his opinion, are superstars. He stated he is in full support of this request.

Chairman Jonke made a motion to approve Budgetary Amendment (21A025)/ Reorganization of Health Education Department.

Legislator Sullivan requested an opportunity to make one last comment. He stated this reorganization is having a fiscal impact of saving \$19,000. He stated that is an important part of our job as Legislators. He stated this is a proposal that will provide people with the opportunity for advancements while saving taxpayers money. He agreed that the comparison that Legislator Montgomery made was inaccurate.

Chairman Jonke made a motion to Approve Budgetary Amendment (21A025)/ Reorganization of Health Education Department; Seconded by Legislator Nacerino. All in favor.

**Item #7 - Discuss/ Approval/ Salary Change Request in the District Attorney's Office/
District Attorney Tendy**

Legislator Jonke made a motion to Waive the Rules and Accept the Additional; Seconded by Legislator Nacerino. All in favor.

District Attorney Robert Tendy stated they have lost an experienced Assistant District Attorney who was making a salary of approximately \$88,000. He stated also a Full-Time Clerical position was vacated and a Part-Time Clerical. He stated the clerical positions should be filled soon. He stated as a result there has been a savings over the past several months due to the open positions. He stated he would like to give \$3,890 and \$1,626 to the two (2) lowest paid and newest Assistant District Attorneys. He stated it would not change his salary budget at all for the year. He continued to speak to the reasons for this request.

Legislator Nacerino stated she believes this request is distinctly different from the previous request. She stated she is confused as to why the salary of \$88,000 is being proposed to be reduced. She stated that District Attorney Tendy has stated many times that it is difficult to attract and retain quality candidates, because the salaries are not competitive.

District Attorney Robert Tendy explained that is correct. He stated he did advertise the position at the \$88,000 salary. He stated he had a perspective candidate, however ended up losing the candidate due to the salary. He stated a decision was made that he would hire a candidate with less experience and use some of the additional savings from the Clerical positions and transfer that money to the lowest paid ADA positions. He stated he had discussed with the Legislature possibly creating a payment structure, unfortunately, due to COVID-19 those talks did not occur. He stated he has a real salary-compensation issue in his office. He stated at some point it has to be addressed. He continued to explain this request is a gesture and sign to his ADAs that we are trying to do something to address the situation. He reiterated this request will not increase his compensation budget at all, it is a request to redistribute the funds.

Legislator Nacerino stated she understands. She stated however this is not the first time District Attorney Tendy has lowered a salary and proposed to use the remaining monies to be redistributed internally. She stated all non- union employees received a 2.375% increase for the 2021 Budget. She stated if this request is approved, it will bring both of the ADAs to an equal salary of \$72,481. She stated it is her understanding that one of the ADAs being considered tonight was hired last July, 2020, with eight (8) years of experience. She stated there is now a request to hire a new ADA for \$80,000. She requested District Attorney Tendy provide information about the candidate's experience since there is a \$10,000 differential in the starting salary.

District Attorney Robert Tendy stated he was very fortunate in the hiring of the candidate in July 2020. He explained the ADA agreed to the salary, because it was a position that the candidate had always wanted. He stated the current candidate has three (3) years of experience. He stated the candidate is currently making a comparable salary. He provided information about the candidate's qualification. He stated the candidate also worked as a summer intern in his office,

approximately four (4) years ago. He stated he keeps his eyes out for talented people who are willing to take a pay cut. He explained the challenge he has faced is keeping his employees because of them only receiving a cost-of-living increase. He stated it is an untenable situation in his office and he is trying to address it.

Legislator Nacerino stated she hears what the District Attorney is saying. She explained however, merit raises are being proposed here this evening, after salaries had been set by the Legislature. She stated we are only in the 4th month of the new budget and we are now being asked to consider increases beyond what was set by resolution. She stated she also struggles with offering a hirer salary to someone new; more than those who are seasoned. She stated this is also a morale issue. She stated many of the County's hard-working employees have no ability to receive monetary increases above and beyond their set salaries.

District Attorney Tendy stated that is a true statement. He stated in discussing ADAs they are always on call, they work on weekends, nights, they are on call for him at all hours of the day and night. He stated they do not receive overtime. He stated the other management employees in the County do not work those hours. He stated he has a great staff. He continued to speak to this matter. He stated these highly educated ADAs have law school loans to pay. He stated he has saved the County money, since 2017 to 2021. He stated he has given the County in Asset Forfeiture funds \$164,791, money the taxpayers did not have to pay. He stated he has come in under budget by over \$250,000 in the last five (5) years. He stated he is requesting approximately \$5,200, tonight after giving the County through Asset Forfeiture, money he could have used for his own office. He stated he believes this is unfair to quibble over this request of less than \$6,000.

Legislator Sullivan thanked District Attorney Tendy for speaking to his request. He stated he understands and respects his position of advocating on behalf of his hard-working employees. He stated he does agree with some of the statements made by Legislator Nacerino. He stated there was a salary increase given for 2021. He stated everyone is working hard, especially during this past year. He stated we wish we could give everyone raises when we think we have extra funds. He stated however, there is always some place said funding is needed in the County. He stated issuing a raise mid cycle is not a practice he would like to see. He stated he prefers it to go through the budget process. He stated his appreciation for the hard work performed by the ADAs.

District Attorney Tendy stated this could not have been discussed during the budget process, because he did not know the ADA would be leaving employment from his office. He stated this has just occurred.

Legislator Albano stated he does not see a problem with this request. He stated the ADAs work hard and their salaries do not sound tremendous for that amount of work. He stated also because this request will have no impact on the budget, he has no issue with this request.

Legislator Montgomery stated she has been hearing for the past two (2) years and again tonight from the District Attorney, Putnam County cannot compete with surrounding entities and municipalities for ADA salaries. She stated she sees that as a real problem. She stated she sees

the District Attorney Office as critical to County Government and should be funded. She spoke to the inconsistency of the recent approval to take money out of an emergency to fund, mid cycle, to pay a consultant position. She stated her full support for this request.

Legislator Sayegh stated she hears the passion from the District Attorney and understands the competitive nature of the law field. She stated she reviewed salaries for ADAs in surrounding Counties. She stated she agrees the ADAs should be paid a competitive salary. She stated she agrees this is a matter to be addressed during the budget process. She stated she is conflicted and will research this more.

Chairman Jonke facilitated further discussion on this matter. He stated he has discussed the salary topic of the County attorneys with both the District Attorney and County Attorney. He stated he agrees the salaries are low. He stated he agrees this is a matter that should be addressed at a future budget.

Chairman Jonke requested if there is a motion to approve the Salary Change Request in the District Attorney's Office. He stated there was no motion made. He stated he will move on to agenda item #8.

Item #8 - FYI/ 2021/ Accident Report– Duly Noted

Item #9 - FYI/2021/ Incident Report – Duly Noted

Item #10 - Other Business - None

Item #11 - Adjournment

There being no further business at 7:46 PM Chairman Jonke made a motion to adjourn; Seconded by Legislator Sullivan. All in favor.

Respectfully submitted by Deputy Clerk Diane Trabulsy.