

PERSONNEL COMMITTEE
Budget Meeting
Held via Audio Webinar Pursuant to Temporary Emergency Orders

Members: Chairwoman Nacerino and Legislators Jonke & Montgomery

Wednesday

October 14, 2020

The meeting was called to order via audio webinar at 6:00pm by Chairwoman Nacerino who led in the Pledge of Allegiance. Upon roll call Committee Members Jonke, Montgomery and Chairwoman Nacerino were present.

Item #3. 2021 Budget Review

Chairwoman Nacerino stated she would like to begin by making a few statements. She stated she has served as Chairwoman of the Legislature's Personnel Committee for many years. She stated she believes it to be one of the most important Committees, simply because the decisions made in this Committee directly affect peoples' lives and livelihoods. She stated 2020 has been a year like no other. She stated we have navigated through uncharted waters. She stated she believes we, as a County, have done an outstanding job meeting the many challenges we have been faced with during the pandemic. She stated she applauds the Administration for presenting the Legislature with a lean spending plan, with a modest increase of \$477,000, less than 1% of the current 2020 County Budget. She stated there are no layoffs and the critical services will continue to be available and serve the residents of Putnam County. She stated the County is still waiting to hear from the Governor as to whether the State Aid, which the County desperately needs, will be provided. She stated she would like to provide a brief overview of the Personnel Budget, in an effort to provide clarity to everyone listening and for the public record. She stated that Personnel Services vary from Department to Department. She stated the driving factors are dictated by all or some of the following: Union Step and percentage increases, Management increases, longevity, reorganizational plans, retirements, retirement plans, which are predicted to be 16%, along with an 8% anticipated increase in Healthcare costs. She stated all of the Union contracts have been settled. She stated they are: CSEA, PBA, PCSEA and PUMA. She stated the increases to the 2021 budget are as follows: CSEA - \$700,000, PBA - \$485,000, PCSEA -\$509,000, PUMA- \$41,636, PUMA is a very small union consisting of 30 members. She stated the County's Management Team is a very dedicated staff. She stated in March of 2020 the vast majority of the Department Heads, as we faced the change in the workplace due to the pandemic, did not work from home. She stated Putnam County did not stop working as a result of these employees' dedication. She stated the 2021 Tentative Budget presented by the County Executive included a 2.375% increase for the Management Team. She stated she is in full support of that. She stated the rationale is the same as the employees of the County in the Unions. She stated Management Employees are not protected under a collective bargaining unit, they are not entitled to overtime and work tirelessly putting in many long hours, without reservation, as needed. She stated to omit their increases from this budget would be a great disservice to this entire Management Team. She stated the

fiscal impact for Management is \$237,000 in the 2021 budget. She stated she will now begin the line item review of the Personnel portion of the Tentative 2021 Budget.

Personnel Director Paul Eldridge stated he wanted to reiterate comments he made at the September Personnel Committee meeting relative to the Personnel Department facing major changes. He stated four (4) of the ten (10) person staff over the past 14 months have vacated their positions for various reasons: retirement, medical issues, personal reasons and a promotion. He stated after reviewing the department and its needs, he proposed the reorganization at the September Personnel Committee meeting and it was approved by the Full Legislature at the October Full Meeting. He stated the Tentative 2021 Budget does reflect those changes. He stated in addition to providing all of the services to the County employees and departments, the Personnel Department has the responsibility to be involved from a Civil Service perspective with the six (6) towns, six (6) school districts, the four (4) public libraries and all the special districts. He stated the total number of employees they support is approximately 3,500. He stated the department administers all the benefits, except for Workers Compensation.

Unemployment Ins. 9050 page 219

Chairwoman Nacerino requested that Finance Commissioner William Carlin speak to the Unemployment funding of \$30,000 that has been encumbered.

Finance Commissioner William Carlin stated the \$30,000 is his projection. He stated if COVID-19 continues, they will have to do something else. He stated if COVID- 19 does continue, he is hoping the Federal Reimbursement will continue if that is the case. He stated the Federal Stimulus is still up in the air. He stated they do not expect to have any update to that until after the Election Day. He stated if adjustments are needed, they will be made.

Reclass Personnel Budget (backup report)

Chairwoman Nacerino provided an overview of the Reclass positions that were included in the Tentative 2021 Budget.

Removed from Budget (backup report)

Chairwoman Nacerino provided an overview of the positions Removed.

Legislator Montgomery questioned if the removal of the Emergency Services Dispatcher position on page 37 line 398912109 is part of the Consolidation of the Sheriff Dispatchers with the Bureau of Emergency Services 911 Call Center. She clarified this position is being eliminated.

Chairwoman Nacerino stated it was part of the reorganizational plan from Emergency Services and as we move on we will review a new title included in the tentative 2021 Budget related to this removed position.

Legislator Jonke stated the Emergency Services Dispatcher position on page 37 line 398912109 is a vacant position. He stated he would like it to be clear, no one is losing their position.

Legislator Montgomery stated there are vacant positions that are being kept. She stated especially during this pandemic she does not agree with the elimination of a Dispatcher position.

Chairwoman Nacerino stated this is in accordance with the reorganization plan that Commissioner Clair put forth in the best interest of Emergency Services. She stated the new position that will replace the dispatcher is an EMS Education Coordinator on page 38 line 398914101. She stated due to the pandemic and the major storms that have impacted the County over the past few years, Commissioner Clair has requested this new position to make the Incident Command Center stronger. She stated the County Executive is in support of this request, as she has included in her tentative budget proposal.

Commissioner Bureau of Emergency Services Kenneth Clair stated he believes there is confusion. He stated the removal of the Dispatcher position was because the six (6) Sheriff's Dispatchers were being moved over. He stated this new position is going to be self-funded through the money made from the EMS Programs.

Legislator Montgomery stated that she would like to understand why this position is being created. She stated the resources for EMS education have worked very well. She stated if this position is actually created, she would like to see more training in Philipstown. She stated understanding the resources and that municipal departments handle much of this on their own and like to handle their training.

EMS Director Casey Quake stated for clarification that is not true. He stated they are the only Core Sponsor in Putnam County. He stated any EMS Education Program under State Law, must be conducted under the auspices of a Core Sponsor. He stated Departments can conduct continual training and drills with their staffs, which the County encourages and participates in.

Legislator Montgomery explained she had gone through the program and was familiar with the process. She stated she is trying to understand this, possibly it is much different from when she was trained.

EMS Director Casey Quake stated as he mentioned the programs offered here cannot be offered at other sites: the EMT Original and the EMT Refresher Program. He stated the reason they are not offered at other sites is because Putnam County has developed a world class training center here. He stated the simulation suite they offer as well as the equipment cannot be offered at the same level while maintaining their academic integrity and the integrity of the certification program offsite.

Legislator Montgomery stated it is happening via the web right now and other Counties are using the web also.

EMS Director Casey Quake stated it is not happening on the web in Putnam County. He stated they are offering in person courses, meeting the public health guidelines at the Bureau. He stated unfortunately, as Legislator Montgomery is probably well aware, the physical skills instruction cannot be offered on-line. He stated and all programs in New York State offering EMT Programs are doing so with hands on instructions in person.

Legislator Montgomery stated she is trying to understand the creation of this position.

EMS Director Casey Quake stated the creation of the position boils down to the fact that he is in the office from 7:00am to approximately 11:00pm five (5) days a week teaching the EMT Programs. He stated in the past the County had run one (1) potentially two (2) courses per year depending on interest and volume. He stated currently the County is running three (3) Original Courses with three (3) additional Refresher Programs. He stated the first Summer Accelerated Program which ran Monday through Thursday 9:00am -3:00pm. He stated there were 30 graduates for the summer program. He stated six (6) of whom are currently employed and working in Putnam County. He stated the County is offering more education than it ever had in the past. He stated additionally the County is also a new Advance Cardiac Life Support Training Center with the American Heart Association. He stated the scope of what is offered has significantly expanded since his predecessor was in the position. He stated that is why they are seeking the EMS Education Coordinator Position. He stated he has multiple roles that need to be filled and he needs the assistance of the request position, so he is not working an 80 hour plus work week.

Legislator Montgomery stated her appreciation for all of the work he is doing and for highlighting all that information. She stated she is mostly concerned about eliminating a Dispatch Position. She appreciates EMS Director Quake's taking the time to highlight the philosophy behind this.

EMS Director Casey Quake stated for clarification the elimination of the Dispatcher position is not funding the EMS Education Coordinator position. He stated they are two (2) sperate matters. He stated the proposed position is funded by the State reimbursed revenue that all the County's students generate. He stated that is outlined specifically in the EMS budget.

Chairwoman Nacerino stated her appreciation to EMS Director Quake as well. She stated she has no doubt that the proposed position is warranted and a good thing for the County's EMS Department and the County. She stated she would like to restate the vacant Dispatcher position is not contingent upon the creation of the EMS Education Coordinator position.

Legislator Sayegh wanted clarification that the EMS Education Coordinator position is State granted position and self-funded.

EMS Director Casey Quake stated it is not a State Grant it is a State Reimbursement. He explained when a student completes the EMS program their information is submitted

for reimbursement, as long as they are affiliated with an EMS agency. He stated the County in turn receives a flat reimbursement rate from the State of New York to fund staffing and equipment costs related to the program.

BES Commissioner Clair stated he would like to thank the Legislature for supporting this proposed position. He stated as EMS Director Quake stated he is working diligently with all the County's Fire and EMS organizations. He stated EMS Director Quake is very involved with the COVID-19 effort in the County. He stated that there are a lot of different responsibilities he has besides the Teaching. He stated he has witnessed his classes. He stated he is a world class teacher and travels across the Country teaching. He stated Putnam County is very fortunate to have Casey Quake as the EMS Director.

Split Positions (backup report)

Chairwoman Nacerino stated that the list provided demonstrates and speaks to any argument, that some have made in the past, that one person cannot effectively and efficiently do two (2) jobs. She stated what is reflected with this list is the best of the best in Putnam County. She stated that each of these people do a stellar job in each of their capacities that they work in.

Legislator Montgomery questioned why isn't the Health Commissioner's positions listed on this list as Health Commissioner, Coroner, Coordinator of Coroners and Jail Physician.

Chairwoman Nacerino stated Dr. Nesheiwat is full-time as Commissioner of Health. She stated she would speculate that the other positions are stipends.

Legislator Montgomery stated she understands that he is the full-time Commissioner of Health, he also has three (3) other positions in the County.

Chairwoman Nacerino stated they are all separate positions, that are not split positions.

Legislator Montgomery stated she understands these people do a stellar job. She stated she does have concerns about the split positions in some cases. She stated for executive level position such as the Commissioner of Health and Deputy County Executive. She stated split positions mean higher pay and bumping the salary up for retirement. She stated for the regular staff that are on this list, she sees impossible expectations, frustration, and exhaustion, as she believes we witnessed in the Health Department. She stated for the taxpayer it means high taxes and compromised quality of service.

Legislator Jonke stated that Legislator Montgomery has made no secret about her disdain for the County's Health Commissioner, who does a fantastic job.

Legislator Montgomery stated she does not have disdain for the Health Commissioner.

Legislator Jonke stated he believes the Health Commissioner does a stellar job. He stated this is nothing more than a personal attack. He stated he is tired of it. He stated Legislator Montgomery is the only one who criticizes this employee of the County.

Legislator Montgomery stated she would like to know what personal attack has been made. She stated that she is questioning the Tentative 2021 Budget. She stated the County Charter states the Health Commissioner is to be full-time and hold no other positions within the County. She stated what is in the County Charter is supposed to be upheld by the Legislators. She stated again this is not a personal attack. She stated these are questions a Legislator who is responsible for the County Budget and following the County Rules, should be asking.

Legislator Sullivan stated he would like to state that Legislator Montgomery did make disparaging comments. He stated she made accusations that people are doing things to pump up their retirement benefits and other reasons which are unfounded. He stated there is not basis or facts in what was said. He stated he does not hear anyone else, month after month, questioning Dr. Nesheiwat and the Health Department. He stated he agrees with Legislator Jonke's comments.

Chairwoman Nacerino stated that she agrees with Legislators Jonke and Sullivan. She stated the Commissioner of Health's ability to work other positions, she believes have been vetted by the County's Law Department. She requested that County Attorney Bumgarner speak to this.

County Attorney Jennifer Bumgarner stated she believes the Commissioner of Health's salary is included in the budget separately under the Health Department. She stated he does work full-time as the County's Commissioner of Health. She stated as Jail Physician he does not receive monetary compensation from the County of Putnam. She stated as the Coroner and Coordinator of Coroners that is under a separate Department in the County's Budget. She stated at the time he was being approved by the State Department of Health, she and the Director of Personnel had several conversations with the New York State's Department of Health representative. She stated they provided said representative with all of the information related to all of Dr. Nesheiwat's jobs. She stated the New York State Department of Health, being aware of all of the facts, approved him as the Putnam County Health Commissioner. She stated the agreement was that any services he would provide in his roles as Jail Physician or Coroner would be done after his hours at the Health Department.

Legislator Albano stated he agrees with Chairwoman Nacerino, Legislators Jonke and Sullivan. He stated there is a lot of negative energy. He stated the discussion should be kept to the task of what is before the Legislature. He stated he also believes Dr. Nesheiwat does a fantastic job.

Legislator Montgomery stated she is speaking to the "Split" positions list.

Legislator Jonke stated County Attorney Bumgarner just made it clear that he does not have a "Split" position.

Legislator Montgomery stated she wonders how a person has four (4) different positions and does not have to split their time between them. She stated she can understand how someone could twist the information provided to the New York State Health Department and make it appear that all of Dr. Nesheiwat's positions are part of the Health Department. She stated at the time of Dr. Nesheiwat's appointment in 2018, the State did inform the County that Dr. Nesheiwat had to complete his Master of Public Health Degree. She questioned if there is an update on that.

Legislator Albano stated again the use of the word "twisted" is negative energy. He stated he wants the discussion to stick to the agenda. He stated he believes a lot of time is being wasted.

Chairwoman Nacerino stated she agreed with Legislator Albano. She stated that Legislator Montgomery's question has been answered by County Attorney Bumgarner.

Legislator Montgomery stated she would like Legislator Nacerino as the Chair of the Personnel Committee to get the status of Master of the Public Health Degree, that was a requirement of Dr. Nesheiwat's appointment to the Commissioner of Health position. She stated to say that the County is not paying the Jail Physician is not accurate. The County has a contract with and pays PrimeCare, Inc. for being the consultant at the Jail. She stated that money goes back to the Jail Physician, so the County is paying for the Jail Physician.

Legislator Sayegh stated Dr. Nesheiwat is one of the hardest working people in Putnam County. She stated he not only leads the Health Department 100% of time, and through a pandemic. She stated in his spare time he serves as a Coroner, an elected position. She stated he gave up his Medical Practice, so he could serve the County of Putnam as the Commissioner of Health and does a fantastic job. He goes above and beyond and has a perfect reputation, which was part of the reason he received the appointment to Commissioner of Health. She stated she is in full support Dr. Nesheiwat and all of his abilities.

Chairwoman Nacerino asked if County Attorney Bumgarner would like to respond and anything to the conversation.

County Attorney Bumgarner stated she would like to make it clear that she was the one who sent the information to the NYS Department of Health. She stated there was no information twisted or skewed in a certain way, so as to encourage the NYS Department of Health to approve his appointment. She stated that she merely shared all the information related to Dr. Nesheiwat's various positions and titles. She stated their big concern and what the State Law requires is that the Commissioner of Health devote full-time to the position. She stated that Dr. Nesheiwat agreed to do that. She stated her understanding is that he works a four (4) hour shift on Saturday mornings at the Sheriff's Department. She stated she will again provide the Legislature with a copy of the NYS Health Department's condition of approval letter.

Chairwoman Nacerino stated the Sheriff's Department has sent a lot of information to the Legislature Office today. She stated the late arrival of the information makes it difficult for this Legislative Body to thoroughly review the information provided. She stated the Administration has encumbered an increase of 2.375% for the Captains and Lieutenants in the 2021 Tentative Budget in tandem with the proposed Management increases. She stated, as she traditionally does, she met with Commissioner of Finance Bill Carlin, Legislative Auditor Michele Sharkey and Personnel Director Paul Eldridge in preparation for this meeting. She stated during said meeting she looked at the Captains and Lieutenants salaries recognizing their hard work, enormous responsibilities and value to the community. She stated this matter was to be discussed in the Personnel Committee, however due to the Governor's Executive Order, we have not been able to meet as intended.

Chairwoman Nacerino made a motion to revise the salary schedule and set the Captains salary at \$130,083 and the Lieutenants to \$126,359; Seconded by Legislator Jonke. All in favor.

Chairwoman Nacerino stated this action to amend this budget increase, is not, nor should it be construed, as necessarily agreeing with or adopting arguments or assertions of the facts made by Sheriff the Sheriff's Department in requesting these raises. She stated there remains to be a significant difference of opinion on the history of the prior command staff raises and base salary increase. She clarified her motion to approve the increases are being considered on their own merits at this time. She stated future increases will be similarly construed on their own merits at that time.

Legislator Jonke stated he would like to point out that the Captains and Lieutenants have not received a pay increase for years 2019 and 2020. He stated the proposed amended salaries were calculated using Management percent increases for the years 2019, 2020 and 2021. He stated it was pointed out that there is a First Sergeant whose base salary was higher than those of the Captains and Lieutenants, which is inherently unfair. He stated he supports giving our Captains and Lieutenants pay increase that are inline.

Legislator Montgomery stated she believed that 2018 should have also been considered.

Chairwoman Nacerino stated they came on board in 2018.

Legislator Montgomery stated it has been a long time coming. She stated we have been trying to get it on the agenda. She stated a lot of very complicated things have been handled during this COVID-19 time. She stated she is glad to see this finally in front of the Legislature. She stated she appreciates all of the information that has been provided by the Sheriff's Department, prior to this meeting.

Chairwoman Nacerino stated we did not anticipate that we would be going into November and be compelled to the Governor's Executive Order.

Legislator Albano stated he will support this motion, it is fair and appropriate.

Legislator Addonizio stated that she supports this increase for the Captains and Lieutenants and is happy to see this moving forward this evening.

Roll Call Vote:

Legislator Jonke – Aye
Legislator Montgomery – Aye
Chairwoman Nacerino- Aye

Chairwoman Nacerino made a motion to approve the Budgetary Amendment in the amount of \$58,845 to cover the proposed increases; Seconded by Legislator Jonke. All in favor.

Roll Call Vote:

Legislator Jonke – Aye
Legislator Montgomery – Aye
Chairwoman Nacerino - Aye

Chairwoman Nacerino addressed Sheriff Langley expressing her appreciation for all the information he has provided. She stated it is a lot of information to go through with the short time frame. She stated the following items have come from the Sheriff's Department to be considered:

Chairwoman Nacerino made a motion to move a Deputy Position from a Civil Position to Road Patrol, Seconded by Legislator Jonke. All in favor.

Chairwoman Nacerino made a motion to move the Deputy's, who is being moved from Civil to Road Patrol, \$1,500 Holiday Pay, which is contractual; Seconded by Legislator Jonke. All in favor.

Chairwoman Nacerino made a motion to move Canine Stipend to Correct Budget Line; Seconded by Legislator Jonke. All in favor.

Chairwoman Nacerino stated that there will not be a retirement of a Deputy, which was thought to be the case when the Administration was preparing the 2021 tentative budget.

Chairwoman Nacerino made a motion to Restore Salary to a Personnel Line; Seconded by Legislator Jonke. All in favor.

Chairwoman Nacerino made a motion to Adjust for EMT stipend per contract – Deputy Sheriff; Seconded by Legislator Jonke. All in favor.

Chairwoman Nacerino made a motion to move a Deputy Criminal Investigator to a different division, as per Sheriff Langley's request; Seconded by Legislator Jonke. All in favor.

Chairwoman Nacerino stated that concludes the requests that were sent to the Legislature from Sheriff Langley's office this morning.

Chairwoman Nacerino next requested that Sheriff Langley speak to the correspondences that he sent to the Legislature today. She stated this will assist those on the Legislature who may not of had the opportunity to review said information.

Sheriff Langley started by stating his appreciation for the raises proposed for the Captains and Lieutenants. He stated he was notified yesterday to provide the information that he sent to the Legislature today. He stated that he is aware that it is a lot of information.

Chairwoman Nacerino stated that she did request that the Sheriff submit his questions in advance, she stated she had no idea it was going to be so lengthy.

Sheriff Langley stated his appreciation. He stated that Captain Tompkins will be speaking to the Sheriff's Department budget.

Captain Tompkins stated that many of the questions the Sheriff's Department submitted, have been answered. He stated the 2021 Road Patrol Overtime Budget proposed by the County Executive and Commissioner Carlin is considerably underfunded. He stated the \$520,000 amount considerably underfunds the Patrol Division. He stated the Overtime Budget has not been set at that amount since 2014. He stated he would like to provide some historical figures for the Road Patrol Overtime: 2016 – the budgeted amount was \$568,790 and the actual amount spent \$693,208. He stated he can provide more figures but will now go to 2018. The Road Patrol Overtime budget was \$600,000, and the actual expenditure was \$789,000. He stated in 2019 there was the largest Patrol Overtime Budget in recent memory. He requested that everyone should keep in mind over \$100,000 was as a result of contract raises that were recently agreed upon in a Collective Bargaining Contract, and Comp payout. He stated that had a huge impact on the Overtime Budget and it being brought up to the \$924,000. He stated in the current year, right now they are at \$408,801. He stated they are doing very well managing the Road Patrol Overtime with the assistance of the six (6) School Resource Officers (SRO) that were available, due to the closing of the School Districts, as a result of COVID-19. He stated dealing with all of the COVID-19 related issues has him concerned that the \$520,000 does not provide adequate funding. He stated they are requesting the Legislature restore the 2021 Overtime Road Patrol Budget to \$716,040. He stated that is the amount that the Sheriff's Department did request, which took into account the 12.5% rate increase per the Collective Bargaining Agreement. He stated that would be a more reasonable amount to operate within.

Legislator Jonke stated the word "erroneously" was used when Captain Tompkins referred to the \$520,000 that was set last year for the 2020 budget. He stated he

proposed that amount based on the information that the Sheriff had provided. He stated based on that information and the Personnel changes that were said to occur, there was to be a \$240,000 savings. He stated that is how the \$520,000 was arrived at. He stated he does agree that it should not remain at the same level, 2020 to 2021. He stated based on the contractual obligations there should be a slight bump in the amount. He wanted to know how Captain Tompkins came to use the word "erroneously".

Captain Tompkins provided how they arrived at that amount.

Legislator Jonke stated that he will review what was reported by Captain Tompkins with the County Auditor. He stated based on that review he will consider supporting an adjustment.

Chairwoman Nacerino explained changes can be made to the tentative budget up to the final meeting of the budget review process. She stated she believes it is misleading to say it is defunded. She stated we are looking at level funding throughout the budget in these economic downturn times due to the pandemic facing us. She continued to speak to making decisions in a time of enormous uncertainty. She stated she is not saying that the overtime is unnecessary. She stated from a fiscal standpoint the Legislature has considerations that must be reviewed and taken into account in the decision making process. She stated the County needs to stay within the tax cap. She stated recently they took \$100,000 from the Corrections Department and transferred it to Road Patrol. She stated also last year the Sheriff's Department cleaned out just about every line and moved it to Road Patrol. She questioned, as she did last year, why are the monies not appropriated accurately, openly and transparently. She stated having monies left over in the 10th month of the fiscal year and then moving the funding into Road Patrol presents the question why aren't the monies put in the lines where needed, versus in budget line that makes it seem the funding is not necessary.

Sheriff Langley stated, as he explained last year, the Patrol Division does not remain constant. He stated it is very difficult to calculate the exact amount of overtime that would be needed for the year. He stated there are many different factors that contribute to the need for overtime. He named a few, Deputies out due to: injury, vacation, sick leave, military services, etc. He stated coverage for the minimum coverage of six (6) patrol cars needs to be scheduled. He stated this year they are offering coverage to the protests going on throughout the County, he stated the civil unrest in this Country is at a level we have never seen. He stated their job is to maintain peace and order in our County and provide safety for everybody, regardless of what side of the matter they are on. He stated additionally retirements that come up, and the fact that new hires to fill the positions take about 9 months before they are able to work a Road Patrol Shift, impact the Overtime budget.

Chairwoman Nacerino explained she has been a Legislator for long enough to recognize the value of the service provided by the Sheriff's Department. She questioned what the adverse effects are of moving the \$100,000 that was encumbered for the Corrections Department.

Sheriff Langley stated that the Bail Reform has had an impact on the population in the Jail. He stated there has been a reduction. He stated also there are two (2) vacant positions in the Corrections Department. He stated said vacancies have not been filled do to the drop in population. He stated also the impact of COVID-19 has resulted in the reduction of some of the programs that took place in the Jail. He stated that has all saved money for the County and has reduced Overtime costs in the Jail. He stated things may not be the same in 2021, there is no way to know at this time. He stated the money being transferred from the Corrections Department, as it turns out was not needed in the Jail.

Chairwoman Nacerino stated she hopes the Sheriff recognizes the restraints the County is under and the perilous conditions the Legislature is working under in the review of the tentative 2021 Budget. She stated they were presented with a bare bones budget that does not have much flexibility to encumber more monies without breaking the tax cap. She stated that the Legislature relies on the Department Heads to try to reorg their own departments accordingly. She stated she is not implying that the Sheriff's Department did or did not do that. She stated every Department is faced with tough decisions. She stated continued review and discussions with the Finance Department will be conducted to determine if anything else can be done.

Sheriff Langley stated he completely understands the challenges the Legislators are faced with. He stated this is a request to have the Legislators revisit this and hopefully there will be a determination to increase the Overtime in the Road Patrol. He stated he appreciates the Legislators commitment to revisit this matter.

Chairwoman Nacerino stated the Sheriff has the Legislators pledge to revisit this. She stated there are many factors for them as well that play into their review of the tentative 2021 Budget. She stated with no disrespect to the Sheriff's Department and the mission the department serves in our community, the job of the Legislature requires that we look at the County's fiscal constraints. She stated there have been past discussions about cutting the Jail's budget in-line with all of the reasons listed by the Sheriff that have reduced the need for the level of funding that had been in place, past years. She stated a savings there may help in making this work.

Legislator Montgomery stated she would like to make comment to the overtime issue. She stated as stated there are many factors that contribute to this. She stated her understanding of moving the \$100,000 from the Corrections Department to where it was needed is the local control within departments that the County is looking for. She stated a resolution was sent to the New York State Corrections requesting that they offer relief on their mandates and requirements in the Corrections facility. She stated as she reviewed past budgets she saw the Sheriff does attempt to put in the amount he believes is accurate for overtime, but that request has not often been approved. She stated which is the case in this tentative budget. She stated the requested amount was submitted by the Sheriff's Department for overtime, the County Executive and the Legislature are not approving said request. She stated each time the Overtime request came before the Legislature the same discussion is had in the explanation of the reason

contributing to the need for the Overtime, as the Sheriff stated; vacant positions, Deputies in training, Deputies out on active duty, etc. She stated however the Sheriff's request for Overtime in the 2021 budget is not included in the tentative budget.

Chairwoman Nacerino stated she felt the need to correct Legislator Montgomery. She stated the Legislature has not said they are not approving the request. She stated what was presented by the County Executive in the tentative budget will stand until the Legislators complete their full and final evaluation of all the factors. She stated there are many contributing factors that will contribute to the Legislators decision. She stated we need time to review all the information that was received in the Legislative Office late today from the Sheriff's Department.

Legislator Montgomery stated her reference was regarding previous budgets.

Sheriff's Department Captain Lisa Ortolano stated her appreciation to Chairwoman Nacerino and Legislators Jonke and Montgomery for the approval of the pay increases. She stated the position of Sergeant in the Civil Division was removed, very unexpectedly from the 2021 budget. She stated she needs that position to be funded. She stated she would like to explain to the Legislators her need for said position, as she was not able to present her explanation to the County Executive. She stated the first main reason, is the current Sergeant assigned to the Civil Division is on a Leave, pursuant to article 72 of the Civil Service law. She stated unless that Sergeant retires, resigns, or the Sergeant's employment is otherwise terminated, that position cannot be removed. She stated the Civil Division is a lawfully mandated division, it must exist pursuant to the Laws. She explained the model rules and procedures are set forth in the New York State Comptroller's Office. She stated it requires, in addition to the Supervisor, a Deputy and the office should be staffed with a cashier, bookkeeper and a clerk typist. She stated since she has worked in that Office it has had, in addition to her position, a Sergeant, two (2) Deputies, cashier, bookkeeper and a clerk typist. She stated when a clerical position became vacant in the Civil Division this past June, she inquired whether the position needed to be filled, given the financial situation of the County. She stated she was informed that the model policy does allow, in the small offices, for the Supervisor to take on some of the duties of the Clerical Staff. She stated she and the Sheriff decided not to fill the third Clerical vacant position and allow the Sergeant to take on some of those duties. She stated this resulted in a \$45,000 savings to the County. She stated if the position of Sergeant is not filled the staff will be reduced from six (6) to four (4). She stated that is not sufficient to run a Civil Division in a manner consistent with best practices and pursuant to the model rules and procedures as set forth by the New York State Comptroller's Office. She stated when Sheriff Langley took office there was a procedural audit done in the Civil Division Office. She stated as a result of the Audit it was clear that the Civil Division was not running remotely close to the model standards set by the New York State Comptroller's Office. She stated since she became Captain of the Civil Division, she has strived to get the office up to those standards. She provided a brief overview the action she has taken. She stated the policy, procedures and crucial auditing duties are being carried out. She stated resulting in a substantial increase of revenue. She stated last year over \$116,000 was generated. She stated prior to her implementation of procedures in the Civil

Division department they brought in approximately \$65,000. She stated for the record the Sergeant was crucial in helping change the policies and updating the procedures. She stated although the Civil Division has been operating without a Sergeant, she noted the workload of the Civil Division has decreased substantially due to COVID-19. She stated with the re-opening of the Courts and the increase of Judgements it will be impossible to run the Civil Division without a Sergeant in a matter consistent with best practices of the model policy and procedures and accreditation standards. She stated as Captain she has numerous duties beyond that of the Captain of the Civil Division. She stated she needs the Sergeant to supervise the daily running of the Civil Division. She provided a broad overview of some of the daily duties that need to be carried out. She stated she has had to prioritize the duties, and many things have fallen behind. She stated there are many duties that cannot be performed by the clerical staff employees. She stated she will not take time to list all of the tasks she is responsible for. She stated she has everything documented in her memorandum, dated October 13, 2020, which was emailed to the Legislative Office October 14th @ 12:02p.m. She stated in addition to the Civil Sergeant position being removed from the Civil Division, a third Deputy was added to the Civil Division. She stated that defies logic. She stated the Deputies cannot do supervisory duties. She reviewed the financials associated with her request for a Sergeant position. She stated she needs a Sergeant not a Deputy.

Legislator Nacerino stated in Captain Ortolano's memo she stated the Sergeant who is out on Article 72 has the right to seek reinstatement. She stated she does not understand why a request for a Sergeant position is being requested.

Captain Ortolano stated she is asking for the Sergeant position to be budgeted. She stated she is not asking for an additional Sergeant. She stated that she has discussed this matter with the Personnel Director as well.

Legislator Jonke questioned, mechanically, how would this work, would a Deputy get promoted to Sergeant and be assigned to the Civil Division.

Captain Ortolano stated that is correct.

Legislator Jonke questioned how many Sergeants are there currently in the Sheriff's Office.

Captain Tompkins said there are seven (7) Sergeants in the Youth Advisory Board (YAB).

Legislator Jonke questioned if that number stays consistent.

Captain Tompkins stated it does.

Legislator Jonke questioned if one of the seven (7) Sergeants could be transferred to the Civil Division until there is clarity as to what will happen with the Sergeant out on leave.

Captain Tompkins stated that would not be possible. She explained it is not possible to have the Sergeants utilized in the Civil Division as well.

Chairwoman Nacerino facilitated further discussion. She concluded the discussion by restating the information was received late in the day. She stated her response right now is that they need more time to peruse the letter. She stated the Legislators can then ask their questions in order to make an informed decision. She stated the matter will certainly be looked into.

Captain Ortolano stated there is additional information she can share, however it would require an executive session.

Legislator Jonke stated he does not believe that is necessary.

Chairwoman Nacerino stated that she agrees with Legislator Jonke. She stated if Captain Ortolano wants to send a confidential memo with that information in it, she could do that.

Legislator Montgomery stated there have been many comments tonight that the documentation provided by the Sheriff's Department late. She stated the Legislature received the tentative 2021 budget and approximately two (2) days later there was a committee meeting. She stated information is received late all of the time in the Legislative Office. She stated since we received the budget, we knew this position along with others have been eliminated, underfunded, and some departments have been underfunded. She stated she does not see this as a reason not to discuss this matter. She explained it has been said in the past that the Legislature does not dictate or micromanage what department heads think they need. She stated it is obvious from the documents provided that the Civil Division requires this line item to be funded.

Chairwoman Nacerino stated from a fiscal perspective in reviewing the tentative budget there are checks and balances that must be considered, and as she stated earlier that will be done.

Legislator Jonke stated that he would like to have more time to consider the request. He stated if Legislator Montgomery does not need more time, she can make a motion.

Legislator Montgomery made a motion to reinstate and fund the line item in the 2021 for the Sergeant position in the Civil Division. There was no second, motion failed.

Chairwoman Nacerino questioned Captain Ortolano about the Deputy position that was in the tentative 2021 budget for the Civil Division, which it has been agreed to move into Road Patrol. She questioned if that will have an adverse effect in the Civil Division.

Captain Ortolano stated no. She stated the Deputy position was not needed. She stated she needs a supervisory position.

Legislator Sullivan questioned how many employees are in the Civil Division.

Captain Ortolano stated counting her in the beginning of the year there were seven (7). She stated as of today there are five (5).

Legislator Sullivan requested clarification, the request is to add another Sergeant that would report to her as the Captain.

Captain Ortolano stated not another, just one Sergeant.

Legislator Sullivan questioned who would report to this requested Sergeant.

Captain Ortolano stated two (2) Deputies, a Senior Office Assistant and an Office Assistant.

Captain Tompkins stated he would like to discuss two (2) major topics: the Road Patrol Overtime Budget and the Marine Patrol Budget. He stated he was asked to produce a reasonably funded Marine Unit.

Legislator Jonke stated his apology for interrupting Captain Tompkins. He stated those topics will be discussed at the Protective Services Budget Meeting tomorrow, October 15th.

Chairwoman Nacerino stated that is correct, those two (2) topics are "operational" and fall under the purview of the Protective Services Committee. She requested that Captain Tompkins reserve his comments til then.

Legislator Montgomery questioned Captain Tompkins if there is anything in the Marine Patrol topic that involves Personnel. She stated she does not want it said in the Protective Services Committee Meeting that we cannot discuss a matter because it is personnel related.

Captain Tompkins stated he appreciated Legislator Montgomery's concern. He stated what he wants to discuss are not personnel related.

Legislator Montgomery stated she has been told previously that she could not discuss overtime in the Protective Services meeting.

Chairwoman Nacerino stated it has been discussed and questioned what else needs to be said.

Legislator Montgomery stated obviously Captain Tompkins has matters to discuss related to Overtime in the Marine unit. She questioned will that be discussed in the Protective meeting.

Chairwoman Nacerino stated the need for the Marine Patrol and its function and whether it is redundant with the function of other Police Departments or Agencies will be discussed at the Protective Services Budget Committee meeting.

Legislator Montgomery stated overtime will be an important part of that discussion, she wants to know if that needs to be discussed tonight or does it need to wait and be discussed at the Protective Services Budget Committee meeting.

Chairwoman Nacerino she stated the possible elimination of the oversight of the Marine Patrol would result in less overtime.

Legislator Jonke stated, as Chairman of the Protective Services Committee, the Sheriff's Department will be permitted to discuss all the aspects of the Marine Patrol at the Protective Services Budget Committee meeting.

Sheriff Langley stated he will request that Captain Babcock speak to the matter of the 911 Dispatcher Consolidation.

Chairwoman Nacerino stated that is an operational program and it will be discussed at the Protective Services Budget Committee meeting tomorrow, October 15th.

Sheriff Langley stated part of the consolidation will affect personnel because it could result in an elimination of Dispatcher positions. He stated that should be discussed in the Personnel Committee.

Chairwoman Nacerino stated if the Sheriff's Department would like to speak to the Personnel matters, they could do that. She requested that they avoid discussing any functionality issues.

Captain Babcock began by thanking the Committee for the consideration of adjusting the salaries, as earlier approved. He stated the notes he sent to the Legislature regarding the consolidation, he believed were clear. He stated he has had communications with Commissioner Clair and members of his staff regarding the consolidation. He stated the discussions continue and include the matter of Personnel. He stated this is a great model moving forward. He stated they all look forward to moving forward with a plan that will work well for everyone. He stated staffing is an issue of concern for the Sheriff's Department. He stated that the wish of the Sheriff's Department is to continue the same level of service to each and every call. He stated he will participate in the conversation via audio webinar at the Protective Services Committee meeting.

BCI Captain Jennings stated he would like to discuss the elimination of the Principal Office Assistant from the Narcotics Unit. He stated that is a full-time position that has been in place since the inception of the Narcotics Unit, approximately 30 years ago. He stated the former Principal Office Assistant retired unexpectedly, due to personal reasons. He stated it was unfortunate that it was decided to remove the position. He stated he proposes replacing the Principal Office Assistant with a Senior Office Assistant. He stated the Principal Office Assistant salary in the 2021 tentative budget was requested at approximately \$66,000. He stated currently a Senior Office Assistant is covering the position on an interim basis. He stated the request is to put a Senior

Office Assistant position in the Narcotics Department. He stated that would result in savings approximately of \$18,827 for 2021. He stated he believes this request to be fiscally responsible, saving money, while still funding a position that is needed in the Narcotics Department.

Chairwoman Nacerino requested clarification that Captain Jennings is requesting to dissolve one position and proposing a new position be added.

BCI Captain Jennings stated the Sheriff's Department did not propose that the Principal Office Assistant position be removed. He stated the Administration did not fund the position in the tentative 2021 budget. He stated he is proposing that the position be filled, with a title of Senior Office Assistant, at a lower salary, resulting in a savings.

Chairwoman Nacerino stated it was her understanding the proposed upgrade for Fiscal Manager, which will result in an approximate \$30,000 increase, was contingent upon the savings of one (1) position.

Sheriff Langley stated there was never any discussion with his office, or any member of his office that he is aware of, regarding that proposal.

Chairwoman Nacerino stated that is the information, she believes, behind the rationale of giving an almost \$28,000 increase, while creating a new position. She requested that Commissioner of Finance Bill Carlin speak to this matter.

Commissioner of Finance Carlin stated there was a restructuring of the Clerical staff to assume all the duties.

Chairwoman Nacerino requested who was involved in these discussions. She stated Sheriff Langley and Captain Jennings claim there were not aware of this.

Commissioner Carlin stated that would need to be discussed in Executive Session.

Chairwoman Nacerino stated that the Legislators will take all of what was proposed this evening under careful consideration.

Legislator Montgomery stated Captain Jennings just pointed out, what she stated earlier. She stated in talking about split salaries, an employee holding two (2) or more jobs at one time, for the regular staff members, that means impossible expectations, frustration and exhaustion. She stated she would like to see the position reinstated. She stated there were cuts made to the Sheriff's tentative budget with no opportunity to have a discussion before the budget was presented.

Chairwoman Nacerino stated she is not clear on the reference made by Legislator Montgomery.

Legislator Montgomery stated she is speaking to what Captain Jennings reported that an employee with a full-time position is currently covering the responsibilities of another full-time position.

Chairwoman Nacerino stated the understanding is what was decided upon which was to raise one employee to encompass all of the duties of the position that was removed. She stated she will discuss this matter and find all the facts.

Legislator Sullivan stated in government the only time an evaluation of improving efficiency, generally, is when an employee retires. He stated he sees this as a perfect opportunity to realize efficiencies. He stated when an employee is willing to accept additional duties of another position and states they can handle the additional workload, it is an ideal time to make these decisions. He stated just because there is a vacant position, it does not mean it needs to be filled. He stated more could be discussed in Executive Session. He stated this proposal was done after discussions at many levels were had and everyone agreed with what was proposed in the Tentative 2021 Budget.

Chairwoman Nacerino stated it was her understanding there was an agreement between the Administration and the Sheriff's Department to fund the Fiscal Manager position contingent upon dissolving another position. She stated again, she will confirm that.

Item #4. Other Business- None

Item #5. Adjournment

There being no further business at 8:45PM Chairman Nacerino made a motion to adjourn; Seconded by Legislator Jonke. All in favor.

Respectfully submitted by Deputy Clerk Diane Trabulsy.