

THE PUTNAM COUNTY LEGISLATURE

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Robert Firriolo *Counsel*



Nancy Montgomery Dist. 1
William Gouldman Dist. 2
Toni E. Addonizio Dist. 3
Ginny Nacerino Dist. 4
Greg E. Ellner Dist. 5
Paul E. Jonke Dist. 6
Joseph Castellano Dist. 7
Amy E. Sayegh Dist. 8
Erin L. Crowley Dist. 9

AGENDA

PERSONNEL COMMITTEE MEETING

TO BE HELD IN ROOM 318

PUTNAM COUNTY OFFICE BUILDING

CARMEL, NEW YORK 10512

Members: Chairman Jonke Legislators Castellano & Nacerino

Tuesday

6:00p.m.

July 9, 2024

(Economic Development will Immediately Follow)

- 1. Pledge of Allegiance**
- 2. Roll Call**
- 3. Acceptance/Personnel Committee Meeting Minutes – June 18, 2024**
- 4. Approval/ Budgetary Amendment 24A061/ District Attorney’s Office Request Two Salary Increases / 1. Assistant District Attorney Position 2. Reclassification of Position Resulting in a Salary Increase/ District Attorney Robert Tendy**
- 5. Approval/ Fund Transfer 24T177/ Funds to Purchase Rabies Medical Supplies/ Senior Fiscal Manager William Orr**
- 6. Approval/ Fund Transfer 24T178/ Funds for the Tuberculosis Lab Analysis Line/ Senior Fiscal Manager William Orr**
- 7. Approval/ Fund Transfer 24T179/ Funds to Cover Two (2) Part- Time Temporary Positions/ Senior Fiscal Manager William Orr**
- 8. Approval/ Fund Transfer 24T180/ Funds to Cover Nursing Overtime/ Senior Fiscal Manager William Orr**
- 9. Approval/ Fund Transfer 24T181/ Funds to Cover Full -Time Correction Cooks Overtime/ Sheriff Kevin McConville**

- 10. Approval/ Fund Transfer 24T182/ Funds to Cover Part -Time Correction Cooks Overtime/ Sheriff Kevin McConville**
- 11. Approval/ Fund Transfer 24T183/ Upgrade from Senior Data Entry Operator to Principal Office Assistant/ Commissioner Dept. of Social Services, Mental Health & Youth Bureau Sara Servadio**
- 12. Approval/Standard Work Day and Reporting Resolution**
- 13. FYI/ Accident Report**
- 14. FYI/ Incident Report**
- 15. Other Business**
- 16. Adjournment**

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

Members: Chairman Jonke, Legislators Castellano & Nacerino

Monday

6:00PM

July 9, 2024

The meeting was called to order at 6:00 by Chairman Jonke who requested Counsel Robert Firriolo lead in the pledge of allegiance. Upon roll call, Chairman Jonke and Legislator Nacerino were present. Legislator Castellano arrived at 6:04 pm.

3. Acceptance/ Personnel Committee Meeting Minutes – June 18, 2024

Chairman Jonke stated the minutes were accepted as submitted.

4. Approval/ Budgetary Amendment 24A061/ District Attorney’s Office Request Two Salary Increases / 1. Assistant District Attorney Position 2. Reclassification of Position Resulting in a Salary Increase/ District Attorney Robert Tendy

District Attorney Robert Tendy stated that over the last two or three years, basically since bail reform started in 2020, it has become very clear that the District Attorney’s Office needs a Bureau Chief for the Financial Crime Unit. He explained that his office has been seeing an increase in technologically advanced burglaries and financial crimes. He began to explain his department’s need for a Bureau Chief of the Financial Crime Unit. He stated that his department used to have a full Financial Crime Unit. He explained that the District Attorney’s Office had an Assistant District Attorney named Larry Glasser who was the first Assistant District Attorney who had two Assistant District Attorneys working underneath him. He stated that the two Assistant District Attorneys working under Larry Glasser had left the office, and soon after, Larry Glasser left the office. He explained that for about two years now, the District Attorney’s office has been without a Financial Crime Bureau. He stated that he has tasked Assistant District Attorney Melissa Lynch with handling these cases that involve welfare fraud, insurance fraud, pattern burglaries, and very advanced electronic communications. He stated that she has been doing the work of a Bureau Chief for at least a year. He stated that in the past four months, he has tasked two Assistant District Attorneys to work with Assistant District Attorney Melissa Lynch. He explained that they are relatively new attorneys, but they are learning the ropes. He stated that Assistant District Attorney Melissa Lynch has been doing the work of a Bureau Chief in addition to her regular duties as an Assistant District Attorney. He explained that she interfaces with various law enforcement agencies daily including the Sheriff’s Office, the State Police, the New York state taxation and finance bureaus, local law enforcement agencies, and she interfaces with corporations such as Verizon or Facebook. He then read the responsibilities of a Bureau Chief from line 116510105, saying she “coordinates and administers the processing of cases and area of assignment; the preparing of statistical reports on the status of litigation; record-keeping duties in connection with the various cases; interviews, trains, and supervises

personnel in assigned bureaus; evaluates their performances, supervises and directs the prosecution of criminal cases in Putnam County and various municipalities; exercises discretion with regards to the method in which these cases are prosecuted; evaluates and screens felony cases in the assigned area to determine appropriate action; directs and coordinates investigations into organized or syndicated crime and cooperates with other law enforcement agencies; provides professional expertise in assisting local police departments and local public officials in a community relations capacity by delivering speeches, facilitating meetings with global interest groups (civil or merchant); directs all grand jury investigations and the presentation of cases to the grand jury.” He stated that these are the responsibilities of a Financial Crime Bureau Chief. He explained that in this case, she wouldn’t just be a Financial Crime Bureau Chief, as she would also be responsible for pattern burglaries investigations and social services fraud. He explained that he plans to consolidate three bureaus into one due to a lack of personnel. He then introduced First Assistant District Attorney Breanne Smith to provide an explanation on how these investigations are conducted.

First Assistant District Attorney Breanne Smith stated that with regards to the pattern type crimes that Putnam County has seen an increase in, these are residential burglaries, commercial burglaries, and particular neighborhoods and businesses are being targeted. She stated that law enforcement will reach out to the District Attorney’s office, because the District Attorney’s office has to sign off on search warrants. So, the District Attorney’s office will assist in the investigation in that they will help draft search warrants for cell phone tower dumps, and any kind of video surveillance footage that would require a search warrant. She stated that they work with multiple agencies, because oftentimes these pattern burglaries don’t just occur in Putnam County. She stated that these crimes are often committed by the same groups that are coming up from New York City and going into Connecticut or Pennsylvania, so a lot of the time, the District Attorney’s office will work with state police, the FBI, and the DEA. The investigations involve tracking vehicles, GPS warrants, and license plate readers. Not only is there a lot of research and writing done by the District Attorney’s office, but there is also a lot of coordination with other District Attorney’s offices and law enforcement agencies. She explained that there are multiple investigations going on at any given time, and this all takes place before any arrest has been made, so their discovery obligations have not yet kicked in. She stated that during this investigatory phase, all of the search warrants, all of the communications, all of the research conducted, and all of the records obtained from other agencies has to be closely kept track of, because if and when an arrest is made, the discovery obligations will be triggered, and the District Attorney’s office will have to present this package to the defense attorney so that the case doesn’t ultimately end up dismissed, and the District Attorney’s office can preserve the integrity of that investigation. She stated that this is just an example of the procedure for these pattern burglaries, and the same procedure applies for gun trafficking cases and drug trafficking. She thinks that sometimes Putnam County forgets that while it may not be a particularly high crime area, it is surrounded by high crime areas such as Poughkeepsie, Waterbury, and the Bronx. She stated that Putnam County gets a lot of the traffic, literally and figuratively, and that they do their best to keep it out. She stated that unfortunately, because of bail reform, when they are able to make an arrest, they are unable to keep custody of the person for prosecutorial purposes and for intel gathering purposes. She explained that this makes the investigations much

more difficult. She stated that these are crimes that they are seeing an increase in, and they are trying their best with the limited staff they have to limit the crimes in Putnam County and help law enforcement with whatever they may need.

District Attorney Robert Tendy stated that yesterday morning he had arrived at the office at around 8:00 am, and the person that he would like to put in this position was already working at the Carmel Police Department since 7:00 am. He explained that working early and diligently is a routine part of the job.

Chairman Jonke thanked District Attorney Robert Tendy and First Assistant District Attorney Breanne Smith for meeting with him and explaining the situation to him. He stated the information shared this evening he believes will assist in informing his colleagues about what the District Attorney's office is going through. He stated he believes the Legislature really needs to help the District Attorney's office, as they are dealing with matters that are important to Putnam County.

Legislator Nacerino stated that she is very supportive of these changes. She explained that for a long time Putnam County has needed to raise salaries in the District Attorney's office to attract competent people to these positions and to have retention as well. She stated that things are changing in Putnam County, and they need to keep up with the changing technology, and manpower needed.

District Attorney Robert Tendy stated that his office has not had an Appellate Attorney since 2018 when David Bishop was employed as a full-time Appellate Attorney. Since then, the District Attorney's office has asked some of its Assistant District Attorneys to handle simple appeals. The more complex appeals were sent to the New York State Prosecutor's Training Institute. He explained that the District Attorney's office had recently been informed by the New York State Prosecutor's Training Institute that they can no longer submit appeals to them, because they are submitting too many, and they are inundated with other offices as well. He stated that the New York State Prosecutor's Training Institute told his office that they need to hire an Appellate Attorney. He then provided an example of a time when he handled a simple appeal. He explained that it took him almost two months to write a simple fifteen-page appeal, because he kept getting kickback from the appellate division. Eventually, he sent it to the New York State Prosecutor's Training Institute, and they sent him an excellent appeal in one day. He explained that Appellate Attorneys occupy a particular niche in law, and their knowledge of the law and the appellate courts is very useful. He explained that Appellate Attorneys are different from litigators, and they have to know every aspect of the law. He explained that Appellate Attorneys work with the District Attorney's office on a daily basis. He stated that Appellate Attorneys have conversations with judges when the District Attorney is in court, and that Appellate Attorneys are always working during motion practice. He stated that his office is encountering very sophisticated defense attorneys who have hired multiple Appellate Attorneys that are referencing a lot of case law. He explained that the District Attorney's office does not have someone on staff who can respond to these points at a moment's notice. He stated that he does not have the time to write or address appeals, and he doesn't have an attorney in his office to do this either, therefore he needs to hire an Appellate Attorney.

First Assistant District Attorney Breanne Smith stated that because of the new discovery laws, the laws are constantly changing. Just recently, a decision had come out from the second department that affected one of her cases that she was in motion practice handling. She stated that this decision forced her to shift her argument and adapt accordingly. It is important to have someone in the District Attorney's Office whose job is to be on top of the law. While the attorneys who litigate are actively in court, the Appellate Attorneys are actively doing research on the law and new decisions that will affect the work of the District Attorney's Office. She explained that the Appellate Attorneys provide information that District Attorneys need to effectively argue in court. Appellate Attorneys are necessary for researching relevant legal decisions that would impact the work of the District Attorney's office, and so it is necessary that the District Attorney's office hires an Appellate Attorney.

District Attorney Robert Tendy stated that last year, questions came up about certain grants. He clarified that they have the Discovery Grant, which is called the DCJS Grant, and the Aid To Prosecution Grant which is called the ATP Grant. He stated that these grants are not going away, in fact, they are increasing. He stated that since 2021, the DCJS Grant has increased from \$94,000 to \$150,000. He also stated that in the last two years, the ATP Grant has increased by \$190,000. He explained that the county, because of the grants that the District Attorney's office is writing, will receive more grant money. If you take the last two years of grants to this office only, it's \$673,355 or \$336,670 per year. He stated that this money will not only cover the costs of the salary increases, but there will be money left over. He explained that these grants are coming in every single year, and these requests for a budget line increase will not affect the tax base at all.

Legislator Nacerino asked if District Attorney Robert Tendy had any candidates in mind for the position of Appellate Attorney, or if he anticipates this hiring process taking a while.

District Attorney Robert Tendy stated that they are asking the salary level to be increased to \$130,000, and hopefully that number will attract someone with a decent amount of experience. He stated that there is an issue that arose recently that he was not aware of. The issue concerns the years of service to Putnam County required before an employee is eligible to receive health benefits. He stated that now that he is aware of this requirement, he has to inform the applicants about it, and unfortunately, he foresees this policy significantly limiting the size of the applicant pool.

Chairman Jonke stated that he spoke to Personnel Director Eldridge and they have decided they need to address this potential issue as soon as possible, and they hope to resolve it by the August Personnel Meeting. He explained that when someone is hired, the contribution for management is 25%, so when you offer a salary, it is the salary minus the contribution. He explained there are also health benefits and retirement benefits that the employee would be ineligible for if they did not meet the requirement of twenty-five years employed by Putnam County. In order to receive the full benefits, the employee would have to work for Putnam County for twenty-five years, so they would effectively have to dedicate their career to Putnam County. He explained that because of this, applicants with years of experience are unlikely to work for Putnam County, because they will not reach twenty-five years of employment and earn full benefits. Someone who works for the County for only a few years will be unable to receive the full benefits.

District Attorney Robert Tendy stated that he hopes the salary increase will be enough to attract some qualified candidates, and if it doesn't work out, they will hope to address the issue again during budget season.

Personnel Officer Paul Eldridge stated that for clarification, Putnam County will allow twelve years of service at other municipal governments in New York State to contribute to the Putnam County requirement of twenty-five years.

Legislator Nacerino stated that she is happy that they are addressing this issue. She explained that younger generations are choosing to change jobs more often, and it is becoming less common to remain at the same company for one's entire career. She explained that this is something to keep in consideration when hiring an Appellate Attorney.

District Attorney Robert Tendy explained that Assistant District Attorneys serve at the pleasure of the District Attorneys, and because District Attorney turnover is usually frequent (four years, eight years, twelve years), Assistant District Attorneys are frequently in jeopardy of losing their jobs. He mentioned that in some nearby counties, there has been tremendous amounts of District Attorney turnover in recent years. He explained that if this turnover occurred in Putnam County, then those employees that lose their job would have a problem getting healthcare.

Legislator Ellner asked who makes the determination of whether previous years of experience qualify for benefits.

Chairman Jonke clarified that that determination was passed as a county policy.

Legislator Addonizio asked if other counties have a different rule for how Assistant District Attorneys serve at the pleasure of the District Attorney.

District Attorney Robert Tendy stated that other counties follow the same rules, as it is written in state law that Assistant District Attorneys serve at the pleasure of District Attorneys.

Legislator Montgomery thanked District Attorney Robert Tendy for his work in the county. She explained that with the metro north train line and nearby cities like Newburgh, Putnam County is very susceptible to criminal activity, and she commended District Attorney Robert Tendy for his efforts to keep crime out of Putnam County.

Chairman Jonke motioned to Approval/ Budgetary Amendment 24A061/ District Attorney's Office Request Two Salary Increases / 1. Assistant District Attorney Position 2. Reclassification of Position Resulting in a Salary Increase; Seconded by Legislator Nacerino. All in favor.

5. Approval/ Fund Transfer 24T177/ Funds to Purchase Rabies Medical Supplies/ Senior Fiscal Manager William Orr

Senior Fiscal Manager William Orr stated that this is an account in which the Health Department purchases rabies vaccines. He explained that recently, a family of three and two families of two contracted rabies. Each rabies victim requires three shots, and each shot costs \$375. For the family of three, the cost for each family member will be \$1,125, or \$3,375 for the whole family.

He explained that they spent \$25,800 last year. With this transfer, he anticipates spending \$34,000.

Legislator Castellano asked if there is any reason for the uptick in rabies?

Senior Fiscal Manager William Orr clarified that there is no clear sign of an uptick, it is simply dependent on how and when bats decide to bite humans.

Legislator Addonizio asked if most of the cases have been indoors, or outside?

Senior Fiscal Manager William Orr stated that some occur indoors, while others occur outside, it varies.

Legislator Addonizio asked if they have been successful in treating the rabies cases.

Senior Fiscal Manager William Orr stated that they have been successful in treating the cases.

Legislator Sayegh acknowledged that the money for this fund transfer is being pulled out of a nursing line. She asked if this is a position that is going to be filled.

Senior Fiscal Manager William Orr stated that they are actively trying to fill the position, but they are facing a lot of turndowns due to the salary being undesirable for some applicants.

Legislator Sayegh stated that she thinks Putnam County should be funding the nursing staff to attract more applicants and increase the staff.

Legislator Montgomery stated that she appreciates legislator Sayegh's point, saying that Putnam County should be funding its nurses. She stated that she hopes Putnam County can hire more nurses.

Legislator Crowley stated she hopes that during the budget season this can be addressed.

Chairman Jonke motioned to Approval/ Fund Transfer 24T177/ Funds to Purchase Rabies Medical Supplies; Seconded by Legislator Castellano. All in favor.

6. Approval/ Fund Transfer 24T178/ Funds for the Tuberculosis Lab Analysis Line/ Senior Fiscal Manager William Orr

Chairman Jonke clarified that the money for this fund transfer will be pulled from vacant Nurse budget line.

Senior Fiscal Manager William Orr stated that this is the account where they pay for medical testing. He stated that tuberculosis cases are much higher this year. He explained that there is a family of five who all have tuberculosis. He explained tuberculosis requires monthly testing which could amount to about \$600 a month. This year, they have more tuberculosis cases than they had budgeted for. He clarified that there is no fiscal impact from this fund transfer.

Legislator Jonke confirmed that there is no fiscal impact from this fund transfer.

Legislator Montgomery asked when the number of cases become an epidemic. She stated that she hopes that Putnam County can create some public outreach about treating and preventing tuberculosis.

Legislator Castellano asked why tuberculosis is on the rise, and what can we do to stop it?

Senior Fiscal Manager William Orr stated that is not a question for him, but he could ask Commissioner of Health Dr. Mike Nesheiwat to respond to the Legislature.

Legislator Castellano suggested that Dr. Mike Nesheiwat send the Legislature a memo detailing what is going on regarding the recent outbreak of tuberculosis.

Legislator Crowley asked if Putnam County still has tuberculosis clinics throughout the county.

Senior Fiscal Manager William Orr stated that Putnam County still has these tuberculosis clinics.

Chairman Jonke motioned to Approval/ Fund Transfer 24T178/ Funds for the Tuberculosis Lab Analysis Line; Seconded by Legislator Nacerino. All in favor.

7. Approval/ Fund Transfer 24T179/ Funds to Cover Two (2) Part-Time Temporary Positions/ Senior Fiscal Manager William Orr

Senior Fiscal Manager William Orr stated they have two temporary employees. He explained that they are trying to fill three vacant positions. He stated that his office had informed these temporary employees that as soon as the three positions are filled, they will be released. He explained that as soon as the positions are filled, there will be no fiscal impact.

Chairman Jonke motioned to Approval/ Fund Transfer 24T179/ Funds to Cover Two (2) Part-Time Temporary Positions; Seconded by Legislator Castellano. All in favor.

8. Approval/ Fund Transfer 24T180/ Funds to Cover Nursing Overtime/ Senior Fiscal Manager William Orr

Senior Fiscal Manager William Orr stated that the Health Department is trying to keep up with all the programs that would normally be run with three more nurses. He explained that they are understaffed, but still would like to keep all programs running, so some nurses are working overtime to accomplish that.

Chairman Jonke explained that this fund transfer will have no fiscal impact, as it is merely a fund transfer.

Chairman Jonke motioned to Approval/ Fund Transfer 24T179/ Funds to Cover Two (2) Part-Time Temporary Positions; Seconded by Legislator Nacerino. All in favor.

9. Approval/ Fund Transfer 24T181/ Funds to Cover Full-Time Correction Cooks Overtime/ Sheriff Kevin McConville

Undersheriff Lindert stated that one of the cooks went out on sick leave on March 4th, and he will supposedly be back on July 12th. He stated there are no extra cooks to move around, so some have to work overtime.

Chairman Jonke clarified that there will be no fiscal impact from moving these funds.

Chairman Jonke motioned to Approval/ Fund Transfer 24T181/ Funds to Cover Full-Time Correction Cooks Overtime; Seconded by Legislator Castellano. All in favor.

10. Approval/ Fund Transfer 24T182/ Funds to Cover Part-Time Correction Cooks Overtime/ Sheriff Kevin McConville

Chairman Jonke made a motion to approve Fund Transfer 24T182/ Funds to Cover Part-Time Correction Cooks Overtime; Seconded by Legislator Nacerino. All in favor.

11. Approval/ Fund Transfer 24T183/ Upgrade from Senior Data Entry Operator to Principal Office Assistant/ Commissioner Dept. of Social Services, Mental Health & Youth Bureau Sara Servadio

Commissioner of the Department of Social Services, Mental Health & Youth Bureau Sara Servadio stated that the Social Service Law dictates the need for a position of a Staff Development Coordinator. She explained that the number of employees in the Social Services Department determines whether the department needs a Staff Development Coordinator or a Staff Development Director. She stated that because there are less than ninety (90) staff members in her department, then they are required to hire a Staff Development Coordinator. She explained that New York State mandates that the county conducts mandatory training. She explained that the main job of a Staff Development Coordinator would be to conduct and carry out these trainings. She stated that the Department of Social Services, Mental Health & Youth Bureau has an employee that had asked to take on more responsibilities, and she has been carrying out the responsibilities of the Staff Development Coordinator. She explained that this employee has been interested in absorbing the role of Staff Development Coordinator. She explained that is why she is requesting this upgrade of the employee's current position of Senior Data Entry Operator to Principal Office Assistant that is going from a grade 11 to a grade 12, same step.

Chairman Jonke requested confirmation that this is a requirement by the State.

Commissioner of the Department of Social Services, Mental Health, & Youth Bureau Sara Servadio confirmed that is accurate.

Chairman Jonke motioned to Approval/ Fund Transfer 24T183/ Upgrade from Senior Data Entry Operator to Principal Office Assistant; Seconded by Legislator Castellano. All in favor.

12. Approval/ Standard Work Day and Reporting Resolution

Chairman Jonke motioned to Approval/ Standard Work Day and Reporting Resolution; Seconded by Legislator Castellano. All in favor.

13. FYI/ Accident Report- Duly Noted

14. FYI/ Incident Report- Duly Noted

15. Other Business- None

16. Adjournment

There being no further business at 6:40PM Chairman Jonke made a motion to adjourn; Seconded by Legislator Nacerino. All in favor.

Respectfully submitted by Owen Lennon, PILOT Intern.