

SHAWN M. MORSE CHAIRMAN ALBANY COUNTY LEGISLATURE
HAROLD L. JOYCE OFFICE BUILDING
112 STATE STREET, ROOM 710
ALBANY, NEW YORK 12207
(518) 447-7168 - FAX (518) 447-5695
WWW.ALBANYCOUNTY.COM

PAUL T. DEVANE CLERK

AGENDA

PERSONNEL COMMITTEE

MARCH 24, 2014

PREVIOUS BUSINESS:

APPROVING PREVIOUS MEETING MINUTES

1. <u>RESOLUTION NO. 309 (2013)</u>: DIRECTING THE DEPARTMENT OF HUMAN RESOURCES TO PROVIDE AN UPDATED VACANCY REPORT TO THE LEGISLATURE ON A WEEKLY BASIS

CURRENT BUSINESS:

- 2. <u>RESOLUTION NO. 106</u>: CONFIRMING THE APPOINTMENT OF THE COMMISSIONER OF THE DEPARTMENT OF GENERAL SERVICES
- 3. <u>RESOLUTION NO. 109</u>: CONFIRMING THE APPOINTMENT OF MEMBERS TO THE ALBANY COUNTY AIRPORT AUTHORITY
- 4. AUTHORIZING AN AMENDMENT TO THE RULES AND REGULATIONS FOR ALBANY COUNTY EMPLOYEES REGARDING PAID PARENTING LEAVE

Honorable Shawn M. Morse and Members of the Albany County Legislature:

LADIES AND GENTLEMEN:

The Personnel Committee of the Albany County Legislature met on February 26, 2014. Chairperson Ward, Messrs. Cotrofeld, Joyce, Rahm, Mendick, Stevens, and Ms. Kinsch were present. Mr. Beston and Ms. McKnight were excused. The following items were discussed and/or acted upon:

Approving Previous Meeting Minutes: Unanimously approved.

- 1. <u>Resolution no. 309 (2013)</u>: Directing the Department of Human Resources to provide an updated vacancy report to the legislature on a weekly basis: Tabled at the request of the sponsor.
- 2. Resolution no. 63 (2013): Clarifying the residency requirement policy for employees of Albany County: Tabled at the request of the sponsor.
- Authorizing an agreement regarding Excess Workers' Compensation 3. Insurance and amending the 2014 Risk Retention fund: It was indicated that the County Attorney's Office and the Department of Human Resources requested the County broker, Arthur J. Gallagher Risk Management Services, Inc. obtain alternative price quotes to determine if the County could reduce the premium. It was further indicated that the County broker determined Safety National Casualty Corporation as the lowest responsible proposer and the County Attorney's Office recommended that the County accept the quote. It was further indicated that the proposed agreement with Arthur J. Gallagher Risk Management Services, Inc. is at a premium of \$243,634 which would provide \$750,000 in retention, \$1,000,000 in retention per occurrence for Police Officer, Statutory Workers' Compensation and a \$2,000,000 Employer Liability limit. The Human Resources Commissioner requested a budget amendment in the amount of \$25,741 for 2014 premium increase. After further discussion, the Committee voted unanimously to move the proposal forward for legislative action with a favorable recommendation.

Resolution No. 458: Authorizing an agreement with PMA Management Corp. for third party administration of workers' compensation benefits: After a brief discussion, the Committee voted unanimously to withdraw sponsorship.

Respectfully Submitted, THE PERSONNEL COMMITTEE

SEAN E. WARD, Chairperson ROBERT J. BESTON THOMAS J. COTROFELD RAYMOND F. JOYCE NOELLE M. KINSCH LUCILLE M. McKNIGHT DONALD W. RAHM RICHARD W. MENDICK TRAVIS D. STEVENS

.

.

RESOLUTION NO. 309

DIRECTING THE DEPARTMENT OF HUMAN RESOURCES TO PROVIDE AN UPDATED VACANCY REPORT TO THE LEGISLATURE ON A WEEKLY BASIS

Introduced: 8/13/12

By Messrs. Commisso, Ward, Clenahan, Reilly, Mss. McKnight, Chapman, Kinsch, Messrs. Beston, Bullock, Clay, Domalewicz, Ethier, Joyce, Mayo, O'Brien, Rahm, Simpson, Ms. Maffia-Tobler and Mr. Nichols:

WHEREAS, By Resolution No. 283 for 1992, this Honorable Body created a Committee to Fill Vacancies to determine which vacant positions are essential and must be filled, and

WHEREAS, As part of meeting its responsibilities, the Committee to Fill Vacancies has developed a vacancy report which has been generated by the Department of Human Resources and distributed on a weekly basis, and

WHEREAS, The vacancy report is an important tool to help make budgetary determinations and this Honorable Body is entitled to receive said report on a weekly basis, now, therefore be it

RESOLVED, By the Albany County Legislature that the Department of Human Resources is directed to provide a copy of the vacancy report, in an electronic format where possible, on a weekly basis to the Chairman of the Legislature, the Chairman of the Audit and Finance Committee, the Majority Leader, the Minority Leader, the Majority Counsel and the Minority Counsel and any Legislator who requests a copy of the vacancy report, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

Referred to Personnel Committee. 8/13/12

.

.

•

•

.

RESOLUTION NO. 106

CONFIRMING THE APPOINTMENT OF THE COMMISSIONER OF THE DEPARTMENT OF GENERAL SERVICES

Introduced: 3/10/14

By Mr. Morse:

RESOLVED, By the Albany County Legislature, pursuant to Article 3, Section 302 (c) of the Albany County Charter that the appointment of George J. Penn of Albany, New York as the Commissioner of the Department of General Services, to serve at the pleasure of the County Executive, at the salary appropriated in the Annual County Budget, is hereby confirmed, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

Referred to Personnel Committee. 3/10/14



DANIEL P. MCCOY
COUNTY EXECUTIVE

COUNTY OF ALBANY
OFFICE OF THE EXECUTIVE
112 STATE STREET, ROOM 821
ALBANY, NEW YORK 12207-2021
(518) 447-7040 - FAX (518) 447-5589
WWW.ALBANYCOUNTY.COM

PHILIP F. CALDERONE, ESQ. DEPUTY COUNTY EXECUTIVE

February 14, 2014

Hon. Bruce A. Hidley Office of the Albany County Clerk Albany County Courthouse Albany, NY 12207

Hon. Paul T. Devane, Clerk Albany County Legislature 112 State Street, Room 710 Albany, NY 12207

Dear Messrs. Hidley and Devane:

I write to advise that I am appointing George J. Penn as Commissioner of the Department of General Services, subject to confirmation by the County Legislature. Authority to make this appointment lies in the County Charter under Sec. 302(c) and Sec. A701. Given the size, scope and importance of the Department of General Services within Albany County, I anticipate the County Legislature will take up this appointment in an expedient fashion.

I have enclosed a resume for review by the legislature.

Please advise if there are any questions,

Sincerely,

Daniel P. McCoy

cc: Honorable Shawn Morse, Legislative Chair

Frank Commisso, Majority Leader Lee Carman, Minority Leader Jamie Kallner, Majority Counsel Arnis Zilgme, Minority Counsel

George J. Penn 70 Mary Hadge Drive, Colonie, NY 12309 Phone: 518-527-7708

gpenn1@gmail.com

Work Experience

Department of General Services

August 2012 - Present
Albany County, Albany, NY
Special Assistant/Deputy/Acting Commissioner

- Review grant opportunities and compile applications to secure funding for special projects including updated security system
- Supervise and organize restacking of individuals and departments at 112 State Street
- Manage personnel matters for DGS including assignment of staff, interviewing and counseling
- Assist in the development and administration of the annual budget for the Department of General Services
- Work collaboratively with all members of DGS to plan and prioritize future projects
- Conduct meetings with staff to discuss administration of departmental responsibilities and compose reports on related issues and operations
- Oversee facilities and develop plans to address all necessary repairs, updates and maintenance of County buildings
- Work with vendors to maintain County facilities including the Times Union Parking Garage and the Spruce Street Garage

Consulting

January 2010 - August 2012 Malkin and Ross, Albany, NY Government Consultant

- Provided written analysis of enacted and proposed New York State budget information
- Reviewed and analyzed the impact of legislation on clients both nationally and locally
- Negotiated language of legislation with the Governor's Office, Senate and Assembly
- Developed a strategy to assist clients in the navigation of lobbying efforts with the legislature and various agencies
- Assisted clients in the completion of the Requests for Proposals (RFP) process with related state agencies
- Composed memos of support and opposition on legislation relevant to clients

January 2006 – December 2009 (*firm dissolved) CraneSanders, Albany, NY Government Consultant

- Promoted the legislative agenda of the firm's clients
- Worked closely with state agencies and member's offices to negotiate legislation
- · Managed budgetary and policy issues for clients
- Prepared and assisted clients in the development of testimony to be submitted to the legislature or appropriate agencies

Developed strategies for political action committees

New York State Assembly

January 2003 – December 2005

New York State Assembly, Assemblyman Steven Sanders, Albany, NY Legislative Director for Chairman of Committee on Education

- Reviewed all proposed legislation received from Senators and Assemblymembers and consulted with the Chairman on bill sponsorship
- Performed legal and legislative research and drafted legislation
- Met with legislative representatives, advocacy groups, constituents and agency personnel on related legislation
- Managed Assemblyman's portfolio of bills
- Managed and coordinated legislation with Assemblymembers and Senators

April 2002 - December 2002

New York State Assembly, Program Development Group, Albany, NY Program Associate, Legislative Oversight Committee

- Researched and reviewed New York State initiatives of concern to the Chairperson
- Analyzed legislation and policy proposals at the state level to ensure compliance
- Compiled information related to policy analysis and development
- Assisted and supported relevant public hearings, panel discussions and seminars

April 2000 - March 2002

New York State Assembly, Program and Counsel, Albany, NY Legislative Analyst, Education Committee

- Analyzed and prepared background information for proposed legislation
- Assisted the Chairperson in the preparation and consideration of legislative agendas
- Provided guidance and support to the Committee by organizing public hearings and private conferences held by the Chairperson
- Explained legislative policy and positions of the Chairman to constituents, lobbyists and agency personnel
- Managed budgetary and policy issues at Education budget table

January 1996 - April 1998

New York State Assembly, Communications and Information Services, Albany, NY Senior Researcher

- Researched relevant legislation, legislative programs and demographics for targeted Assembly Districts
- Proposed and reviewed legislation placing an emphasis on its relevance to targeted constituent districts
- Provided research support for Assemblymembers' outreach programs including radio and television ads and Assemblymembers' correspondence and newsletters

September 1996 – November 1996

New York State Democratic Assembly Campaign Committee (DACC), Albany, NY Assistant Campaign Coordinator

- Developed and executed political campaign plans that included but were not limited to development, media planning, voter history, voter contact and background research
- Managed and coordinated daily activities in accordance with the political plan

Education

- Marist College, Poughkeepsie, NY Masters of Public Administration, August 2011
- State University of New York at Geneseo, Geneseo, NY Bachelor of Arts, Political Science, May 1995
- Hudson Valley Community College, Troy, NY Associate of Arts, Liberal Arts, December 1992

Activities

- Former Member of the Board for Family and Children Services
- Former Member of the United Way 2-1-1 Northeast Regional Collaborative
- Member of Colonie Central High School PTA
- Member of Capital District Triathlon Club Planning Committee
- Member of Hudson Mohawk Road Runner Club

References

• Available upon request

RESOLUTION NO. 109

CONFIRMING THE APPOINTMENT OF MEMBERS TO THE ALBANY COUNTY AIRPORT AUTHORITY

Introduced: 3/10/14 By Mr. Morse:

WHEREAS, The State of New York created the Albany County Airport Authority in 1993 and provided for the appointment of seven members, four members being appointed by the Majority Leader of the Albany County Legislature and three by the County Executive, and

WHEREAS, Vacancies exist on the Albany County Airport Authority, and

WHEREAS, The County Executive has appointed Robert S. Hite of Albany, NY to serve as a member of the Authority for a term ending on December 31, 2017, and

WHEREAS, The County Executive has appointed Patricia M. Reilly of Slingerlands, NY to serve as a member of the Authority for a term ending December 31, 2016, now, therefore be it

RESOLVED, By the Albany County Legislature that the appointments of Robert S. Hite and Patricia M. Reilly to the Albany County Airport Authority are confirmed for the terms specified, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

Referred to Personnel Committee. 3/10/14



DANIEL P. MCCOY
COUNTY EXECUTIVE

COUNTY OF ALBANY
OFFICE OF THE EXECUTIVE
112 STATE STREET, ROOM 825
ALBANY, NEW YORK 12207-2021
(518) 447-7040 - FAX (518) 447-5589
WWW.ALBANYCOUNTY.COM

PHILIP F. CALDERONE, ESQ. DEPUTY COUNTY EXECUTIVE

February 12, 2012

Hon. Shawn Morse, Chairman Albany County Legislature 112 State St., Rm. 710 Albany, NY 12207

Dear Chairman Morse:

I write to advise that I am appointing Robert Hite to the Albany County Airport Authority. The State of New York created the Albany County Airport Authority in 1993 and provided for the appointment of seven members. Three of these members are to be appointed by the County Executive. Given the importance of this authority to the effective management of the Albany County Airport, I anticipate the County Legislature will take up this appointment in an expedient fashion.

I have enclosed a resume for review by the legislature.

Please advise if there are any questions,

Sincerely,

Daniel P. McCoy

cc:

Frank Commisso, Majority Leader Lee Carman, Minority Leader Jamie Kallner, Majority Counsel Arnis Zilgme, Minority Counsel



DANIEL P. MCCOY
COUNTY EXECUTIVE

COUNTY OF ALBANY
OFFICE OF THE EXECUTIVE
112 STATE STREET, ROOM 825
ALBANY, NEW YORK 12207-2021
(518) 447-7040 - FAX (518) 447-5589
WWW.ALBANYCOUNTY.COM

PHILIP F. CALDERONE, ESQ. DEPUTY COUNTY EXECUTIVE

February 12, 2012

Hon. Shawn Morse, Chairman Albany County Legislature 112 State St., Rm. 710 Albany, NY 12207

Dear Chairman Morse:

I write to advise that I am appointing Patricia Reilly to the Albany County Airport Authority. The State of New York created the Albany County Airport Authority in 1993 and provided for the appointment of seven members. Three of these members are to be appointed by the County Executive. Given the importance of this authority to the effective management of the Albany County Airport, I anticipate the County Legislature will take up this appointment in an expedient fashion.

I have enclosed a resume for review by the legislature.

Please advise if there are any questions,

Sincerely,

Daniel P. McCoy

cc:

Frank Commisso, Majority Leader Lee Carman, Minority Leader Jamie Kallner, Majority Counsel Arnis Zilgme, Minority Counsel

Total Meetings		Present	Absent
10 Meetings; 3 After her appointment.			
	10	3	(
	12		
<u> </u>			
			
	10 Meetings; 3 After her	10 Meetings; 3 After her appointment.	10 Meetings; 3 After her appointment.

^{*} Appointed 09/10/12

Board Member: Robert S. Hite					
Year	Total Meetings		Present	Absent	
2012*	10 Meetings; 6 After his appointment				
2012		10	6		
2013		12	11	1	
					

^{*} Appointed 06/11/12

DANIEL P. MCCOY
COUNTY EXECUTIVE



DAVID J. FRIEDFEL COMMISSIONER

COUNTY OF ALBANY DEPARTMENT OF MANAGEMENT AND BUDGET 112 STATE STREET, SUITE 900

ALBANY, NEW YORK 12207 Office: (518) 447-5525 FAX: (518) 447-5589 www.albanycounty.com

March 12, 2014

Hon. Shawn Morse, Chairman Albany County Legislature 112 State St., Rm. 710 Albany, NY 12207

Dear Chairman Morse:

I respectfully request that the Legislature enact a resolution to amend the County Rules and Regulation to provide that employees are granted up to 20 days of paid leave after the birth or placement for adoption or foster care. We would propose the following addition to the County Rules and Regulations:

- Employees shall be granted a paid leave of absence for twenty (20) consecutive standard work
 days to care for the employee's child after birth or placement for adoption or foster care.
- Employees must have been employed by the County for at least one year and must have worked at least 1,250 hours during the twelve month period immediately preceding the commencement of the Paid Parenting Leave. These are the same time of service and hours-worked requirements imposed by the Family Medical Leave Act (FMLA). Paid Parenting Leave shall run concurrent with the qualifying FMLA absence.
- Twenty (20) consecutive Paid Parenting Leave days must be utilized prior to the use or any other accruals or unpaid absences, during the FMLA leave. All other requirements under FMLA will apply.
- In the event that both parents are Albany County employees, only one parent may qualify for Paid Parenting Leave at any given time. The other employee may apply for Paid Parenting Leave upon the return to work of the first employee from parenting leave.
- No portion of the Paid Parenting Leave is transferable, cashable or eligible to be saved for use at another time.
- Eligibility for the Paid Parenting Leave expires at the end of the twelve month period beginning on the date of birth or placement.
- Any additional clarifying procedures, limitations and requirements will be crafted by the Department of Human Resources.

This amendment to the Rules & Regulations only applies to non-union employees. However, I look to make this program available to all employees of Albany County, union and non-union alike. With that said I plan to offer, to each and every bargaining unit, the inclusion of this program in their respective collective bargaining agreements.

Since employees will be utilizing time that is already budgeted within their line, there is no anticipated budgetary impact. This benefit can help to build a strong family foundation, which will ultimately help us build a stronger County workforce and a stronger County. If you have any questions or concerns, please let me know. I will also be at the next Audit and Finance Committee meeting to address any questions or concerns you may have.

Sincerely,

David Friedfel

Commissioner of Management and Budget

Frank Commisso, Majority Leader cc: Lee Carman, Minority Leader Jamie Kallner, Majority Counsel

Arnis Zilgme, Minority Counsel

2019 CORR 12 AN 11 53

FOR COUNSEL USE ONLY				
Date Received: Received By: Method: Hand: Courier: Mail:				

		Mail:
REQUEST FOR LEGISLATIVE AC	YEKON '	
REQUEST FOR LEGISLATIVE AC DATE: 3/10/2014	<u>CTION</u>	
DEPARTMENT: Management & Budget Contact Person: Friedfel, David, Commi Telephone: 518-447-7045 Dept. Representative Attending Committee Meeting: Friedfel, Da	wid Commissioner	
PURPOSE OF REQUEST: Request to amend parenting leave.	the Albany County Rules	and Regulations to provide paid
Adoption of Local Law Amendment of Prior Legislation Approval/Adoption of Plan/Procedure Bond Approval Budget Amendment (See below) Contract Authorization (See below) Environmental Impact Home Rule Request Property Conveyance Other: (State briefly if not listed above)		
CONCERNING BUDGET AMENDMENTS STATE THE FOLLOWING:		
Increase Account/Line No. Source of Funds: Title Change:		
CONCERNING CONTRACT AUTHORIZAT STATE THE FOLLOWING: TYPE OF CONTRACT	<u>TION</u>	
Change Order/Contract Amendment Purchase (Equipment/Supplies) Lease (Equipment/Supplies) Requirements Professional Services Education/Training Grant:		
New Renewal Submission Deadline Date	· <u> </u>	
Settlement of a Claim Release of Liability Other: (State briefly)		

CONCERNING CONTRACT AUTHORIZATION (Cont'd) STATE THE FOLLOWING:

Contract Terms/Conditions:

Party(Name/Address): _ Amount/Raise Schedule/Fee: Scope of Services:

Contract Funding:

Bond Res. No.: Date of Adoption:

CONCERNING ALL REQUESTS:

Mandated Program/Service: No If Mandated Cite: Authority

Anticipated in Current Adopted Budget: Yes

County Budget Accounts:

Revenue:

Account Code: AA6989, Line: 01113

Appropriation:

Fiscal Impact - Funding: (Dollars or Percentages)

Federal: <u>- 0%</u>
State: <u>- 0%</u>
County: <u>- 100%</u>

Local: _-0%

Term/Length of Funding: 24 Months (1/1/2015 - 12/31/2016)

Previous Requests for Indentical or Similar Action

Resolution/Law Number: Date of Adoption:

Justification: (State briefly why legislative action is requested)

I respectfully request that the County Legislature enact a resolution amending the County Rules and Regulations to provide paid parenting leave to employees upon the birth or adoption of a child. Eligibility will be based on the same criteria as the Family and Medical Leave Act (FMLA).

<u>Back-up Material Submitted</u>: (i.e., application/approval notices from funding source, bid tabulation sheet, civil service approval notice, program announcement, contracts and/or any materials which explain or support the request for legislative action.)

http://acvsp2010/sites/CALM/Lists/RLA/Attachments/807/Paid Parenting Leave RLA.doc http://acvsp2010/sites/CALM/Lists/RLA/Attachments/807/paid parenting leave memo.doc

Submitted By: Friedfel, David Title:

Family and Medical Leave Act Leave section of employee rules and regulations:

A. Family and Medical Leave Act Leave (FMLA leave). The Family and Medical Leave Act of 1993 (FMLA) requires employers, including Albany County, to provide up to twelve (12) weeks of unpaid, job-protected leave to "eligible" employees for the following reasons:

To care for the employee's child after birth or placement for adoption or foster care; or

To provide care to a spouse, dependent child, or parent of an employee who has a serious health condition; or

For an employee's own serious health condition that renders the employee unable to perform the essential functions of his or her position.

- 1. An employee's entitlement to leave for the birth, adoption, or foster care placement of a child expires at the end of the twelve month period beginning on the date of birth or placement. While on a qualifying leave, the Act protects employees in the areas of health insurance, reinstatement, and protection of benefit leaves and seniority. Employees have responsibilities in providing timely notice and certification of medical illness to the County. Employees must also have been employed by the County for at least one year and must have worked at least 1,250 hours during the twelve month period immediately preceding the commencement of FMLA leave. More information concerning eligibility, application procedures, limitations, and requirements may be found in the Department of Human Resources.
- 2. Paid and unpaid leaves shall run concurrent with FMLA leave. Employees must apply for and exhaust all available and appropriate paid leave credits to cover an FMLA qualifying absence before beginning any unpaid portion of their FMLA leave entitlement. Employees must apply and exhaust accrued sick leave, personal leave, compensatory time, and floating holiday credits to the concurrent FMLA leave. The election of using vacation leave credits to offset unpaid leave for FMLA leave, either in part or in total is an option of the employee; however, such designation of vacation leave must be made at the time the employee applies for (or designation of) FMLA status.
- B. Parenting Leave. After an employee has completed the twelve-week FMLA leave, eligible employees shall be entitled to an additional three month unpaid parenting leave of absence for the purpose of caring for a newborn child or caring for a child newly placed through adoption. To be eligible for parenting leave an employee must first complete one year of full-time service or two years of part-time service or an equivalent combination of full- and part-time service. Unlike FMLA leave, health insurance coverage is continued only if the employee agrees to pay the

full premium cost of coverage while on unpaid leave. The employee is required to use accrued leave credits while on FMLA leave. After FMLA leave, the employee may use accrued leave credits to reduce the amount of time of leave without pay for the approved parenting leave. For this purpose, the employee will first use sick leave, then personal leave, then vacation leave credits. The employee is not required to exhaust all of their earned leave credits for parenting leave after FMLA leave. More information concerning eligibility, application procedures, limitations, and requirements may be found in the Albany County Department of Human Resources.

1. In the event that both parents are Albany County employees, only one parent may qualify for parenting leave at any given time. The other employee may apply for parenting leave upon the return to work of the first employee on parenting leave.