

A meeting of the Personnel Committee was held at 1:00 P.M. on May 10, 2011.

Present were: Supervisor Jones, Councilor Stewart, Town Attorney Bailey, Highway Superintendent Payne, and Town Clerk McMichael.

Highway Department - Leave of Absence:

Highway employee Santiago Avellaneda is out of work indefinitely. His last day worked was May 27, 2010. He was on paid medical leave through November 3, 2010 and granted an unpaid leave as of November 4, 2010. (Town Board Resolutions #164-10 and #181-10)

Highway Superintendent Payne prefers to leave the position vacant at this time. The HEO position will not be abolished. The Town must terminate Mr. Avellaneda's employment for him to become eligible for COBRA medical benefits.

Attorney Bailey will draft the necessary resolution for presentation at the May 18, 2011 Town Board meeting.

Highway Department - Overtime Resolution

Highway Superintendent brought forth the following resolution presented at the March 16, 2011 Town Board meeting to pay the part-time Highway employee overtime hours based on an 8-hour workday:

Whereas, in a situation where part-time or temporary personnel are brought in for snow removal or emergency work situation the Highway Superintendent is authorized to approve overtime pay for hours worked beyond the normal workday.

Now, Therefore, Be It Resolved that the Town Superintendent of Highways is authorized to approve highway personnel overtime for hours worked over the normal work day for snow removal or emergency situation.

Also, Be It Resolved that a copy of this Resolution be added to the Employees Handbook under the title (702) Overtime/compensation Time).

Supervisor Jones has since been advised by Jeff Travers, our HR consultant that offering the overtime rate for authorized time worked over forty hours in a given workweek is in compliance with the Fair Labor Standards Act. Any policy the Town desires to implement to pay over time hours beyond that is discretionary. However, Mr. Travers cautioned the resolution as proposed is discriminating if it only applies to the Highway employee. It is

also contrary to Human Resource Best Practices to single out one employee or department.

The matter will be reviewed at budget time to increase the salary for the part-time Highway Department position.