



## **Board of Legislators**

County Office Building, Room 201  
7 Court Street  
Belmont, New York 14813  
Phone: 585-268-9222

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### **PERSONNEL COMMITTEE AGENDA**

**July 6, 2022**

**2:00 p.m.**

#### **Roll Call**

#### **Approval of Minutes**

- June 1, 2022

#### **Personnel Officer H. Robert Budinger**

- Temporary Office Aides

#### **Clerk of the Board Brenda Rigby Riehle**

- Pension Reporting

#### **Department of Social Services Commissioner Edna Kayes**

- Request for Resolution Setting the Salary for One Full-Time DSS Attorney

#### **Old Business**

#### **New Business**

#### **Good of the Order**

#### **Adjournment**

# **MEMORANDUM OF EXPLANATION**

Intro No. \_\_\_\_\_  
(Clerk's Use Only)

**COMMITTEE:** Human Services

**Date:** July 6, 2022

**RE:** Based on the Department of Social Services request to create and fill two Social Services Attorneys that were approved by the Human Services Committee at the meeting of June 28<sup>th</sup>, 2021, and the creation of these positions by resolution 170-21.

Commissioner Kayes is asking to set salaries for one Department of Social Services full time Attorney by resolution to add the position/salary to the Section IV salary Plan.

Salary is requested to be set at \$83,000 per year.

Edna B. Kayes, Commissioner  
Allegany county Department of Social Services

**RESOLUTION NO. 170-21**

**CREATING TWO FULL-TIME POSITIONS OF DSS ATTORNEY IN THE DEPARTMENT OF SOCIAL SERVICES; AMENDING SECTION 4 OF RESOLUTION NO. 297-75**

Offered by: Human Services and Personnel Committees

**RESOLVED:**

1. That two full-time positions of DSS Attorney in the Department of Social Services are created in the Section IV Salary Plan.
2. That Section 4 of Resolution No. 297-75, as amended, is hereby amended by adding the title of DSS Attorney.
3. That this resolution shall take effect June 29, 2021.

Moved by: Mrs. Hopkins  
Seconded by: Mrs. Burdick

Adopted: Roll Call  
14 Ayes, 0 Noes, 1 Absent

**AUDITS:**

A motion was made by Legislator Stockin, seconded by Legislator Decker, and carried, that the audits be acted upon collectively and by totals.

A motion was made by Legislator Root, seconded by Legislator Decker, and adopted on a roll call vote of 14 Ayes, 0 Noes, 1 Absent, that the audit of claims, totaling \$4,546,229.20 including prepaid expenses, be approved for payment as recommended by the County Administrator. (*Allegany County's Local Dollar Share of the NYS Medicaid Program paid year-to-date is \$3,633,576.*)

**ADJOURNMENT:** The meeting was adjourned at 2:41 p.m. on a motion made by Legislator Graves, seconded by Legislator Decker, and carried.

## Create and Fill Position Form

Date: 7/7/21

Committee of Jurisdiction: Human Services

Title of Position: DSS Attorney (x2) Dept.: Social Services

Will any position(s) be eliminated? No If yes, which position(s): \_\_\_\_\_

This position is an:

Existing position: \_\_\_\_\_ Newly Created Position: x Created by Resolution #: \_\_\_\_\_

This position will be:

Full-Time: x Part-Time: \_\_\_\_\_ Permanent: x Temporary: \_\_\_\_\_

This position will be:

Section IV: x Non Union: x Union: \_\_\_\_\_

Grade: \_\_\_\_\_ Step: \_\_\_\_\_ Hourly pay rate: \_\_\_\_\_

Annual salary of position: \$15,000 - \$3,000 Cost of benefits for position: \$29,302 - \$32,428

Does position support a mandated program/grant? Y Name of program: FC, PRV, CPS, APS, TANF

Source of funding for position: 46% County 5% State 49% Federal \_\_\_\_\_% Other

Source of funding for benefits: 46% County 5% State 49% Federal \_\_\_\_\_% Other

Amount in current year's budget for this position: currently budgeted

Rationale justifying the need to fill this position at this time. Please include in your rationale where applicable:

1. The specific duties that cannot be accomplished by another employee. This position would be responsible for covering Family Court and Child Support matters.
2. The goals your organization will not be able to accomplish as a result of not filling this position. Ability to meet State and Federal requirements.
3. The funding available to fill the position from external sources. 5% State, 49% Federal
4. The benefit to the County generated by this specific position. Ability to meet State and Federal requirements.

Department Head Name: Anna B. Hayes

Date: 6/24/21

County Administrator Authorization: C. M. Kuypp

Date: 6/24/2021

Personnel Officer Authorization: Robert Baulingri

Date: 6/24/21

# DSS Attorney

## **DISTINGUISHING FEATURES OF THE CLASS**

The work involves responsibility for the performance of professional legal work dealing with all aspects of the Social Services program. The work is carried out in accordance with established strict legal procedures and involves the gathering and assessing of background information on the resources and other aspects of recipients' activities, the making of conclusions, and the appearance in court on behalf of the County in matters involving the Social Services program. Work is performed under the general supervision of the Senior DSS Attorney with wide leeway allowed for the exercise of independent judgment in determining what actions are to be taken in specific cases and the manner in which legal matters are to be undertaken and carried out to the conclusions. Does related work as required.

## **TYPICAL WORK ACTIVITIES**

- Investigates questionable aspects of DSS recipients' activities and resources by means of conferences and questionnaires;
- Determines the most appropriate manner of dealing with the disposition of cases involving fraud or undeclared, concealed, or unknown resources;
- Advises the activities of Social Services personnel engaged in investigations and the preparation of legal documents, where necessary;
- Prepares cases involving violations of Social Services laws and appears in court to prosecute cases;
- Prepares legal documents and Court orders in Family Court and other court matters.
- Investigates and advises Social Services personnel on the legal aspects of adoption matters, child support, delinquency, neglect, and other child welfare matters; and
- Other related duties and responsibilities as may be assigned.

## **FULL PERFORMANCE KNOWLEDGES, SKILLS, ABILITIES, AND PERSONAL CHARACTERISTICS**

Thorough knowledge of the principles and practices of common law and of county, state, and federal laws as they apply to social services in New York State; Thorough knowledge of civil and criminal court procedures and the rules of evidence; Working knowledge of the County Law in New York State; Good knowledge of the general functions and administrative activities of the County Department of Social Services; Ability to analyze, appraise, and apply legal principles, facts, and precedents to legal problems; Ability to prepare legal briefs and documents; Ability to express thoughts and legal arguments clearly by means of both the written and spoken word; Ability to perform legal research and investigative tasks; Ability to get along with others; Good address; Good command of language; Sound professional judgment; Tact and courtesy; Initiative and resourcefulness.

## **MINIMUM QUALIFICATIONS**

Graduation from a regionally accredited or New York State certified law school.

## **SPECIAL REQUIREMENTS**

Admission to the Bar of the State of New York is required at the time of appointment.

Adopted: 6/24/2021

**Allegany County Civil Service**