

Government Operations
Thursday, June 29, 2023 @ 10:30 AM
Chambers

AGENDA

10:30 AM Call Meeting to Order

Approval of Minutes

- Minutes - May 25, 2023

Resolutions:

1. Authorizing The Chairman to Enter Into an Agreement With Enhanced Voting
2. Resolution Urging the Governor to Veto A.04282B/ S.3505B to Move Local Elections to Even Numbered Years
3. Resolution of Appreciation - Retiree Recognition
4. Abolishing an Emergency Medical Services Coordinator Position and Creating a Director of Emergency Medical Services Position and Creating an Assistant Director of Emergency Medical Services Position and Allocating the Title in the Management Salary Plan
5. Abolishing an Office Assistant III Position and Creating a Principal Account Clerk Position in the Building Maintenance Department
6. Creating an Accountant Position in the Finance Department
7. Creating Staff Social Worker Positions in the Mental Health Department
8. Adopting a Policy on Compliance Policy Development and Approval
9. Authorizing the Chairman to Enter Into a Retainer Agreement with the Law Firm of Napoli Shkolnik, PLLC
10. Establishing the Standard Work Day and Reporting Days for Certain County Officials
11. Affirming the Commitment of the Board of Supervisors to Job Security for Department of Solid Waste Employees
12. Designating Disposal of Surplus County Personal Property
13. Modifying the County Sexual Harassment Prevention Policy and Procedures
14. Authorizing the Chairman of the Board to Enter into an Agreement with the CSEA Blue and White Collar Units

Other Committee Business

1. Compliance Officer Update
2. Election Night Procedures and Board Updated
3. MOTION TO ENTER EXECUTIVE SESSION

4. Labor Relations
5. Personnel Matter

Preferred Agenda

Next Meeting:

1. July 27, 2023 - Immediately Following Finance, Ways and Means

Adjourn

MADISON COUNTY DEPARTMENT OF PERSONNEL/CIVIL SERVICE

COUNTY OFFICE BUILDING
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Eileen M. Zehr

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Ryan D. Aylward

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Government Operations Thursday, May 25, 2023 @ 10:30 AM Chambers

MINUTES

**10:30 Call Meeting to Order
AM**

DRAFT

P. Walrod called the meeting to order at 9:49 a.m.

Committee Members present: M. Cavanagh, B. DuBois, M. Roberts, A. Stepanski, P. Walrod and R. Vosburg

Others present: R. Aylward, J. Becker, E. Burns, D. Curtis, D. Degear, M. During, C. Edick, S. Field, K. Guinto, C. Kennedy, M. Keville, P. LeClair, P. Lutwak, J. Pinard, L. Randall, T. Wayland-Smith, and E. Zehr

Approval of Minutes

- April 27, 2023 - Minutes

Motion by Alex Stepanski to approve the minutes from April 27, 2023. Second by Matt Roberts. The motion was Passed.

Resolutions:

1. Resolution of Appreciation - Retiree Recognition

Motion by Rex Vosburg to approve the resolution. Second by Mary Cavanagh. The motion was Passed.

2. Amending the Corporate Compliance Policy on Reimbursement Practices and Billing Errors; Reporting and Returning Overpayments

Motion by Mary Cavanagh to approve the resolution. Second by Matt

Roberts. The motion was Passed.

3. Authorizing the Chairman to Enter into a PILOT Agreement with Nexamp Solar, LLC, d/b/a Allis Hill Solar, LLC

Motion by Alex Stepanski to approve the resolution. Second by Brandee DuBois. The motion was Passed.

4. Authorizing the County to Enter into an Agreement with Thomson Reuters-West Publishing Corporation

Motion by Mary Cavanagh to approve the resolution. Second by Matt Roberts. The motion was Passed.

5. Creating an Office Assistant-Claims Processor Position in the Mental Health Department

Motion by Rex Vosburg to approve the resolution. Second by Mary Cavanagh. The motion was Passed.

6. Creating an Office Assistant I Position in the Building Maintenance Department

Motion by Alex Stepanski to approve the resolution. Second by Rex Vosburg. The motion was Passed.

7. Creating a Full-time Case Manager (Corrections) Position in the Office of the Sheriff

Motion by Matt Roberts to approve the resolution. Second by Alex Stepanski. The motion was Passed.

8. Creating an Emergency Medical Services Educator Position in the Office of Emergency Management

Motion by Matt Roberts to approve the resolution. Second by Rex Vosburg. The motion was Passed.

Other Committee Business

Personnel - R. Aylward noted he will be starting to provide Progressive Discipline Training to departments.

Emergency Management Services - D. Degear encouraged board members to participate in the upcoming Cyber Summit.

1. Purchasing Department Updates
2. Information Technology Department Updates

P. Lutwak updated the committee on the duress system. He also noted the digital signage the Information Technology Department has been implementing within the towns and villages.

3. MOTION TO ENTER EXECUTIVE SESSION

Motion by Rex Vosburg to Enter into Executive Session. Second by

Mary Cavanagh. The motion was Passed.

Motion by Mary Cavanagh to Exit Executive Session. Second by Matt Roberts. The motion was Passed.

4. Labor Relations
5. Negotiations
6. Personnel Matters

Preferred Agenda

It was the consensus of the committee to allow any eligible resolutions from today's meeting to be added to the preferred agenda. All resolutions were voted on and approved by the committee.

Next Meeting:

1. June 29, 2023 - Immediately Following Finance, Ways and Means

Adjourn

Motion by Mary Cavanagh to adjourn the meeting. Second by Matt Roberts. The motion was Passed.

RESOLUTION NO. _____

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH
ENHANCED VOTING**

WHEREAS, the agreement Enhanced Voting of Jacksonville FL., and Madison County for the Enhanced Results Solution system for publishing expired on January 1, 2023; and

WHEREAS, the Madison County Board of Elections entered into an agreement with Enhanced Voting to purchase the Enhanced Results Solution, a New York State certified Voting aggregation and statistics publishing system; and

WHEREAS, the Enhanced Results Solution provides Madison County with ongoing support and maintenance, and is the developer and sole provider of the only solution in New York certified for aggregation and publishing of election results on Election night; and

WHEREAS, it is necessary to enter the agreement for the Enhanced Results solution with maintenance services and training for the Enhanced Votes system, including hardware, software, support services and warranty services; and

WHEREAS, Enhanced Voting has agreed to an annual contract to be paid by the County as follows:

2023 TOTAL \$10,260.00 annual payment past due (Jan.31, 2023)
2024 TOTAL \$10,260.00 annual payment due Jan.31, 2024

WHEREAS, this agreement has been reviewed and approved by the Government Operations Committee and is in the Madison County Board of Elections budget:

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Madison County Board of Supervisors be and is hereby authorized to enter into an agreement on behalf of County of Madison with Enhanced Voting in the form as is on file with the Clerk of the Board.

Dated: June 29 2023

Paul Walrod
Chair, Government Operations Committee

RESOLUTION NO. 23-_____

**RESOLUTION URGING THE GOVERNOR TO VETO A.04282B/ S.3505B TO
MOVE LOCAL ELECTIONS TO EVEN NUMBERED YEARS**

WHEREAS, the Madison County Board of Supervisors believes that increasing the participation in the election process and reducing costs of government operations is good for our republic; and

WHEREAS, it is important for Local Elections to remain separate and apart from State and Federal Elections, so that thoughtful consideration can be given to the vitally important municipal offices being filled; and

WHEREAS, as this legislation is written, many even year elections will likely require front and back of ballots or multiple pages for a single voter to contemplate; and

WHEREAS, separating the elections affords voters more time and focus to better understand important local issues and provides candidates the appropriate platforms to explain their stance on issues without having to compete against national and state level campaigns; and

WHEREAS, moving local elections to even-numbered years would increase the cost of campaigns for local office, reducing the number of candidates willing to invest funds into their own campaign, because the cost of media will increase to compete with national and state level campaign advertisements, and

WHEREAS, this legislation has been proposed as a savings to municipalities, but fails to consolidate all local offices since it does not accompany a constitutional amendment to change the terms of constitutional positions; and

WHEREAS, since at least one election will be held in the odd numbered year, all Election Infrastructure will need to be in place, thereby removing any potential savings; and

WHEREAS, this legislation removes local control and places a new unfunded mandate on the Municipalities, this legislation, at the very least, should have been a local option; and

WHEREAS, the Madison County Board of Supervisors believes that this legislation usurps the Home Rule powers reserved by local governments and is protected by the Constitution of the State of New York; and

WHEREAS, local municipalities have had the ability to change their elections to even-number years for decades, and chose not to do so; and

WHEREAS, we believe that establishing the schedule of local elections is the right of the local government, and has been for more than 100 years; and

WHEREAS, the proposed legislation circumvented the legislative committee process during this session, limiting public input and understanding of the impacts; and

WHEREAS, this legislation was passed with no public hearing, no engagement with local elections commissioners and other stakeholders, and opts out the largest municipality, New York City, from having to comply; and

WHEREAS, there has been no financial analysis or operational analysis of the impacts on local Boards of Elections; and

WHEREAS, the Madison County Board of Supervisors therefore wish to express their opposition to this unfunded mandate; and

NOW, THEREFORE BE IT RESOLVED, that the Madison County Board of Supervisors hereby urges Governor Hochul to utilize her veto authority on A.04282B (same as S.3505B), which will have dramatic and negative effects on the local election cycle; and

BE IT FURTHER RESOLVED, that the Clerk of the Board of Supervisors shall forward a certified copy of this Resolution to Governor Kathy Hochul, New York State Legislative Representatives, the New York State Association of Counties and all others deemed necessary and proper. This Resolution shall take effect immediately.

Date: July 11, 2023

Paul H. Walrod, Chairman
Government Operations Committee

RESOLUTION NO. _____

RESOLUTION OF APPRECIATION – RETIREE RECOGNITION

WHEREAS, the Madison County Board of Supervisors believes that County employees should be recognized for their faithful service to the public; and

WHEREAS, recognition of the distinguished service of a certain County employee with an upcoming retirement is in order,

NOW, THEREFORE BE IT RESOLVED that the Madison County Board of Supervisors hereby recognize the dedicated contributions of Jeffrey Thorp upon his retirement.

Jeffrey D. Thorp

Solid Waste

2003 - 2023

Dated: July 11, 2023

Paul H. Walrod, Chairman
Government Operations Committee

RESOLUTION NO. _____

**ABOLISHING AN EMERGENCY MEDICAL SERVICES COORDINATOR
POSITION AND CREATING A DIRECTOR OF EMERGENCY MEDICAL
SERVICES POSITION AND CREATING AN ASSISTANT DIRECTOR OF
EMERGENCY MEDICAL SERVICES POSITION AND ALLOCATING THE
TITLE IN THE MANAGEMENT SALARY PLAN**

WHEREAS, with the growth of the County Emergency Medical Services program, the Director of Emergency Management Services has determined the need to restructure the department; and

WHEREAS, the title of Emergency Medical Services Coordinator no longer fits the duties of the position; and

WHEREAS, based on the description of duties submitted for this position, the Personnel Officer certifies that Director of Emergency Medical Services is the appropriate classification; and

WHEREAS, the Director of Emergency Management Services has determined the need for an additional position in the Office of Emergency Management; and

WHEREAS, based on the description of duties submitted for this position, the Personnel Officer certifies that the title of Assistant Director of Emergency Medical Services is the appropriate title for this position; and

WHEREAS, the request was submitted in accordance with the vacancy review procedure and has been approved by the Criminal Justice, Public Safety and Emergency Communications Committee and the Government Operations Committee;

NOW, THEREFORE BE IT RESOLVED that the one (1) Emergency Medical Services Coordinator position be abolished effective immediately,

BE IT FURTHER RESOLVED that one (1) Director of Emergency Medical Services position be created and is allocated to Grace F in Appendix A of the Management Salary Plan with no change in compensation for the incumbent,

BE IT FURTHER RESOLVED that one (1) Assistant Director of Emergency Medical Services position be and hereby is created and is allocated to Grade D in Appendix A of the Management Salary Plan,

NOW, THEREFORE BE IT RESOLVED that in the Director of Emergency Management Services be and hereby is authorized to fill said positions in accordance with Civil Service Law and Rule and the Management Compensation Plan effective immediately,

Dated: July 11, 2023

Paul H. Walrod, Chairman
Government Operations Committee

RESOLUTION NO. _____

**ABOLISHING AN OFFICE ASSISTANT III POSITON AND
CREATING A PRINCIPAL ACCOUNT CLERK POSITION IN
THE BUILDING MAINTENANCE DEPARTMENT**

WHEREAS, the Director of Public Facilities has evaluated the organizational structure of the department; and

WHEREAS, due to the growth of the department and increased complexity of the projects, the Director of Public Facilities has requested that an Office Assistant III position be abolished and a Principal Account Clerk position be created; and

WHEREAS, the Personnel Officer certifies that Principal Account Clerk is the appropriate classification based on the description of duties submitted for this position; and

WHEREAS, this request was reviewed and approved in accordance with the vacancy review procedure by the Highway, Buildings and Grounds and Government Operations Committees; and

NOW, THEREFORE BE IT RESOLVED that one (1) full-time Office Assistant III position be and hereby is abolished effective immediately; and

BE IT FURTHER RESOLVED that one (1) full-time Principal Account Clerk position be and hereby is created effective immediately; and

BE IT FURTHER RESOLVED that the Director of Public Facilities be and hereby is authorized to fill said position in accordance with Civil Service Law and Rule and the Agreement between the County and the Civil Service Employees Association, White Collar unit effective immediately.

Dated: July 11, 2023

Paul H. Walrod, Chairman
Government Operations Committee

RESOLUTION NO. _____

**CREATING A FULL-TIME POSITION
IN THE FINANCE DEPARTMENT**

WHEREAS, an Accountant in the Finance Department will retire in August; and

WHEREAS, the Director of Finance has requested the creation of one (1) additional Accountant position in order to provide a training opportunity prior to said retirement; and

WHEREAS, the salary for this position will be funded through appropriations in the department's 2023 adopted budget; and

WHEREAS, this request has been reviewed and approved in accordance with the vacancy review procedure by the Finance, Ways and Means Committee and the Government Operations Committee,

NOW, THEREFORE BE IT RESOLVED that one (1) full-time Accountant position be and hereby is created effective immediately,

BE IT FURTHER RESOLVED said position be abolished at such time that the retirement occurs,

BE IT FURTHER RESOLVED that the Director of Finance hereby is authorized to fill said position at the 2023 hourly rate of \$26.53 in accordance with Civil Service Law and Rule and county policies and procedures effective immediately.

Dated: July 11, 2023

Paul H. Walrod, Chairwoman
Government Operations Committee

RESOLUTION NO. _____

**CREATING TWO STAFF SOCIAL WORKER POSITIONS
IN THE MENTAL HEALTH DEPARTMENT**

WHEREAS, Madison County completed a Mental Health Needs Assessment related to the impact of the COVID pandemic on the community; and

WHEREAS, one of the project areas identified through the assessment process is related to the mental health needs of schools; and

WHEREAS, four districts have asked for the Mental Health Department to establish School Satellite clinics in their districts; and

WHEREAS; access and quality of care for children will be improved with the addition of these positions; and

WHEREAS, the Personnel Officer certifies that Staff Social Worker is the appropriate classification based on the description of duties submitted for these positions; and

WHEREAS, the salary and fringe benefits for the position are being funded through expected revenue generated by this position; and

WHEREAS, this request was reviewed and approved in accordance with the vacancy review procedure by the Health and Human Services Committee and the Government Operations Committee,

BE IT FURTHER RESOLVED that two (2) full-time Staff Social Workers be and hereby is created effective immediately; and

BE IT FURTHER RESOLVED that the Mental Health Director be and hereby is authorized to fill said positions in accordance with Civil Service Law and Rule and the Agreement between the County and the Civil Service Employees' Association, Inc. White Collar Unit, effective immediately.

DATED: July 11, 2023

Pete H. Walrod, Chairman
Government Operations Committee

RESOLUTION NO. 23-_____

ADOPTING A POLICY ON COMPLIANCE POLICY DEVELOPMENT AND APPROVAL

WHEREAS, Madison County as a Medicaid program provider is required to have an effective compliance program as required by NYS Social Services Law § 363-d and Title 18 of the New York Codes, Rules and Regulations (18 NYCRR) SubPart 521-1; and

WHEREAS, the County, in satisfying those requirements, maintains written standards, policies and procedures, and a Code of Conduct applicable to its Corporate Compliance Program (the “Compliance Policies”); and

WHEREAS, the Madison County Corporate Compliance Committee desires to establish a written process for the development, adoption, revision and periodic reviewing and updating of the Corporate Compliance Program’s Compliance Policies; and

WHEREAS, the Corporate Compliance Committee and Government Operations Committee have considered and evaluated the Policy on Compliance Policy Development and Approval;

NOW, THEREFORE BE IT RESOLVED, the Board of Supervisors approves the adoption of the Policy on Compliance Policy Development and Approval, hereby making it effective immediately.

Dated: July 11, 2023

Paul H. Walrod, Chairman
Government Operations Committee

RESOLUTION NO. _____

**AUTHORIZING THE CHAIRMAN TO ENTER INTO A RETAINER AGREEMENT WITH THE
LAW FIRM OF NAPOLI SHKOLNIK, PLLC
TO INVESTIGATE AND MAKE RECOMMENDATIONS REGARDING COMMENCEMENT OF
LITIGATION ON BEHALF OF MADISON COUNTY AGAINST MANUFACTURERS AND
PHARMACY BENEFIT MANAGERS REGARDING INSULIN PRICING**

WHEREAS, it has become public knowledge that, since at least 2003, certain drug manufacturers and pharmacy benefit managers (PBMs) have incurred in anticompetitive activities and unlawful, unfair, and deceptive business practices related to insulin and other diabetic medicine in the United States; and

WHEREAS, lawsuits are being filed against three manufacturers – Eli Lilly, Novo Nordisk and Sanofi-Aventis – and PBMs by various state attorneys generals and counties throughout the nation to claim injunctive relief, punitive damages, restitution, disgorgement, penalties and other legal and equitable monetary remedies; and

WHEREAS, Napoli Shkolnik, PLLC represents several municipalities across New York State and other states regarding this matter and said law firm has presented a retainer agreement regarding investigation into the anticompetitive activities and deceptive business practices related to insulin and other diabetic medicine in the United States; and

NOW, THEREFORE, BE IT RESOLVED, that Madison County is authorized to retain Napoli Shkolnik, PLLC to investigate and determine the feasibility of bringing litigation against certain drug manufacturers and pharmacy benefit managers for anticompetitive activities and deceptive business practices; and be it further

RESOLVED, that said retainer shall be on a contingency fee basis, with all costs to be paid by Napoli Shkolnik unless recovery is made on the County's behalf and said contingency fee to be no greater than 33.33% (thirty-three and one percent) of the amount recovered; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is authorized to execute a contingency fee agreement with Napoli Shkolnik, PLLC, said agreement to contain such other terms and conditions as are in the best interests of Madison County.

Dated: July 11, 2023

Paul H. Walrod, Chairman
Government Operations Committee

RESOLUTION NO. 22-_____

**ESTABLISHING THE STANDARD WORK DAY AND REPORTING DAYS FOR
CERTAIN COUNTY OFFICIALS**

WHEREAS, The Office of the State Comptroller New York State and Local Employees' Retirement System requires that a Standard Work Day and Reporting Resolution be established for retirement credit reporting purposes for elected and appointed officials;

NOW, THEREFORE, BE IT RESOLVED, that Madison County hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Clerk to the Board:

TITLE	NAME	STANDARD WORK DAY (Hrs/Day)	TERM BEGINS/ ENDS	RECORD OF ACTIVITIES RESULTS
Elected Officials				
County Treasurer	Cindy Edick	7.5	1/1/23-12/31/26	20.24
Supervisor (Eaton)	Joseph Wicks	6.0	1/1/23-12/31/24	3.61
Supervisor (Oneida – Wards 1-2-3)	Matthew Roberts	6.0	1/1/22-12/31/23	4.66
Supervisor (Oneida – Wards 4-5-6)	Brandee DuBois	6.0	1/1/23-12/31/24	3.75

Dated: July 11, 2023

Paul H. Walrod, Chairman
Government Operations Committee

RESOLUTION NO. 23-_____

**AFFIRMING THE COMMITMENT OF THE BOARD OF SUPERVISORS TO JOB
SECURITY FOR DEPARTMENT OF SOLID WASTE EMPLOYEES**

WHEREAS, Madison County is currently exploring alternative ways to manage the waste stream in the community in efforts to avoid significant increases to waste disposal fees; and

WHEREAS, one of the alternative methods being evaluated is for the County to engage an outside organization in a partnership, leading to the lease and operation of the Madison County Landfill by a third party ; and

WHEREAS, the evaluation process is still exploratory; and

WHEREAS; understandably, employees of the Department of Solid Waste have communicated concerns about their future during this period of uncertainty; and

WHEREAS, the Board of Supervisors values all Madison County employees and seeks to provide them with support and job security; and

BE IT FURTHER RESOLVED that the Board of Supervisors hereby affirms that all employees of the Madison County Department of Solid Waste will be offered the opportunity to work in another County department if the Board of Supervisors choose to partner with an outside organization to operate the Madison County Landfill.

Dated: July 11, 2023

James J. Cunningham, Chairman
Solid Waste and Recycling Committee

Paul H. Walrod, Chairman
Government Operations Committee

RESOLUTION NO. _____

DESIGNATING DISPOSAL OF SURPLUS COUNTY PERSONAL PROPERTY

WHEREAS, in accordance with Madison County Purchasing Policy and Procedures, certain County personal property is required to be declared surplus by the Board of Supervisors before disposal; and

WHEREAS, the current County personal property waiting surplus designation is listed below; and

WHEREAS, the list of items has been reviewed and approved by the Government Operations Committee;

NOW, THEREFORE, BE IT RESOLVED, the Board of Supervisors declares the list of said items as surplus.

Item	Department	Mileage	Condition	Comment
MOR007 – 1971 Jeep Wrecker	Highway	31,084	Good	Surplus
MOR039 – 2010 International Paystar	Highway	179,434	Fair	Surplus

Dated: July 11, 2023

Paul H. Walrod, Chairman
Government Operations Committee

RESOLUTION NO. _____

**MODIFYING THE COUNTY SEXUAL HARASSMENT PREVENTION
POLICY AND PROCEDURES**

WHEREAS, New York State passed legislation in 2018 that required all employers in New York to adopt the New York State model policy on sexual harassment prevention or develop their own, so long as their policy meet or exceed the standard contained in the model policy; and

WHEREAS, the updated model policy, which was developed in collaboration between the New York State Division of Human Rights (NYSDHR) and the New York State Department of Labor (NYSDOL), follows NYSDOL's quadrennial obligation to evaluate the impact of the state's model sexual harassment policy, and

WHEREAS, the modifications include, but are not limited to, examples that illustrate how harassment/discrimination can occur with employees working remotely and on virtual platforms as well as emphasizing that gender-based harassment/discrimination can include conduct beyond sexual contact or sexually suggestive conduct; and

WHEREAS, the Government Operations Committee has reviewed and approved the modified policy and procedures; and

NOW, THEREFORE BE IT RESOLVED, that the Madison County Board of Supervisors hereby modifies the existing Sexual Harassment Prevention policy and procedures effective immediately.

Dated: July 11, 2023

Paul H. Walrod, Chairman
Government Operations Committee