

AGENDA
MANAGEMENT & FINANCE COMMITTEE
TUESDAY, JULY 28, 2020 at 1:00 P.M.
Room 120 at the Human Services Complex

COMMITTEE MEMBERS: Barnes-Chair, Lausell, Howell, Rondinaro.
ALSO PRESENT: Timothy O’Hearn, County Administrator
STAFF ADVISOR/MINUTES: Stacy Husted, Clerk

Preliminary 2019 Draft Audit presented by Inero & Co. CPAs, LLP. – Jerry Mickelson and Evan Cleveland.

- I. PURCHASING – Elizabeth Guild
 - A. No action needed.

- II. TREASURER – Holley Sokolowski
 - A. Sales Tax Report
 - B. Financial System Update.
 - C. Motion – Authorize renewing the two-year contract with Municipal Solutions, Inc. for general Financial Consulting Services for a fee of \$200 per filing and charges as described in the Fee Schedule (in the past a not to exceed \$10,000), for the period February 13, 2020 through February 12, 2022

- III. REAL PROPERTY TAX AGENCY – Tom Bloodgood
 - A. Resolution – Authorize appointment of the Director of Real Property Tax Services (see attached)
 - B. Resolution – Acknowledge appointment and set the salary for Full Time Assessor – Real Property Tax Office (see attached)

- IV. COUNTY CLERK/DMV – Theresa Philbin
 - A. Resolution – Authorize the creation and filling of one full-time Principal Clerk position (see attached)

- V. LEGISLATURE – Stacy Husted
 - A. Motion - Authorize renewing the contract with ProAct, Inc. for Prescription Drug Card Program Services at no cost to the County for the period August 1, 2020 through July 31, 2021.

- VI. PERSONNEL OFFICE - Lorry Johnson
 - A. Resolution - Authorize amendment to the Management/Confidential Salary Plan and create the position of a part-time Director of Real Property Tax Services – Human Resources (see attached)
 - B. Resolution - Authorize stipulation agreement and release of claims agreement with Daryl J. White – Human Resources (see attached)

- VII. INFORMATION TECHNOLOGY – Chris Caccia
 - A. Nothing submitted.

- VIII. ELECTIONS – Carolyn Elkins & Joseph Fazzary
 - A. Nothing submitted.

- IX. COUNTY ATTORNEY – Steven J. Getman
 - A. Resolution – Resolution authorizing special counsel agreement with NS PR Law Services, d.b.a. Napoli Shkolnik PLLC, related to bringing a potential antitrust lawsuit related to generic pharmaceuticals on behalf of the County of Schuyler - County Attorney (see attached)

- X. RECORDS MANAGEMENT – Peggy Tomassi

- A. Nothing submitted.
- XI. COUNTY ADMINISTRATOR – Timothy O’Hearn



Schuyler County

Sales Tax History 2020

County Share of Sales Tax (80%)



Prepared: **7/17/2020**
 By: **H. Sokolowski**

	Actual Payments from NYS for Sales Tax Revenues					2020 County Share	Budget #'s are previous year's actual % of year X Budgeted Tax Revenues	% TO BUDGET
	2016	2017	2018	2019	2020	2020	2020 BUDGET	
JANUARY	497,175.31	535,286.19	536,519.37	559,421.73	614,880.48	491,904.38		
TOTAL JANUARY	678,704.93	650,485.53	665,316.98	686,251.76	754,655.18	603,724.14	547,674.48	110.23%
FEBRUARY	416,595.49	452,938.14	495,795.89	486,350.68	531,658.92	425,327.14		
TOTAL FEBRUARY	103,234.12	89,357.05	100,456.12	98,386.88	120,381.14	96,304.91	466,659.40	111.78%
MARCH	315,742.01	646,199.01	709,647.37	713,638.73	943,125.28	754,500.22		
TOTAL MARCH	572,414.45	162,139.77	185,414.61	172,698.40	186,349.19	149,079.35	707,355.89	127.74%
TOTAL 1ST QTR	2,086,691.00	2,001,119.50	2,156,630.97	2,157,326.45	2,536,169.71	2,028,935.76	1,721,689.77	
APRIL	547,988.45	564,183.01	579,624.26	630,496.46	436,312.75	349,050.20		
TOTAL APRIL	125,973.24	105,032.77	149,067.38	152,657.99	92,322.65	73,858.12	625,009.26	67.66%
MAY	550,118.00	566,996.76	608,692.44	630,242.65	406,016.39	324,813.11		
TOTAL MAY	99,851.26	125,044.13	131,557.73	152,701.07	66,709.96	53,367.97	624,841.08	60.52%
JUNE	341,296.13	456,165.18	440,011.43	456,665.41	508,947.07	407,157.66		
TOTAL JUNE	427,620.83	456,356.50	504,684.54	520,065.23	395,682.86	316,546.29	1,051,532.20	108.13%
TOTAL 2ND QTR	333,649.75	286,361.21	342,552.87	340,869.23	232,372.92	185,898.34	2,301,382.54	
TOTAL YEAR TO DATE	4,513,188.66	4,561,259.06	4,912,821.62	5,041,024.49	4,674,534.31	3,967,028.01	4,023,072.31	
JULY	796,025.19	804,645.11	889,780.21	1,028,154.20	0.00	0.00		
TOTAL JULY	176,702.45	174,244.60	211,950.98	193,740.65	0.00	0.00	975,153.24	0.00%
AUGUST	972,727.64	978,889.71	1,101,731.19	1,221,894.85	0.00	0.00		
TOTAL AUGUST	755,788.10	772,289.87	857,602.73	937,326.39	0.00	0.00	913,274.51	0.00%
SEPTEMBER	193,081.69	194,171.95	175,497.79	207,032.65	0.00	0.00		
TOTAL SEPTEMBER	948,869.79	966,461.82	1,033,100.52	1,144,359.04	0.00	0.00	1,196,850.83	0.00%
TOTAL 3RD QTR	1,096,226.60	1,175,775.24	1,226,984.29	1,067,774.66	0.00	0.00		
TOTAL YEAR TO DATE	311,630.99	368,417.04	374,320.71	431,913.61	0.00	0.00	7,108,350.89	
TOTAL 3RD QTR	1,407,857.59	1,544,192.28	1,601,305.00	1,499,688.27	0.00	0.00	3,085,278.58	
TOTAL YEAR TO DATE	7,842,643.68	8,050,802.87	8,648,958.33	8,906,966.65	4,674,534.31	3,967,028.01	7,108,350.89	
OCTOBER	513,579.99	629,899.92	674,885.89	741,678.27	0.00	0.00		
TOTAL OCTOBER	122,817.26	128,276.86	143,766.90	129,324.40	0.00	0.00	695,117.97	0.00%
NOVEMBER	636,397.25	758,176.78	818,652.79	871,002.67	0.00	0.00		
TOTAL NOVEMBER	600,583.85	634,344.52	695,744.92	648,392.35	0.00	0.00	632,408.01	0.00%
DECEMBER	141,681.44	130,011.09	132,339.44	144,032.94	0.00	0.00		
TOTAL DECEMBER	742,265.29	764,355.61	828,084.36	792,425.29	0.00	0.00	1,084,123.13	0.00%
TOTAL 4TH QTR	506,682.38	532,123.67	485,801.44	668,627.09	0.00	0.00		
TOTAL YEAR TO DATE	311,086.69	316,996.80	327,922.13	331,878.01	0.00	0.00	2,411,649.11	
TOTAL 4TH QTR	283,667.64	282,249.36	336,478.80	357,932.14	0.00	0.00		
TOTAL 4TH QTR	1,101,436.71	1,131,369.83	1,150,202.37	1,358,437.24	0.00	0.00	2,411,649.11	
GRAND TOTAL	10,322,742.93	10,704,705.09	11,445,897.85	11,928,831.85	4,674,534.31	3,967,028.01	9,520,000.00	
BUDGET ESTIMATE	10,450,000.00	10,400,000.00	10,718,416.00	11,350,000.00	11,900,000.00			
% OF GRAND TOTAL	98.78%	102.93%	106.79%	105.10%	39.28%			County Sales Tax Comparison

RE: AUTHORIZE APPOINTMENT OF THE DIRECTOR OF REAL PROPERTY TAX SERVICES

WHEREAS, the current full-time Real Property Tax Director will be retiring effective August 8, 2020, and

WHEREAS, the county must have a Real Property Tax Director pursuant to Real Property Tax Law (RPTL) Section 1530 to hold a six-year term, and

WHEREAS, said Director is willing to continue his role, on a part-time basis, until such time a replacement can be hired, and

WHEREAS, it is the recommendation of the County Administrator and the Management & Finance Committee to appoint the current Director on a part-time basis to fill the unexpired term, or until such time a full-time Director can be hired.

NOW, THEREFORE, BE IT RESOLVED, that Thomas R. Bloodgood be appointed as the Director of Real Property Tax Services, on a part-time basis, 14 hours a week, at a salary of \$35,000, effective August 11, 2020 for the remainder of the unexpired term ending on September 30, 2025, or until such time a full-time replacement can be hired.

RE: ACKNOWLEDGE APPOINTMENT AND SET SALARY FOR FULL TIME ASSESSOR –
REAL PROPERTY

BE IT RESOLVED, that this legislature acknowledge the appointment by Thomas R Bloodgood, Real Property Tax Director, of Patricia Bartolomeo as Assessor at an annual salary of \$47,000 effective September 8, 2020.

RE: AUTHORIZE THE CREATION AND FILLING OF ONE FULL-TIME PRINCIPAL CLERK POSITION – COUNTY CLERK

WHEREAS, as part of a continued restructuring plan, the County Clerk has identified the need for a position that can work in both the County Clerk and DMV office, assuming duties from the now vacant and abolished Sr. Motor Vehicle License Clerk position, and

WHEREAS, the County Clerk is requesting to create the position of one full time Principal Clerk with the approval of the County Administrator to fill said need, and

WHEREAS, funding for the position is available in the 2020 budget account no. 1410.0100.

NOW, THEREFORE, BE IT RESOLVED, that the County Clerk is hereby authorized to create and fill one full-time-Principal Clerk position, at an hourly rate of \$19.25 to be placed in Grade Level 6, as set forth in the CSEA Administrative Unit contract, effective immediately, and

BE IT FURTHER RESOLVED, that the Senior Clerk position shall be abolished upon filling of the Principal Clerk position.

RE: AUTHORIZE AMENDMENT TO THE MANAGEMENT/CONFIDENTIAL SALARY PLAN AND TO CREATE THE POSITION OF A PART-TIME DIRECTOR OF REAL PROPERTY TAX SERVICES – HUMAN RESOURCES

WHEREAS, the full time Director of Real Property Tax Services is retiring effective August 8, 2020, and

WHEREAS, the county must have a Real Property Tax Director pursuant to Real Property Tax Law (RPTL) Section 1530 to hold a six-year term, and

WHEREAS, this can be addressed by a part time Director of Real Property Tax Services until a full time Director of Real Property Tax Services is appointed, and

WHEREAS, the County Administrator is requesting to create a part time Director of Real Property Tax Services position, and

WHEREAS, the part time Director of Real Property Tax Services position will be abolished upon appointment of a full time Director of Real Property Tax Services, and

WHEREAS, funding would be available upon the retirement of the full time Director of Real Property Tax Services.

NOW, THEREFORE, BE IT RESOLVED, that the County Administrator is hereby authorized to create and fill one Part-time Director of Real Property Tax Services position, 14 hours a week, at an annual salary of \$35,000, to be placed in Section V-Department Heads, in the Management/Confidential Handbook, effective immediately.

RE: AUTHORIZE STIPULATION AND RELEASE OF CLAIMS AGREEMENT WITH
DARYL J. WHITE – HUMAN RESOURCES

BE IT RESOLVED, that the Chairman of the Legislature is hereby authorized to sign a Stipulation and Release of Claims Agreement with Daryl J. White, as approved by Labor Counsel.

RE: RESOLUTION AUTHORIZING SPECIAL COUNSEL AGREEMENT WITH NS PR LAW SERVICES, D/B/A NAPOLI SHKOLNIK PLLC, RELATED TO BRINGING A POTENTIAL ANTITRUST LAWSUIT RELATED TO GENERIC PHARMACEUTICALS ON BEHALF OF THE COUNTY - COUNTY ATTORNEY

WHEREAS, the County of Schuyler has previously retained NS PR LAW SERVICES d/b/a NAPOLI SHKOLNIK PLLC (“Napoli”) to work with the County Attorney for the purpose of assisting the county in pursuing claims on behalf of the county against manufacturers and wholesalers of opioids for the alleged fraudulent and negligent marketing and distribution of opiates in and to the county, and

WHEREAS, in 2014, the Department of Justice began an investigation into the pricing of various generic pharmaceuticals; such investigation has grown and presently includes at least 16 companies and 300 drugs; in the wake of the Federal investigation, in 2017, the state attorneys’ general of 48 states brought a civil action alleging price fixing, market division, and other antitrust violations by 16 defendant pharmaceutical companies related to fifteen (15) generic prescription drugs; in addition to the actions brought by the states, numerous health care plans, welfare benefit funds, private insurers, and other health coverage providers have brought suit, and

WHEREAS, the county has been made aware of a potential antitrust lawsuit on behalf of the county, based upon the alleged conspiracy by such pharmaceutical manufacturers to fix prices, allocate markets, and engage in other antitrust violations and wrongdoing with respect to generic pharmaceuticals resulting in potential overpayments by the county for such generic drugs, and

WHEREAS, Napoli has made a proposal under which the county agrees to retain said law firm as the county’s attorneys in the investigation and/or prosecution of any legal claim against manufactures of generic pharmaceuticals and/or their executives based upon their actions in fixing prices, allocating markets, and engaging in other antitrust violations or other wrongdoing with respect to generic pharmaceuticals, and

WHEREAS, there is no fee or expense for this representation unless a monetary recovery acceptable to the county is obtained by Counsel in favor of the county, whether by suit, settlement, or otherwise, in such case, as consideration for legal services rendered and to be rendered by the attorneys in carrying out the purpose hereof, the county agrees to pay Napoli 25% (twenty-five percent) of all gross amounts recovered plus disbursements; further if the action is certified as a class action, compensation to be award within the discretion of the court, and

WHEREAS, the term of the agreement shall commence upon execution and continue to conclusion of the case unless terminated earlier, subject to applicable ethical rules, if any.

NOW, THEREFORE BE IT RESOLVED that the County of Schuyler accepts the proposed Retainer Agreement from NS PR Law Services d/b/a Napoli Shkolnik PLLC and the Chair of the County Legislature is authorized and empowered to execute the Retainer Agreement on behalf of the County of Schuyler, contract approved by the Schuyler County Attorney.