

# AGENDA

## GOVERNMENT OPERATIONS COMMITTEE

### Thursday, April 9<sup>th</sup> 8:30 a.m.

*Supervisors: Emmel, Chatfield, Spickerman, Verkey and Eygnor*

8:30 a.m. **Approval of meeting minutes**

8:30 a.m. Transmittals referred to Committee

8:40 a.m. **County Attorney, Dan Connors**

Report: [CA MonthlyReport - March.pdf](#)

8:45 a.m. **County Clerk, Mike Jankowski**

TRANSMITTALS:

- Authorization to Execute and Accept Memorandum of Understanding with Indecomm Global Services [CC03RES01 Authorization of MOU's with Indecomm Global Services for E recording.doc](#) [indecocom MOU- Wayne County NY.docx](#)
- Authorization to Set Fee for County Clerk to Prepare and Mail Deed Grantor Notification Form [CC03RES2 Setting fee for Grantor notification service.doc](#) [REAL PROPERTY LAW 291 deed notification 3 2020.docx](#)

8:55 a.m. **Board of Elections, Mark Alquist & John Zornow**

NO BUSINESS

8:55 a.m. **Compliance**

2019 Report: [Compliance Report.docx](#)

8:55 a.m. **Human Resource Department, Chris Kalinski**

TRANSMITTAL:

- Authorization to Ratify 2020 – 2022 Collective Bargaining Agreement with the Wayne County Sheriff's Court Officers' Association [HR2020 04Res 1 Court Security Officer ratified.DOCX](#)

**COUNTY OF WAYNE**  
**OFFICE OF THE COUNTY ATTORNEY**

WAYNE COUNTY COURTHOUSE  
26 CHURCH STREET, LYONS, NEW YORK 14489  
FAX: (315) 946-5942

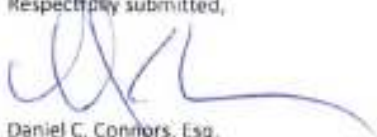
DANIEL C. CONNORS, ESQ.  
COUNTY ATTORNEY  
(315) 946-7442

ERIN M. HAMMOND, ESQ.  
ASSISTANT COUNTY ATTORNEY  
(315) 946-7444

The County Attorney's Office monthly report for March 2020 is as follows:

Contracts Drafted and/or Reviewed	23
Insurance Certificates	48
Notice of Claim	0
Accidents	1
Disciplines/Grievances	1
Human Rights Complaints	0
Subpoenas	2
Freedom of Information Requests (FOIL)	21
FOIL Money Collected	\$0.25
Juvenile Delinquent's (JD's)	1
Persons In Need of Supervision (PINS)	0
Habeas Corpus	0
Poor Person Applications	2
Pistol Permit Hearings	0
Unemployment Hearings	0
Total Amount of Bills Paid from A1420(CA)	\$789.10
Total Amount Paid from A1930 (Judgment & Claims)	\$300.00
Total Amount Paid from A1931 (Liability & Casualty)	\$2,638.10
Total Amount Paid for 207c Claims	\$339.00

Respectfully submitted,



Daniel C. Connors, Esq.  
County Attorney

**RESOLUTION TRANSMITTAL**

Committee No. 5

Date: April 9, 2020

Committee Chairperson: Jake Emmel

Department Head: Mike Jankowski

**AUTHORIZATION TO EXECUTE AND ACCEPT MEMORANDUM OF UNDERSTANDING WITH INDECOMM GLOBAL SERVICES**

WHEREAS, Wayne County has decided to support the County Clerk in the implementation of the Electronic Filing of Land Records; and

WHEREAS, Wayne County has entered into an addendum with Tyler Technology for the necessary software licenses to Tyler software as well as related professional services, and maintenance and support for recording software in the County Clerk's office; and

WHEREAS, a necessary step in the implementation of E Recording is for the County to agree to specific memorandums of understanding with specific external vendors for the acceptance of E documents: and

WHEREAS: These memorandums outline the nature of the handling of the E Documents and do not involve any expenditures on the part of the County: and

WHEREAS: Indecomm Holdings, Inc. has expressed an interest in entering into said agreement: Therefore be it

RESOLVED: that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a Memorandum of Understanding with Indecomm Holdings, Inc. on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content.

Budgeted: yes  no  Proposed Cost: \_\_\_\_\_ Reimbursed Amount \_\_\_\_\_ County cost \_\_\_\_\_

Departmental transfer \$ \_\_\_\_\_ from Account No. \_\_\_\_\_ to Account No. \_\_\_\_\_

County Administrator's Review: \_\_\_\_\_ Date: \_\_\_\_\_

Human Resources Office Review: yes  no  N/A  Signature: \_\_\_\_\_

County Attorney Review: yes  no  N/A  Signature: \_\_\_\_\_

Standing Committee: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Signature/Date Rec'd: \_\_\_\_\_ Clerk, Board of Supervisors

Referred to:

Committee: \_\_\_\_\_ Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Committee: \_\_\_\_\_ Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Date: \_\_\_\_\_ Signature: \_\_\_\_\_

**RESOLUTION TRANSMITTAL**

Committee No. 5

Date: April 9, 2020

Committee Chair: Jake Emmel  
Department Head: Mike Jankowski

**Authorization to Set Fee for County Clerk to Prepare and Mail Deed Grantor Notification Form**

WHEREAS, On January 11, 2020 Governor Cuomo signed into law an amendment to Real Property Law Section 291 that requires County Clerks to notify the owner(s) of record of residential real property when a document is recorded affecting said residential property. AND

WHEREAS: The law also allows a reasonable fee to be assessed for said notices. AND

WHEREAS: The NYS Association of County Clerks, in order to provide uniformity throughout NYS, has determined that \$10 is a reasonable fee per document. Therefore be it:

RESOLVED: In Wayne County the fee for preparing and mailing this notification will be Ten Dollars (\$10). And be it further:

RESOLVED: In Wayne County, this fee will apply to all residential deed documents and mortgage documents that extend new money **executed** on or after May 1, 2020 and received over the counter, through the mail (USPS, FedEx, UPS etc.) or E Recording.

Budgeted: yes \_\_\_ no \_\_\_ Proposed Cost: \_\_\_ 0 \_\_\_ Reimbursed Amount \_\_\_\_\_ County cost \_\_\_ 0 \_\_\_\_\_

Departmental transfer \$ \_\_\_\_\_ from Account No. \_\_\_\_\_ to Account No. \_\_\_\_\_

County Administrator's Review: \_\_\_\_\_ Date: \_\_\_\_\_

Human Resources Office Review: yes \_\_\_ no \_\_\_ N/A \_\_\_ Signature: \_\_\_\_\_

County Attorney Review: yes \_\_\_ no \_\_\_ N/A \_\_\_ Signature: \_\_\_\_\_

Standing Committee: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Signature/Date Rec'd: \_\_\_\_\_ Clerk, Board of Supervisors

Referred to:

Committee: \_\_\_\_\_ Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Committee: \_\_\_\_\_ Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Date: \_\_\_\_\_ Signature: \_\_\_\_\_

# 2019 Annual Compliance Office Report

## Elements Required for an Acceptable Compliance Plan:

**#1**  
**A written Compliance Plan  
in place describing policies  
and procedures**

**#2**  
**Compliance Officer to  
oversee plan**

**#3**  
**Ongoing compliance  
training for employees and  
associates to insure**

**#4**  
**Communication links  
available to report or discuss  
compliance-related issues**

**#5**  
**Disciplinary policies in  
place to encourage proper  
adherence to policies**

**#6**  
**Complete Risk Assessment to  
proactively address potential  
problems**

**#7**  
**Mechanisms in place to  
respond to problems in a  
timely and comprehensive**

**#8**  
**Whistleblower protection to  
prevent repercussions –  
NO Intimidation!  
NO Retaliation!**

The Compliance Program is mandated by New York State and Federal requirements. Wayne County is responsible to oversee our compliance activities and to report any self-disclosures of Medicaid fraud, abuse or significant Medicaid billing errors to the New York State Office of Medicaid Inspector General.

As required, the Wayne County Compliance Program has in place with a Compliance Committee which is chaired by the Compliance Officer. The Compliance Officer is appointed by and reports to the Wayne County Board of Supervisors. The Compliance Officer chairs the Compliance Committee which is charged with oversight of the Compliance related actions and activities. During 2019 membership of the Compliance Committee turned over. At the end of the year the Compliance Committee included:

Edward Hunt Jr, Interim Compliance Officer and Compliance Committee Chair  
Lynn Chatfield, Supervisor, Town of Wolcott  
Richard House, Wayne County Administrator  
James Haitz, Wayne County Behavioral Health  
Diane Devlin, Wayne County Public Health  
Isaac Wheeler, Wayne County Department of Social Services  
Denis Vinnk, Wayne County Nursing Home  
Matt Ury, Wayne County Information Technology  
Chris Kalinski, Wayne County Human Resources  
Kevin Rooney, Wayne County Public Works  
Penny Shockley, Wayne County Aging & Youth  
Keith Benjamin, Wayne County Coroner's Office  
Kristen Scott, County Auditor

The Compliance Committee met four times during 2019: March 19, 2019, June 18, 2019, September 17, 2019 and December 17, 2019. During 2019 the Compliance Officer reviewed several compliance issues with the committee as dictated by the Wayne County Compliance Plan. The Compliance Committee reviewed the 2019 Work Plan and addressed the elements throughout the year.

### **Compliance Hotline**

The Compliance Hotline is a required element of the Compliance Program. It is monitored daily by the Compliance Officer. In 2019, there were no contacts made on the hotline voicemail.

### **2019 Compliance Committee Accomplishments**

All elements of the Wayne County Compliance Plan Handbook remain in place and functioning during 2018, specifically:

- ❖ The Compliance Plan is viable and the document title is the Wayne County Compliance Plan Handbook which is available to employees and interested individuals.
- ❖ The Compliance Plan is supported by an active Compliance Committee, Wayne County Ethics Board and the Wayne County Board of Supervisors.
- ❖ The County Compliance Officer is designated and reports directly to the Board of Supervisors as suggested by the Office of the Medicaid Inspector General.

- ❖ The County Compliance training program is in place, updated regularly and accessible using Moodle. Special classroom trainings are provided for groups which do not have access to the Moodle. The County achieved 96% employee completion of the Compliance Training Program. The Compliance Committee has identified that due to leaves or absence and other types of leaves or terminations that the goal of 100% completion may not be realistic but will target 95% participation for 2020.
- ❖ Communication with the Compliance Officer through in person meetings, the Compliance Hotline, the Compliance Office telephone and the Compliance Officer's mail and emails were monitored carefully and there were 65 contacts made with the Compliance Officer. A total of 64 of the issues reported were resolved by December 31, 2019.
- ❖ Risk Assessments are conducted and reviewed regularly.
- ❖ All concerns reported to the Compliance Officer were followed up with personal contact or if anonymously communicated to the Compliance Officer was referred to the responsible department.

### **Credentialing and Exclusions**

All active employees and vendors were found to have appropriate credentials consistent with the responsibilities during the past year. "Exclusion" is the process where an employee or supplier is prohibited to supply goods or services to Medicare/Medicaid services. The County list is compiled by IT from three separate exclusion lists provided by the state and federal sources. An even more rigorous credit audit is used at several departments notably Mental Health, Nursing Home, Probation, Public Health and Social Services that have additional criteria to insure employees and contractors are properly credentialed.

### **Compliance Monitoring Activities**

Employees and supervision are aware of the Compliance Hotline, Compliance Office and the Compliance Officer and are encouraged to report concerns. Data from the yearly Departmental Compliance Report reported all departments are in compliance with monitoring activities. The process ranged from reviewing field reports or monthly team meetings to intensive self-monitoring programs required to satisfy Public Health and Medicaid issues.

Some monitoring issues mentioned by county departments in their individual reports are:

- ❖ Risk assessment reviews
- ❖ Quality Assurance/Quality Improvement programs as required by the Office of Mental Health and the Office of Alcohol and Substance Abuse services
- ❖ Oversight of cash receipts
- ❖ Audits to insure case reviews are completed in a timely fashion
- ❖ Satisfaction surveys to measure effectiveness and remedy concerns
- ❖ Review of procedures to insure Protected Health Information is properly protected
- ❖ Department "Hot Line" to insure a direct line to management
- ❖ Billing procedures risk analysis
- ❖ Utilization review to insure appropriate level of care is provided
- ❖ Internal investigations related to quality concerns, resident care, and employee conduct
- ❖ Complaint process in place for clients, vendors and staff

- ❖ Complaint procedure in place as required by New York State Rules and Regulations, also public complaints were reviewed
- ❖ Mandatory Incident Reporting System in place and functioning
- ❖ Quality Improvement/Quality Assurance programs in place in several reports
- ❖ Residents' Council and Family Council
- ❖ Corrective action plan development
- ❖ Monthly team meetings
- ❖ Review of department files
- ❖ Intrusion detection and antivirus systems
- ❖ Notices and letters mailed out requesting a response
- ❖ Daily infection control meeting
- ❖ Review of appropriate vaccine requirements of staff
- ❖ Safety officer daily audits
- ❖ Peer review

### **Internal Audits**

Seven (7) departments reported internal audit procedures during 2019. A partial listing of the internal audits reported included:

- ❖ Peer review of submitted information
- ❖ Performance Management Quality Improvement Committee
- ❖ Missing progress note audit
- ❖ Credentials confirmation
- ❖ Satisfaction surveys reviewed
  
- ❖ NYSOFA and OCFS monitoring tool used to monitor subcontractors
- ❖ Monthly reconciliation of contracts and the MUNIS system
- ❖ Background checks and exclusionary review for new employees
- ❖ Reports being submitted in a timely manner
- ❖ An assurance process confirmed treatment plans meet regulatory requirements
- ❖ Intra-departmental audit of accounts
- ❖ Payroll verification
- ❖ Medication audits
- ❖ Dental visit audits
- ❖ Unresolved services audit
- ❖ Duplicate service report review
- ❖ Monthly SOLQ audits

Issues identified by the internal audits were addressed and all were report as resolved, either with an immediate fix or through and ongoing corrective action plan or a change in procedure.

### **External Audits**

During 2019, Wayne County departments were audited by outside entities. Some of the entities conducting audits were:

- ❖ New York State Office of Mental Health
- ❖ New York State Office of Addiction Service and Supports
- ❖ NYS Office of Children and Family Services
- ❖ New York State Civil Service
- ❖ Ray Wager, private auditor conducting an accounting audit
- ❖ Annual NYS eJustice Audit



- ❖ Office for Civil Rights (OCR)
- ❖ Health Trust – audited by Ray Wager, private auditor
- ❖ New York State Comptroller

External audits are a routine occurrence for many county departments throughout the year and they serve to assure that departments are following regulations and/or sound business and financial practices. There were no significant findings from these external audits that required the involvement of the County Compliance Officer.

**Mandatory Reporting**

Mandatory reporting is a requirement of departments by various NYS and Federal entities. Reports were made to the following entities:

- ❖ New York State Justice Center
- ❖ New York State Department of Motor Vehicles
- ❖ New York State Office of Information Technology Services
- ❖ New York State Attorney General’s Office
- ❖ New York State Department of State
- ❖ New York State Inspector General’s Office

There were no significant findings from these reports that required the involvement of the County Compliance Officer.

Respectfully,

Edward Hunt Jr.  
Wayne County Interim Compliance Officer

**RESOLUTION TRANSMITTAL**

HR 04 RES 01  
Committee No.5, April 9, 2020

Committee Chair: Jake Emmel  
Department Head: Chris Kalinski

**AUTHORIZATION TO RATIFY 2020 - 2022 COLLECTIVE BARGAINING AGREEMENT WITH THE WAYNE COUNTY SHERIFF'S COURT OFFICERS' ASSOCIATION**

**WHEREAS**, the County of Wayne and the Wayne County Sheriff (collectively the "County") commenced negotiations on October 30, 2019 with the Wayne County Sheriff's Court Officers' Association ("Association") for a successor agreement to the collective bargaining agreement between the County and the Association which covered the period of January 1, 2017 through December 31, 2019; and

**WHEREAS**, the negotiations were concluded on March 9, 2020 for a three-year successor agreement covering the period of January 1, 2020 through December 31, 2022; and

**WHEREAS**, this Board of Supervisors ("Board") has been notified that the Association's members have voted in favor of ratification of the successor agreement; and

**WHEREAS**, the Board has reviewed the terms of said agreement; now therefore

**BE IT RESOLVED**, that this Board hereby ratifies the terms of the successor agreement and authorizes the Board's Chairman to execute the Agreement on behalf of the County of Wayne; and

**BE IT FURTHER RESOLVED**, that this Board hereby approves the appropriation of any additional funds necessary to implement the terms of said successor agreement.

Budgeted: yes \_\_\_ no \_\_\_ Proposed Cost: \$0.00 Reimbursed Amount \$0.00 County cost \$0.00

Departmental transfer \$ \_\_\_\_\_ from Account No. \_\_\_\_\_ to Account No. \_\_\_\_\_

County Administrator's Review: \_\_\_\_\_ Date: \_\_\_\_\_

Human Resources Office Review: yes \_\_\_ no \_\_\_ N/A \_\_\_ Signature: \_\_\_\_\_

County Attorney Review: yes \_\_\_ no \_\_\_ N/A \_\_\_ Signature: \_\_\_\_\_

Standing Committee: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Signature/Date Rec'd: \_\_\_\_\_ Clerk, Board of Supervisors

Referred to:  
Committee: \_\_\_\_\_ Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Committee: \_\_\_\_\_ Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Date: \_\_\_\_\_ Signature: \_\_\_\_\_