



Schenectady County Legislature

Committee on Rules

Hon. Philip Fields, Chair

6th Floor County Office Building 620 State Street, Schenectady, New York 12305

Phone: (518) 388-4280 Fax: (518) 388-4591

DATE: May 5, 2023
TO: Honorable Schenectady County Legislators
FROM: Geoffrey T. Hall, Clerk of the Legislature
SUBJECT: COMMITTEE AGENDA
Committee on Rules
Honorable Philip Fields, Chair
Tuesday, May 9, 2023 at 7:00p.m.
Schenectady County Office Building,
Legislative Chambers, Sixth Floor

Item	Title	Sponsor	Co-Sponsor
R	28 A RESOLUTION RECOGNIZING SERGEANT ROBERT DECARLO AND DEPUTY STAN LENIC OF THE SCHENECTADY COUNTY SHERIFF'S OFFICE FOR THEIR LIFE-SAVING ACTIONS	The Committee on Rules	
R	29 A RESOLUTION CONGRATULATING SHERIFF DAGOSTINO AND THE SCHENECTADY COUNTY CORRECTIONAL FACILITY ON RECEIVING ACCREDITATION STATUS THROUGH THE NYS SHERIFFS' ASSOCIATION	The Committee on Rules	
R	30 A RESOLUTION PROCLAIMING JUNE 2023 AS LESBIAN, GAY, BISEXUAL, TRANSGENDER & QUEER (LGBTQ+) PRIDE MONTH	The Committee on Rules	

Item	Title	Sponsor	Co-Sponsor
R	31 A RESOLUTION AUTHORIZING THE COUNTY MANAGER TO ENTER INTO AN AMENDMENT TO THE COLLECTIVE BARGAINING AGREEMENT WITH THE CSEA, LOCAL 1000, AFSCME, AFL-CIO LOCAL 885 REPRESENTING CERTAIN EMPLOYEES IN THE DEPARTMENT OF ENGINEERING AND PUBLIC WORKS	The Committee on Rules	
R	32 A RESOLUTION TO CREATE A CERTAIN POSITION IN THE OFFICE OF THE SCHENECTADY COUNTY ATTORNEY	The Committee on Rules	
R	33 A RESOLUTION TO APPOINT A COMMISSIONER OF THE BOARD OF ELECTIONS FOR SCHENECTADY COUNTY	The Committee on Rules	
R	34 A RESOLUTION DESIGNATING A CHANGE IN THE PLACE OF MEETING FOR THE MAY REGULAR MEETING OF THE SCHENECTADY COUNTY LEGISLATURE	The Committee on Rules	

LEGISLATIVE INITIATIVE FORM

Date: 5/5/2023
Reference: Rules
Dual Reference:
Initiative: R 28

Title of Proposed Resolution:

A RESOLUTION RECOGNIZING SERGEANT ROBERT DECARLO AND DEPUTY STAN LENIC OF THE SCHENECTADY COUNTY SHERIFF'S OFFICE FOR THEIR LIFE-SAVING ACTIONS

Purpose and General Idea:

Recognizes Sergeant Robert Decarlo and Deputy Stan Lenic of the Schenectady County Sheriff's Office for their life-saving actions.

Summary of Specific Provisions:

Recognizes Sergeant Robert Decarlo and Deputy Stan Lenic of the Schenectady County Sheriff's Office for their life-saving actions.

Effects Upon Present Law:

None.

Justification:

Ceremonial resolution.

Sponsor: The Committee on Rules

Co-Sponsor:

LEGISLATIVE INITIATIVE FORM

Date: 5/5/2023
Reference: Rules
Dual Reference:
Initiative: R 29

Title of Proposed Resolution:

A RESOLUTION CONGRATULATING SHERIFF DAGOSTINO AND THE SCHENECTADY COUNTY CORRECTIONAL FACILITY ON RECEIVING ACCREDITATION STATUS THROUGH THE NYS SHERIFFS' ASSOCIATION

Purpose and General Idea:

Congratulates Sheriff Dagostino and the Schenectady County Correctional Facility on receiving accreditation status through the NYS Sheriffs' Association

Summary of Specific Provisions:

Congratulates Sheriff Dagostino and the Schenectady County Correctional Facility on receiving accreditation status through the NYS Sheriffs' Association

Effects Upon Present Law:

None.

Justification:

Ceremonial resolution.

Sponsor: The Committee on Rules

Co-Sponsor:

LEGISLATIVE INITIATIVE FORM

Date: 5/5/2023
Reference: Rules
Dual Reference:
Initiative: R 30

Title of Proposed Resolution:

A RESOLUTION PROCLAIMING JUNE 2023 AS LESBIAN, GAY, BISEXUAL,
TRANSGENDER & QUEER (LGBTQ+) PRIDE MONTH

Purpose and General Idea:

Proclaims June 2023 as Lesbian, Gay, Bisexual, Transgender & Queer (LGBTQ+) Pride Month, and calls upon the people of Schenectady County, the State of New York and the United States of America to recognize the achievements and contributions of the LGBTQ+ community, to celebrate the great diversity of the American people.

Summary of Specific Provisions:

Proclaims June 2023 as Lesbian, Gay, Bisexual, Transgender & Queer (LGBTQ+) Pride Month, and calls upon the people of Schenectady County, the State of New York and the United States of America to recognize the achievements and contributions of the LGBTQ+ community, to celebrate the great diversity of the American people.

Effects Upon Present Law:

None.

Justification:

Ceremonial resolution.

Sponsor: The Committee on Rules

Co-Sponsor:

LEGISLATIVE INITIATIVE FORM

Date: 5/5/2023
Reference: Rules
Dual Reference:
Initiative: R 31

Title of Proposed Resolution:

A RESOLUTION AUTHORIZING THE COUNTY MANAGER TO ENTER INTO AN AMENDMENT TO THE COLLECTIVE BARGAINING AGREEMENT WITH THE CSEA, LOCAL 1000, AFSCME, AFL-CIO LOCAL 885 REPRESENTING CERTAIN EMPLOYEES IN THE DEPARTMENT OF ENGINEERING AND PUBLIC WORKS

Purpose and General Idea:

Approval of an Amendment to a Collective Bargaining Agreement with the CSEA Local 1000 AFSCME, AFL-CIO, Schenectady County Unit Local 885

Summary of Specific Provisions:

Implements an agreement between the County of Schenectady and CSEA Local 1000 AFSCME, AFL-CIO, Schenectady County Unit Local 885 for employees of the Department of Engineering and Public Works to provide \$3.00 per hour pay raises and a reduction in compensatory time maximum from 240 hours to 120 hours. The current agreement has a term beginning January 1, 2021, and ending December 31, 2025.

Effects Upon Present Law:

The Department of Finance provides the following amendment to the County's 2023 Operating Budget to accommodate the increased wage rates of certain positions at the Department of Engineering and Public Works.

The Department of Finance provides the following amendment to the County's 2023 Operating Budget to accommodate the increased wage rates of certain positions at the Department of Engineering and Public Works.

Increase Appropriation Code By:

D515010.111	Road and Highway Administration – Salary	<u>\$12,870</u>
D515110.112	Roads and Bridges – Hourly Rated Wages	<u>\$190,917</u>
E515130.111	Road Machinery – Salary	<u>\$7,400</u>
E515130.112	Road Machinery – Hourly Rated Wages	<u>\$51,490</u>

Increase Appropriated Surplus By:

D 599	Appropriated Surplus	<u>\$203,787</u>
E 599	Appropriated Surplus	<u>\$58,900</u>

Justification:

The County of Schenectady has had difficulty filling open positions for employees in the Mechanics series job titles and the Construction/Plow Driver Series job titles.

This issue was brought to the County Manager, Rory Fluman's attention by Paul Sheldon and working together we were able to negotiate an amendment to the current contract which expires on December 31, 2025 with CSEA which would directly address this staffing shortage.

The Contract Amendment adopts a two-prong approach to the staffing shortage.

First, all job titles in the Mechanic Title Services and all job titles in the Construction-Driver title services receive a \$3.00 per hour raise.

Second, the Union agreed to reduce the maximum compensatory time off accrual cap for these titles from 240 hours to 120 hours. This reduction will help ensure fuller staffing for these employees particularly during the Summer construction season. This Contract Amendment will help ensure that the County can continue to provide the highest level of service to keep our roads and bridges well-plowed in Winter and well-maintained throughout the year.

The Union membership approved the Amendment by a vote of 57 to 2.

Sponsor: The Committee on Rules

Co-Sponsor:

COUNTY OF SCHENECTADY

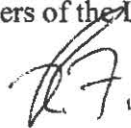


RORY FLUMAN
COUNTY MANAGER

OFFICE OF THE COUNTY MANAGER
620 STATE STREET
SCHENECTADY, NEW YORK 12305

TELEPHONE: (518) 388-4355
FAX: (518) 388-4590

To: Honorable Chairperson and Members of the Legislature

From: Rory Fluman, County Manager 

CC: Geoffrey T. Hall, Clerk of the Legislature
Christopher Gardner, County Attorney

Date: May 5, 2023

RE: Approval of an Amendment to a Collective Bargaining Agreement with the CSEA Local 1000 AFSCME, AFL-CIO, Schenectady County Unit Local 885

I am requesting approval of an Amendment to a Collective Bargaining Agreement with the CSEA Local 1000 AFSCME, AFL-CIO, Schenectady County Unit Local 885. The current agreement has a term beginning January 1, 2021, and ending December 31, 2025.

Attached is a memorandum from Christopher Gardner, County Attorney, regarding the proposed amendment. Under this agreement, the titles under Mechanic title Services and Construction-Driver Services will receive a \$3.00 per hour raise beginning on the first pay period of June 2023. In addition, the maximum compensatory time off accrual cap for those titles is reduced from 240 hours to 120 hours. These changes will address staffing shortages at the Department of Public Works.

I recommend your approval.

**COUNTY OF SCHENECTADY
OFFICE OF THE COUNTY ATTORNEY
Inter-Department Correspondence Sheet**

To: Rory Fluman
County Manager

From: Christopher H. Gardner *CHG*
County Attorney

Dated: May 2, 2023

Cc: Geoffrey Hall, Jaclyn Falotico, Joe McQueen, Dennine LaPlante, M. Joe Landry,
Paul Sheldon, Charlie Davidson

Re: Tentative Agreement Between the County of Schenectady and CSEA Local 1000
AFSCME, AFL-CIO, Schenectady County Unit Local 885 for Employees of the
Department of Engineering and Public Works to provide \$3.00 per Hour Pay
Raises and a Reduction in Compensatory Time Maximum from 240 hours to 120
hours

BACKGROUND

The County of Schenectady has had difficulty filling open positions for employees in the Mechanics series job titles and the Construction/Plow Driver Series job titles.

This issue was brought to the County Manager, Rory Fluman's attention by Paul Sheldon and working together we were able to negotiate an amendment to the current contract which expires on December 31, 2025 with CSEA which would directly address this staffing shortage.

The Contract Amendment adopts a two-prong approach to the staffing shortage.

First, all job titles in the Mechanic Title Services and all job titles in the Construction-Driver title services receive a \$3.00 per hour raise.

Second, the Union agreed to reduce the maximum compensatory time off accrual cap for these titles from 240 hours to 120 hours. This reduction will help ensure fuller staffing for these employees particularly during the Summer construction season. This Contract Amendment will help ensure that the County can continue to provide the highest level of service to keep our roads and bridges well-plowed in Winter and well-maintained throughout the year.

The Union membership approved the Amendment by a vote of 57 to 2. I recommend that this Contract Amendment be forwarded to the County Legislature for its consideration at its May 9th meeting.

CHG/kah
Attachment

FINAL DRAFT

PROPOSAL FOR EMPLOYEES OF THE
DEPARTMENT OF ENGINEERING AND PUBLIC WORKS

May 1, 2023

1. County Proposal Number One: \$3.00 per hour pay increase for the following job titles:
 - a. Senior Working Team Leader: Mechanic
 - b. Working Team Leader: Mechanic
 - c. Automotive Mechanic
 - d. Mechanic/Welder
 - e. Automotive Mechanic Helper
 - f. Senior Automotive Stock Clerk
 - g. Automotive Stockroom Attendant
 - h. Maintenance Helper
 - i. Supervisor of Automotive Repairs

2. County Proposal Number Two: \$3.00 per hour pay increase for the following job titles:
 - a. Senior Working Team Leader: Construction
 - b. Working Team Leader: Construction
 - c. Working Team Leader: Maintenance
 - d. Heavy Equipment Operator
 - e. Motor Equipment Operator
 - f. Laborer
 - g. Road Maintenance Supervisor
 - h. Senior Road Maintenance Supervisor

3. Amend Article XIII, Vacation, Sick Leave and Leave Policies – Section 6 – Compensatory Time Off to read as follows:

“Employees who are assigned to work overtime, shall have the option of receiving compensatory time off in lieu of overtime pay. Compensatory time off, subject to FLSA rules is capped at 240 hours except as set forth herein: Effective on the date of approval of these amendments by the County Legislature, all employees in the Department of Engineering and Public Works shall have the compensatory time off capped at 120 hours. Those employees who are over the 120-hour cap shall be paid out for all time in excess of 120 hours. (New language underlined)

County of Schenectady
620 State Street, 3rd Floor,
Schenectady, N. Y. 12305
(518) 388-4260
(518) 388-4248 Fax

County Finance

Memo

TO: Rory Fluman, County Manager
FROM: Jaclyn Falotico, Commissioner of Finance *df*
DATE: May 5, 2023
SUBJECT: Budget Amendment – DEPW Wage Increases

The Department of Finance provides the following amendment to the County's 2023 Operating Budget to accommodate the increased wage rates of certain positions at the Department of Engineering and Public Works.

Increase Appropriation Code By:

D515010.111	Road and Highway Administration – Salary	<u>\$12,870</u>
D515110.112	Roads and Bridges – Hourly Rated Wages	<u>\$190,917</u>
E515130.111	Road Machinery – Salary	<u>\$7,400</u>
E515130.112	Road Machinery – Hourly Rated Wages	<u>\$51,490</u>

Increase Appropriated Surplus By:

D 599	Appropriated Surplus	<u>\$203,787</u>
E 599	Appropriated Surplus	<u>\$58,900</u>

I recommend that this budget amendment be presented to the Schenectady County Legislature for consideration.

LEGISLATIVE INITIATIVE FORM

Date: 5/5/2023
Reference: Rules
Dual Reference:
Initiative: R 32

Title of Proposed Resolution:

A RESOLUTION TO CREATE A CERTAIN POSITION IN THE OFFICE OF THE SCHENECTADY COUNTY ATTORNEY

Purpose and General Idea:

Provides for the creation of an additional Deputy County Attorney position for representation in abuse and neglect proceedings.

Summary of Specific Provisions:

The County Attorney requesting the creation of an additional Deputy County Attorney position for representation in Child Abuse and Neglect proceedings at a salary of \$87,612 at the County Attorney's DSS Office at 388 Broadway.

Effects Upon Present Law:

The County of Schenectady's Department of Finance provides the following amendment to the 2023 Operating Budget to accommodate staffing changes within the County Attorney's Office.

Establish and Increase Appropriation Code By:

A511430.111	Personnel Services – Deputy County Attorney	<u>\$57,285</u>
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Increase Appropriation Code By:

A511430.111	Personnel Services – First Deputy County Attorney	<u>\$6,539</u>
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Justification:

The County Attorney requesting the creation of an additional Deputy County Attorney position for representation in Child Abuse and Neglect proceedings at a salary of \$87,612 at the County Attorney's DSS Office at 388 Broadway.

The additional attorney will help the County Attorney's Office through a short-term staffing shortage resulting from the departure of one attorney and two attorneys being on family leave in

order to avert a crisis. The position will also provide long-term stability. The addition of one additional Deputy County Attorney will help meet the legal challenges in our DSS office on a continuing basis and help address burnout and high turnover which is the result of a high caseload.

Sponsor: The Committee on Rules

Co-Sponsor:

COUNTY OF SCHENECTADY

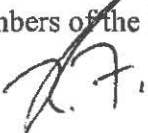


RORY FLUMAN
COUNTY MANAGER

OFFICE OF THE COUNTY MANAGER
620 STATE STREET
SCHENECTADY, NEW YORK 12305

TELEPHONE: (518) 388-4355
FAX: (518) 388-4590

To: Honorable Chairperson and Members of the Legislature

From: Rory Fluman, County Manager 

CC: Geoffrey T. Hall, Clerk of the Legislature
Alissa Foster, Deputy Clerk of the Legislature
Christopher H. Gardner, County Attorney
Jaclyn Falotico, Commissioner of Finance
Joe McQueen, Director of Human Resources

Date: May 5, 2023

RE: Authorization to Create a Position in the Law Department


Attached is a memorandum from Christopher H. Gardner, County Attorney, requesting authorization to create the position of Deputy County Attorney (JC-10) in the Law Department's Department of Social Services Division. Over the years, the attorneys in this division have seen an increase in their workloads as a result of several issues which include, but are not limited to, the intensive work required for the Appellate Division, an increase in older residents that rely on resources from Adult Protective Services, and the relaunch of Family Treatment Court. As Mr. Gardner indicates, these issues, along with the temporary leave of two employees in the division, would be alleviated by the addition of another Deputy Attorney.

The attached memoranda from Jaclyn Falotico, Commissioner of Finance, and Joe McQueen, Director of Human Resources, detail the actions necessary to create the position.

I recommend your approval.

**COUNTY OF SCHENECTADY
OFFICE OF THE COUNTY ATTORNEY
Inter-Department Correspondence Sheet**

To: Rory Fluman
County Manager

From: Christopher H. Gardner 
County Attorney

Dated: May 2, 2023
Revised: May 3, 2023

Cc: Geoffrey Hall, Jaclyn Falotico, Joe McQueen, Dennine LaPlante, M. Joe Landry, Jennifer Barnes, Michael Godlewski, Marylou Riddle, Charles Davidson

Re: Creation of An Additional Deputy County Attorney Position for Representation Abuse and Neglect Proceedings

I am requesting the creation of an additional Deputy County Attorney position for representation in Child Abuse and Neglect proceedings at a salary of \$87,612 at the County Attorney's DSS Office at 388 Broadway.

BACKGROUND

There are currently ten (10) attorneys employed in the County Attorneys Office including myself. The current configuration has five (5) attorneys assigned to the DSS Office headed by First Deputy County Attorney Mike Godlewski handling all DSS cases including Child Abuse and Neglect cases. These five (5) attorneys practice primarily in Family Court.

Five (5) attorneys, including myself, work at 620 State Street. Two (2) of the five (5) are assigned to prosecute Juvenile Delinquency (JD) and Persons in Need of Supervision cases in Family Court and Kendra's Law cases in State Supreme Court which involves mandation of drug treatment medication of individuals who without treatment would pose a threat to others and themselves.

This leaves myself and two (2) other attorneys to perform all other legal functions for the County of Schenectady, including labor contract negotiations, disciplinary investigations involving sexual harassment work place violence and other disciplinary issues. Additionally, this office represents the County in all real estate transactions, non-labor contract negotiations and the entire range of County legal issues.

SHORT TERM STAFFING CHALLENGES

First Deputy County Attorney Michael Godlewski is leaving my office in June to take a position in the Office of Court Administration as a Court Referee. Mike did an outstanding job and he will be missed.

I am transferring and promoting Senior Deputy County Attorney Jennifer Barnes to First Deputy County Attorney to head our DSS office. Jennifer has over twenty-five (25) years of Family Law experience and I am confident that she will do an excellent job in the new position. I have also hired Bethany Dixon to backfill Jennifer Barnes' role in JD, PINS and Kendra's Law cases.

At the same time, Mike Godlewski is leaving our 388 Broadway, DSS office, I also have two (2) other Deputy County Attorneys there who have overlapping child rearing leaves scheduled later in the year reducing our staffing at that office from five (5) attorneys to three (3) attorneys for a few months.

I am requesting a new Deputy County Attorney position be created in our DSS office to help us through this short-term staffing shortage in order to avert a crisis, but also to provide long-term stability. The addition of one additional Deputy County Attorney will help meet the legal challenges in our DSS office on a continuing basis and help address burnout and high turnover which is the result of a high caseload.

The First Deputy oversees the day-to-day operation of the office, handling emergency applications, handling complex cases, appeal, Adult Protective Services, and resolution of Medicaid liens. Three (3) attorneys are assigned to each of our three (3) Family Court Judges and a fourth attorney handles Child Support cases before two (2) Support Magistrates, violations of Child Support Petitions before three (3) Family Court Judges and all OCFS hearings before an Administrative Law Judge.

APPEALS

The overall workload is overwhelming even when the office is fully staffed. One critical issue is that the County Attorneys Office handles all appeals to the Appellate Division of the Supreme Court. In contrast, neither the Public Defender nor the Conflict Defender have any role in perfecting appeals. The increasing caseload in Appellate work in and of itself justifies an additional attorney since the Appellate work alone requires one full-time equivalent (FTE). There are also other factors that require an additional attorney.

FAMILY TREATMENT COURT

In 2021, the Office of Court Administration re-launched Family Treatment Court. Judicial Hearing Officer James Doern presiding over Family Treatment Court, which essentially creates a fourth Family Court Judge, which must be staffed by a County Attorney.

ADULT PROTECTIVE SERVICES

The caseload in Adult Protective Services has exploded. In 2015, there were 136 cases in APS. By 2022, this number had more than doubled to 315. These are all County Attorney cases.

CONCLUSION

The increases in the number of Judges, the increases in Appellate volume, the increases in Adult Protective Services cases, and the increased complexity of OFCS Fair Hearings has created a compelling need for a sixth County Attorney in our DSS Office.

I respectfully request that you forward this request to the County Legislature for its consideration at its meeting on May 9, for the creation of a new Deputy County Attorney position at the salary of \$87,612. Thank you for your consideration.

CHG/kah

County of Schenectady
620 State Street, 3rd Floor,
Schenectady, N. Y. 12305
(518) 388-4260
(518) 388-4248 Fax

County Finance

Memo

TO: Rory Fluman, County Manager

FROM: Jaclyn Falotico, Commissioner of Finance *JF*

DATE: May 3, 2023

SUBJECT: Budget Amendment – County Attorney’s Office
Creation of a Deputy County Attorney Position and Salary Adjustments

The County of Schenectady’s Department of Finance provides the following amendment to the 2023 Operating Budget to accommodate staffing changes within the County Attorney’s Office.

Establish and Increase Appropriation Code By:

A511430.111	Personnel Services – Deputy County Attorney	<u>\$57,285</u>
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Increase Appropriation Code By:

A511430.111	Personnel Services – First Deputy County Attorney	<u>\$6,539</u>
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I recommend that this budget amendment be presented to the Schenectady County Legislature for consideration.

Memo

To: Rory Fluman, County Manager

From: Joe McQueen, Director of Human Resources

Date: May 3, 2023

Re: Creation of Position in the County Attorney's Office

The Schenectady County Attorney's Office has requested the creation of the position Deputy County Attorney.

I recommend the creation of the position of Deputy County Attorney at a JC 10.

All necessary action needed by the Civil Service Commission will occur at the next commission meeting on May 16, 2023.

Thank you.

LEGISLATIVE INITIATIVE FORM

Date: 5/5/2023
Reference: Rules
Dual Reference:
Initiative: R 33

Title of Proposed Resolution:

A RESOLUTION TO APPOINT A COMMISSIONER OF THE BOARD OF ELECTIONS FOR SCHENECTADY COUNTY

Purpose and General Idea:

Appointment of the Commissioner of the Board of Elections.

Summary of Specific Provisions:

This resolution appoints Laura Fronk as a Commissioner of the Schenectady County Board of Elections upon the recommendation of the Schenectady County Democratic Committee in conformity with law for a term commencing May 4, 2023.

Effects Upon Present Law:

None.

Justification:

This resolution makes an appointment in conformity with the election law to the position of Commissioner of the Board of Elections.

Sponsor: The Committee on Rules

Co-Sponsor:

LEGISLATIVE INITIATIVE FORM

Date: 5/5/2023
Reference: Rules
Dual Reference:
Initiative: R 34

Title of Proposed Resolution:

A RESOLUTION DESIGNATING A CHANGE IN THE PLACE OF MEETING FOR THE MAY REGULAR MEETING OF THE SCHENECTADY COUNTY LEGISLATURE

Purpose and General Idea:

Provides authorization for the changing of the place of meeting for the Schenectady County Legislature meeting on June 13, 2023.

Summary of Specific Provisions:

Authorizes the change of the place of meeting for the Schenectady County Legislative meeting on June 13, 2023. This meeting will be held on June 13, 2023 at 7 PM in the town of Rotterdam at the Rotterdam Senior Center, 2639 Hamburg St, Rotterdam, NY 12303.

Effects Upon Present Law:

None.

Justification:

Legislative approval necessary to effectuate this change.

Sponsor: The Committee on Rules

Co-Sponsor: