

REGULAR SESSION

TUESDAY, APRIL 4, 2017

Chairman Gray called the meeting to order at 5:30 p.m.

ROLL CALL OF MEMBERS

All members present except Legislators Peck and Ferris.

Public Hearing - Fact Finder's Report

Chairman Gray called the public hearing to order at 5:31 p.m.

Mr. Hagemann read into the record a letter from Ennio J. Corsi, General Counsel, New York State Law Enforcement Officers Union, Council 82 as follows:

Jefferson County Board of Legislators
195 Arsenal Street, 2nd Floor
Watertown, New York 13601

Re: *Collective Bargaining Impasse between the County of Jefferson, the Jefferson County Sheriff, and the Jefferson County Sheriff's Employees, Local 3089, Council 82, AFSCME, AFL-CIO*

Ladies and Gentlemen:

As you know, Council 82 and Local 3089 (hereinafter jointly referred to as the "Union") and the County of Jefferson and the Jefferson County Sheriff (hereinafter jointly referred to as the "Employer") have not been able to agree upon a successor collective bargaining agreement to the one that expired on December 31, 2014. I write to advise you that the Union (1) does not accept the findings and recommendations of the Fact-Finder, (2) does not accept the subsequent recommendations of County Board Chairman Gray to you for settling the dispute, (3) will not be submitting any of its own recommendations to you for the settling the dispute, (4) objects to, does not consent to, and will not be participating in the April 4, 2017 or any other legislative determination hearing concerning the dispute, and (5) does not waive its right or the right of its members under the Taylor Law's Triborough Amendment to require the Employer to abide by and continue the terms of the expired agreement. The Union expects the Employer to not change or modify any of the terms of the agreement which expired on December 31, 2014 and to continue the terms of that expired agreement until a new agreement is negotiated.

Respectfully,

Ennio J. Corsi
General Counsel

cc: Hon. Colleen M. O'Neill, Sheriff
Members of the Union & Employer Negotiating Teams

Human Resources Director Valerie Nugent noted that a copy of the Fact Finder's Report/Recommendations and Chairman Gray's recommendations were both filed with Clerk of the Board Hagemann, and copies were distributed to the Board of Legislators. Ms. Nugent briefly outlined the history of negotiations that lead to today's public hearing as follows:

- Between September, 2014 and May, 2015 the Jefferson County Sheriff's Employees Local 3089 of Council 82 and the employer Jefferson County and the Jefferson County Sheriff met for 6 bargaining sessions.
- The negotiating teams for the parties could not reach an overall tentative agreement, and at the May 27, 2015 session the parties jointly declared impasse.
- December, 2015 and February, 2016 The parties participated in 2 mediation sessions - mediation did not bring about an agreement.
- March 1, 2016 the State of New York Public Employees Relation Board (PERB) appointed a fact finder.
- October, 2016 Fact Finder held a two day hearing where each of the parties presented facts of their position.
- January 13, 2017 the Fact Finder issued his Report/Recommendations for Settlement
- January 23, 2017 the Board of Legislators Chairman Gray accepted in part and rejected in part the Fact Finders Report/Recommendations
- Union rejected the Fact Finders Report in its entirety
- March 1, 2017 the parties reached a tentative agreement
- March 16, 2017 tentative agreement taken to the full membership for a vote and was rejected

She said by the Union not participating at the public hearing they have preserved their rights under the Triborough Amendment to the Taylor Law, which requires that the terms and conditions of the expired collective bargaining agreement be continued to the extent permitted and required by law. Because the employer is not requesting the imposition of any new or changed terms and conditions of employment not covered by the expired bargaining agreement, Ms. Nugent recommended that the Board adopt a resolution that simply continues the terms and conditions of the expired collective bargaining agreement for the maximum period allowed under the Taylor Law which is one year, or January 1, 2015 to December 31, 2015.

No one else present wished to address the Board regarding the Fact Finder's Report, and Chairman Gray closed the public hearing at 5:41 p.m.

Legislator Peck arrived at the meeting.

PRIVILEGE OF THE FLOOR

Mateen Ahmed, an exchange student from Pakistan and Cornell Cooperative Extension - Student Government Program participant, thanked the Board for the opportunity to come in and

see how other governments pass laws. He felt it was very important as an exchange student to meet with legislators and learn how other countries do things. He said the system here is very different, where he is from legislators have a 5 year term. He appreciated being able to learn how American local government handles issues, and said they have met everyone from town councilman to congressmen and state legislative office members, and he appreciated the chance to meet and talk with everyone.

Talat Hassan, exchange student from Bangladesh and Cornell Cooperative Extension - Student Government Program participant, also thanked the Board for inviting the students here today. He said it has been a great experience learning about local government in America, and he can bring about change by going back to his country and letting them know how other countries' local governments pass their laws.

Chairman Gray appreciated the students' participation and observations, and wished them all the best in the future.

Chairman Gray read and presented a Proclamation naming April as Fair Housing Month in Jefferson County to Lin Fields, Jeff-Lewis Board of Realtors. Ms. Fields reiterated that fair housing is important for everyone in the community and said Jefferson County is an exemplary county in which to live and work. She thanked the Board for the Proclamation and for giving her an opportunity to speak.

READING MINUTES OF THE LAST SESSION, IF REQUESTED

The minutes of the March 7th Board Session stand approved as presented.

PETITIONS, NOTICES AND COMMUNICATIONS

A letter was received from Kevin Bamerick, Baldwinsville, NY in support of snowmobile registration bills S.4542 and A.1584 that are currently in the New York State Legislature, along with a copy of the current issue of the Snowbelt snowmobile guide which contains a story on the pending legislation.

REPORTS OF STANDING COMMITTEES

The Finance & Rules Committee reported favorably on resolutions referred from other jurisdictional committees.

REPORTS OF COUNTY OFFICERS AND OTHERS

The County Treasurer provided a report on investments and a summary of cash in banks for February, 2017.

The County Administrator provided a report on budget transfers for the month of March, 2017.

The County Auditor provided a report on erroneous assessments for the month of March, 2017.

LOCAL LAWS, RESOLUTIONS AND MOTIONS

Resolution No. 70

Authorizing Workforce Investment Act Chief Elected Official Local Agreement

By Legislator: James A. Naybwaniec

Whereas, Pursuant to Resolution 341 of 2002, Jefferson County entered into an agreement with Lewis County in regard to the administration and sharing of funds provided to the Counties of Jefferson and Lewis under the Workforce Investment Act of 1998, and

Whereas, New York State requires that the Counties enter into a current agreement, the agreement details the sharing of funds and the responsibilities of each County, it be approved by the County Boards, and signed by the Chief Elected Officer of each County.

Now, Therefore, Be It Resolved, That Jefferson County enter into a Chief Elected Official Local Agreement with Lewis County for a term of July 1, 2017 through June 30, 2018, and be it further

Resolved, That the Chairman of the Board of Legislators be and is hereby authorized and directed to sign such agreement on behalf of the County of Jefferson, subject to approval by the County Attorney as to form and content.

Seconded by Legislator: Allen T. Drake

All members present voted aye.

Resolution No. 71

Authorizing Appointments and Reappointments to the Jefferson-Lewis Workforce Development Board

By Legislator: Daniel R. McBride

Whereas, The Workforce Innovation and Opportunity Act of 2014, Public Law 113-128, requires that there be established a local Workforce Development Board (WDB) to oversee local job training services and activities, and

Whereas, Chapter 2, Section 107(a)(b) of the Workforce Innovation and Opportunity Act authorizes the establishment, membership, and composition of the local Workforce Development Board, and

Whereas, Chapter 2, Section 107(c) of the Workforce Innovation and Opportunity Act authorizes the appointment and certification for local Workforce Development Board membership, and

Whereas, The Counties of Jefferson and Lewis seek to appoint individuals to the local Workforce Development Board who have interest and experience in the delivery of local workforce development services.

Now, Therefore Be It Resolved, That the Board of Legislators hereby authorizes the following appointments/reappointments to the Workforce Development Board for terms as indicated:

<u>Member</u>	<u>Term to Expire</u>
<u>Reappointments</u>	
<u>Jefferson County Representatives</u>	
Matthew Cooper, Barton & Loguidice	6/30/2020
Marybeth LaVallee, Knowlton Technologies	6/30/2020
Jody Pettit, Hilton Garden Inn	6/30/2020
Kathy Watson, Timeless Frames	6/30/2020
<u>Jefferson-Lewis Representatives</u>	
June O'Neill, Commissioners Representative No. Co.	6/30/2020
<u>Lewis County Representatives</u>	
Eric Virkler, Lewis County Economic Development	6/30/2020
<u>New Appointments</u>	
<u>Jefferson County Representatives</u>	
Deborah Vink, Jefferson Rehabilitation Center	6/30/2020
Theodore Misiewicz, Hi-Lite Airfield Services	6/30/2020
<u>Lewis County Representatives</u>	
Dave Pavey, Qubica AMF	6/30/2020

Seconded by Legislator: William W. Johnson

All members present voted aye.

Resolution No. 72

Amending the 2017 County Budget in Relation to the Employment & Training Department

By Legislator: James A. Nabywaniec

Whereas, The Jefferson-Lewis Workforce Development Board was awarded \$38,628.00 in Careers Here Grant funds for 2017 from the Pratt Northam Foundation, and

Whereas, 2016 training funds in the amount of \$6,116.58 need to be re-appropriated for use in 2017, and

Whereas, The 2017 County Budget needs to be amended to accept the new grant funds and reallocate the 2016 training funds.

Now, Therefore, Be It Resolved, That the 2017 County Budget is hereby amended as follows:

Increase:

Revenue		
25634000 91295	Fed Aid Job Training	\$38,628.00
Fund Balance		
01000000 30599	Appropriated Fund Balance	6,116.58
Expense		
25634000 04611	Training on the Job	\$44,744.58

Seconded by Legislator: Carolyn D. Fitzpatrick

Roll Call Vote

Ayes: Johnson, Jareo, Reed, Drake, McBride, Doldo, Peck, Adsit, Montigelli,
Nabywaniec, Fitzparick, Maxon, Docteur, Gray

Absent: Ferris

Resolution passed.

Resolution No. 73

Amending the 2016 County Budget in Relation to Health Benefits

By Legislator: Carolyn D. Fitzpatrick

Whereas, Modified accrual accounting principles require that the County accrue accounts payable so that expenditures are generally reflected in the period for which the goods and services are received, and

Whereas, 2016 Health Benefits claims are still being finalized, and

Whereas, A deficit is projected when all claims expenses are accrued.

Now, Therefore, Be It Resolved, That the 2016 County Budget be and is hereby amended as follows:

Increase:

40906000 08001	Payment of Benefit Claims	\$185,000
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40000000 30599	Health Benefits Appropriated Fund Balance	\$185,000
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Seconded by Legislator: Daniel R. McBride

Roll Call Vote

Ayes: Johnson, Fitzpatrick, Jareo, Drake, Maxon, McBride, Doldo, Montigelli, Docteur, Nabywaniec, Adsit, Peck, Reed, Gray

Absent: Ferris

Resolution passed.

Resolution No. 74

**Amending the 2017 County Budget in Relation to Fire and Emergency
Management Department Grant**

By Legislator: James A. Nabywaniec

Whereas, By Resolution 41 of 2017, this Board reappropriated funds from various grants from 2015 and 2016 which have not been fully expended, and

Whereas, Certain unspent amounts of the FY15 State Homeland Security Program grant are intended for radio trunking upgrades, which do not represent actual purchase of equipment, and

Whereas, Such funds must be transferred into the appropriate expenditure line.

Now, Therefore, Be It Resolved, That the 2017 County Budget is amended as follows:

Increase:

01341400 041144	Radio Maintenance	\$83,203.00
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Decrease:

01341400 02302	Radios	83,203.00
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Seconded by Legislator: William W. Johnson

All members present voted aye.

Resolution No. 75

**Concurring in Request for Enactment of Home Rule Legislation -
Assembly Bill A6833, Senate Bill S5293 - Amending the New York State Tax
Law to Authorize the County of Jefferson to Impose an Additional Rate of
Sales Tax of One Percent**

By Legislator: Allen T. Drake

Whereas, By Resolution No. 53 of 2017, this Board of Legislators requested the introduction of a bill in the State Legislature which would amend the New York State Tax Law to allow the County of Jefferson to impose up to an additional sales tax of one percent (1%) until November 30, 2019, and

Whereas, The aforesaid legislation has been introduced in both houses of the State Legislature as Assembly Bill A6833 and Senate Bill S5293, and

Whereas, Article IX of the State Constitution and Section 40 of the New York State Municipal Home Rule Law require a home rule request be made to the State Legislature before the aforesaid Bills may be enacted into law, and

Whereas, The Chairman of this Board has determined to make a home rule request for the enactment of the aforesaid Bills into law.

Now, Therefore, Be It Resolved, That this Board does hereby concur in the home rule request of the Chairman of this Board for enactment of Assembly Bill A6833 and Senate Bill S5293 to amend the New York State Tax Law to allow the County of Jefferson to impose up to an additional sales tax of one percent (1%) until November 30, 2019, and be it further

Resolved, That the Chairman of this Board and the Clerk of this Board are authorized to file the appropriate home rule request with the New York State Assembly and the New York State Senate.

Seconded by Legislator: William W. Johnson

Legislator Maxon was disappointed that the general public did not seem concerned enough about sales tax to come to the Board and speak against it, but said they may not understand the County needs to reauthorize it. He is opposed to sales tax in particular because he said it disproportionately impacts low income citizens; he was in favor of lowering costs, instead of raising taxes. He expressed discontent that so many of the costs pushed down from the State have to be borne by the local taxpayer. There being no further discussion, all members present voted aye except Legislators Maxon and Jareo who voted nay.

Resolution No. 76

**Authorizing Amended Agreements in Relation to Juvenile Secure Detention
and the Supervision & Treatment Services for Juveniles Program (STSJP)**

By Legislator: Robert D. Ferris

Whereas, Pursuant to Resolution 132 of 2016 this Board of Legislators approved agreements with the Jefferson County Children's Home and Resolution Center of Jefferson and Lewis Counties to provide services and programs as alternatives to detention, and

Whereas, The New York State Supervision and Treatment Services for Juveniles Program (STSJP) has increased the contract period to 18 months adding an additional \$66,805 for the Jefferson County Children's Home and \$12,400 for the Resolution Center of Jefferson and Lewis Counties for the 2017 portion of the contract period April 1, 2017 through September 30, 2017, and

Whereas, It is necessary to authorize amended agreements with the Jefferson County Children's Home and the Resolution Center of Jefferson County and Lewis Counties for a term ending September 30, 2017, for the provision of STSJP services.

Now, Therefore, Be It Resolved, That Jefferson County hereby accept said grant award, and be it further

Resolved, That the Chairman of the Board of Legislators be and is hereby authorized and directed to execute any and all documents as may be required to fulfill the requirements of this grant award on behalf of Jefferson County.

Seconded by Legislator: James A. Nabywaniec

All members present voted aye.

Resolution No. 77

Urging New York State to Fully Fund Probation Departments and Other Impacted County Departments and Agencies with 100% Funding for Costs Associated with Raising the Age of Criminal Responsibility to 18 Years of Age

By Legislator: Robert D. Ferris

Whereas, Governor Cuomo signed Executive Order 131 on April 9, 2014 to establish the Commission on Youth, Public Safety and Justice instructing the Commission to develop a concrete plan to raise the age of criminal responsibility in New York State and make specific recommendations on how the juvenile and criminal justice systems can better serve youth, improve outcomes and protect communities, and

Whereas, The Commission completed its report on December 31, 2014 recommending raising the age of criminal responsibility from age 16 to age 18 over a two year period to be completed in a phased in approach, and

Whereas, Division of Criminal Justice Statistics reveal the number of arrests among 16 and 17 years olds statewide in calendar year 2015 was 27,281 and that under the proposed change these youth will now be shifted from the criminal courts to local Probation Departments for Intake and Diversion services, and

Whereas, The Governor's proposal recommends that the violation level offenses of Harassment 2nd and Disorderly Conduct shall also be diverted to Probation Departments for Intake and Diversion services, thus adding a previously unseen population to the workload of Probation staff, and

Whereas, The Governor's proposal recommends Probation Departments hire Family Engagement Specialists and additional staff to provide a continuum of diversion services that range from minimal intervention for low risk youth to evidence-based service for high risk youth, and

Whereas, These added burdens to county Probation Departments come as the state share of probation costs has fallen from 46.5% in 1990 to 9% in 2016, thus causing additional funding on the local County level, and

Whereas, Other County Departments and agencies will be similarly affected by the increase in the age of criminal responsibilities in areas that range from juvenile detention to community support services which are already financially taxed and unable to meet these additional burdens, services and responsibilities, and

Whereas, Counties cannot absorb the financial cost associated with raising the age without 100% funding of the additional staff and services required by the Governor's proposal, and

Whereas, The proposed legislation Assembly Bill AS4876 and Senate Bill S4157 uses phrasing such as "subject to an appropriation made available for such purposes", which general, open language is essentially another huge unfunded mandate to the counties, and

Whereas, It appears that the proposed legislation requires counties to "up front" the money to hire probation officers to meet these increased services, to pay for the services for the 16 and 17 year olds who will now fall under the probation department's jurisdiction, and require "evidence based" intervention services which are undefined and costly to the county, and

Whereas, The funding proposal stipulates that only counties who do not exceed the 2% tax cap and can demonstrate to the Division of Budget that funding related services is a fiscal hardship may apply for a waiver of the local share requirement of an expense otherwise incurred.

Now, Therefore, Be It Resolved, That Jefferson County Board of Legislators hereby supports in concept Raising the Age (RTA) of criminal responsibility in New York State to 18 years of age, supports the Council of Probation Administrators' response and opposition to the proposed legislation, and be it further

Resolved, That the Jefferson County Board of Legislators hereby opposes such legislation which

would require the counties to up front the funds associated with the anticipated services required for this legislation, such as additional costs and expenses to hire additional probation officers, additional costs to hire additional attorneys to represent the county Probation and DSS Departments in these proceedings, costs and expenses of other Departments and Agencies for the evidence based intervention services which are not clearly defined in the proposed legislation, and be it further

Resolved, That the Jefferson County Board of Legislators oppose any proposed legislation to RTA of criminal responsibility that does not include and clearly designate 100% of State funds to pay for all costs to the county for compliance with RTA, and be it further

Resolved, That the Jefferson County Board of Legislators urges the State Legislature and Governor to include clear, concise language in the legislation that commits the state to cover 100% of all new costs to the counties for services associated with changing the age of criminal responsibility, and be it further

Resolved, That certified copies of this resolution be forwarded to Governor Andrew M. Cuomo, Senator Patty Ritchie, Assemblywoman Addie Jenne, Assemblyman Kenneth Blankenbush and the New York State Association of Counties.

Seconded by Legislator: Anthony J. Doldo

Legislator Montigelli felt the news media has missed the value and depth of the purpose of this legislation and instead makes it sound like the State is abusing juveniles. He said the legislation includes a provision that the County would have to create a special court, at County expense, for the fair treatment of individuals who are 16 and 17 and commit misdemeanor crimes. He said the real provisions of the act are getting lost and never come to light, except to say that they are holding up the State budget from passage. Legislator Peck thanked District Attorney Mills for the letter she penned and sent out to everyone with her objections to the RTA legislation and the impacts that it would have. He did not feel this issue should be used as a wedge in State budget negotiations.

There being no further discussion, all members present voted aye.

Resolution No. 78

Authorizing the Implementation and Funding of the Federal Aid and State “Marchiselli” Program Aid Eligible Costs of a Transportation Federal-Aid Project (CR 75 over Mill Creek), and Appropriating Funds Therefor

By Legislator: Jeremiah J. Maxon

Whereas, A Project for the CR 75 over Mill Creek, PIN 7753.56 (the “Project”) is eligible for Funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds (CFDA 20.205) and 20% non-federal

funds, and

Whereas, By Resolution 152 of 2015, the County of Jefferson approved the above Project by making a commitment of 100% of the cost of the Preliminary Design Phases 1-4 and Right of Way Incidentals of the project, and

Whereas, The County of Jefferson now approves the above Project by making a commitment of 100% of the non-federal share of the cost of all Phases.

Now, Therefore, Be It Resolved, That the Jefferson County Board of Legislators does hereby approve the Project, and be it further

Resolved, That the Jefferson County Board of Legislators hereby authorizes the Jefferson County Treasurer to pay in the first instance 100% of the federal and non-federal share of the cost of all Phases of work for the project, and be it further

Resolved, That the sum of \$280,000, or so much thereof as is necessary is hereby appropriated from Account 205113000 02828 in the 2017 County Budget, and made available to cover the cost of participation in the above phases of the Project, and be it further

Resolved, That in the event the full federal and non-federal share of the costs of the project exceed the amount appropriated above, the Jefferson County Board of Legislators shall convene to appropriate said excess amount immediately upon the notification by the Chairman of the Jefferson County Board of Legislators thereof, and be it further

Resolved, That the Chairman of the Jefferson County Board of Legislators be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal and State Aid, subject to the approval of the County Attorney as to form and substance, on behalf of the County of Jefferson with NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs, and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefor that are not federal-or State-aid eligible, and be it further

Resolved, That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and be it further

Resolved, That this Resolution shall take effect immediately.

Seconded by Legislator: Anthony J. Doldo

All members present voted aye.

Resolution No. 79

**Authorizing Shared Services Agreement with NYS Department of Transportation
in Relation to Transportation Emergencies**

By Legislator: Robert D. Ferris

Whereas, Pursuant to Resolution 89 of 2016, Jefferson County entered into a shared services agreement with the NYS Department of Transportation in which they would provide assistance to emergency needs that affect the counties transportation system in the absence of a Governor's Emergency Declaration and/or suspension of Highway Law §55, and

Whereas, The County Superintendent of Highways is in receipt of a renewed Shared Services Agreement from the New York State Department of Transportation.

Now, Therefore, Be It Resolved, That Jefferson County enter into such agreement with the NYS Department of Transportation for the period March 1, 2017 through February 28, 2021, and be it further

Resolved, That the Chairman of the Board of Legislators and the Superintendent of Highways be and are hereby authorized to execute such agreement, and any subsequent extensions of such agreement under the same terms and conditions, subject to approval by the County Attorney as to form and content.

Seconded by Legislator: James A. Nabywaniec

All members present voted aye.

Resolution No. 80

**Amending the 2017 County Budget to Recognize Insurance Recovery
and Allocating Same in Sheriff's Department Budget**

By Legislator: Anthony J. Doldo

Whereas, The Sheriff's Department has received an insurance settlement check in the amount of \$3,956.30 for damage to a patrol unit, and has requested that the settlement be used to supplement the external fleet expense line to pay for needed repairs.

Now, Therefore, Be It Resolved, That the 2017 County Budget is hereby amended as follows:

Increase:

01311000 043102	External Fleet Expense	\$ 3,956.30
01311000 92680	Insurance Recoveries	\$ 3,956.30

Seconded by Legislator: Jeremiah J. Maxon

Roll Call Vote

Ayes: Montigelli, Jareo, Fitzpatrick, Drake, Reed, Maxon, Peck, Adsit, Johnson,
McBride, Doldo, Docteur, Nabywaniec, Gray

Absent: Ferris

Resolution passed.

Resolution No. 81

Authorizing Agreements for The Governor's Traffic Safety Committee's Stop-DWI Crackdown Enforcement Grant and Amending the 2017 County Budget in Relation Thereto

By Legislator: Jeremiah J. Maxon

Whereas, The New York State Stop-DWI Foundation has successfully coordinated and obtained Stop-DWI Crackdown Enforcement Grants for 44 counties throughout the state, and

Whereas, Jefferson County's grant is for \$938.04, to be shared with the Watertown City Police Department and the NYS Park Police, and

Whereas, Agreements must be authorized with the Governor's Traffic Safety Committee and the aforementioned agencies, and

Whereas, The 2017 County Budget must be amended to recognize said funding and allocate it to the appropriate accounts.

Now, Therefore, Be It Resolved, That the Chairman of the Board of Legislators be and is hereby authorized to execute agreements as necessary to obtain and distribute funding as described above, subject to the review of the County Attorney as to form and content, and be it further

Resolved, That the 2017 County Budget is amended as follows:

Increase:

Revenue:

01331500 94389	Federal Aid Criminal Justice	\$ 938.04
01311000 92614	Stop DWI Svcs Sheriff	469.02

Expenditure:

01311000 01300	Overtime	\$ 469.02
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01331500 04428	Public Safety Svcs. - Other Govt	469.02
01331500 04414	Supporting Services	469.02

Seconded by Legislator: Robert D. Ferris

Legislator Jareo reaffirmed his opposition to these types of grants because they have implications concerning violating 4th Amendment rights. Mr. Hagemann stated that last years' allocation was significantly more than what was received this year.

Roll Call Vote

Ayes: Reed, Fitzpatrick, Docteur, Doldo, Peck, Adsit, Montigelli, Maxon, Nabywaniec, Drake, McBride, Johnson, Gray

Nays: Jareo

Absent: Ferris

Resolution passed.

Resolution No. 82

Endorsing the Application of the Thousand Islands Land Trust for an Environmental Protection Fund Planning Grant

By Legislator: James A. Nabywaniec

Whereas, The Thousand Islands Land Trust (TILT) is applying to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) for a planning grant under the Environmental Protection Fund for a park project to be located in the Towns of Clayton and Orleans, a site located within the territorial jurisdiction of the Jefferson County Board of Legislators, and

Whereas, The project will plan for upgrading of the seven-mile Clayton/LaFargeville section of the existing Sissy Danforth Rivergate Trail, linking to the Village of Clayton riverwalk and enhancing year round recreational opportunities for residents and visitors alike, and

Whereas, As a requirement under the rules of this program, TILT must obtain the "endorsement of the governing body of the municipality in which the project will be located", and

Whereas, The Towns of Clayton and Orleans, and the Village of Clayton have passed such endorsements.

Now, Therefore, Be It Resolved, That the Jefferson County Board of Legislators hereby endorses the application of TILT for a grant under the Environmental Protection Fund for a park project

known as “Sissy Danforth Rivergate Trail Phase I – Planning” and located within this community.

Seconded by Legislator: Anthony J. Doldo

All members present voted aye.

Resolution No. 83

Amending 2017 County Budget Relative to Community Services Programs and Authorizing Amended Agreements in Relation Thereto

By Legislator: Robert D. Ferris

Whereas, Reallocations of anticipated under utilized state and county aid funds within mental health agency programs are necessary to ensure the quality of existing Mental Health Services.

Now, Therefore, Be It Resolved, That the 2017 County Budget is hereby amended as follows:

Increase:

01432000 04712	Contracted Mental Health Services (SMC - Children’s Outpatient Program)	\$75,000
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Decrease:

01432000 04718	JRC Employment	\$40,000
01432000 04701	Cerebral Palsy	18,440
01342000 04707	CMHC Outpatient	13,350
01432000 04732	Children’s Home - Jefferson County	3,210

and be it further

Resolved, That the Board of Legislators does hereby grant its approval for the Community Services Board to enter into any necessary agreements/amended agreements with the agencies for these changes.

Seconded by Legislator: Allen T. Drake

All members present voted aye.

Resolution No. 84

Amending 2017 County Budget to Reappropriate Delivery System Reform Incentive Payment Program (DSRIP) Funds for Community Services Department

By Legislator: Carolyn D. Fitzpatrick

Whereas, By Resolution No. 75 of 2016 Jefferson County entered into a contract with North Country Initiative for the Delivery System Reform Incentive Payment Program (DSRIP), and

Whereas, By Resolution No. 136 of 2016 DSRIP funding for Community Services was received and allocated for training, and

Whereas, Unspent funds must be reappropriated into the 2017 Budget for that purpose.

Now, Therefore, Be It Resolved, That the 2017 County Budget is hereby amended as follows:

Increase:

01431000 04613	Training	\$5,075.89
01000000 30599	Appropriated Fund Balance	5,075.89

Seconded by Legislator: Anthony J. Doldo

Roll Call Vote

Ayes: Johnson, Adsit, Maxon, Docteur, Reed, Nabywaniec, Peck, Fitzpatrick, Drake, Jareo, McBride, Doldo, Montigelli, Gray

Absent: Ferris

Resolution passed.

Resolution No. 85

**Amending 2016 County Budget Relative to Additional Revenue
from NYS Office of Children and Family Services for Youth Development Programs**

By Legislator: Robert D. Ferris

Whereas, By Resolution No. 78 of 2016 this Board authorized a 2016 Comprehensive Planning Resource Allocation Agreement with the NYS Office of Children & Family Services (OCFS) and authorized administrative and Youth Development Program agreements accordingly, and

Whereas, OCFS allocated additional revenue for 2016, and by Resolution 67 of 2017 Youth Program allocations were adjusted for the additional revenue as well as funds turned back from other programs, however the budget was not amended to recognize the additional revenue.

Now, Therefore, Be It Resolved, That the 2016 County Budget is hereby amended as follows:

Increase:

Revenue

01731000 93820	State Aid Youth Programs	\$2,961
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Expenditure

01731000 04781	Youth Development Programs	2,961
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Seconded by Legislator: Carolyn D. Fitzpatrick

Roll Call Vote

Ayes: Fitzpatrick, Docteur, Montigelli, Drake, Reed, Peck, Adsit, Jareo, Maxon, McBride, Doldo, Naybwaniec, Johnson, Gray

Absent: Ferris

Resolution passed.

On a motion by Legislator Maxon seconded by Legislator Montigelli and unanimously carried, the Board entered executive session to discuss labor negotiations at 6:04 p.m.. On a motion by Legislator Fitzpatrick seconded by Legislator Maxon and unanimously carried, the Board returned to open session at 6:18 p.m.

Chairman Gray entertained a motion and second to waive the Standing Rules to permit the introduction of an additional resolution for consideration. Such motion was made by Legislator Maxon seconded by Legislator Peck and unanimously carried. The following resolution was distributed to legislators and Chairman Gray allowed a few minutes for everyone to review it.

Resolution No. 86

Imposition of Terms and Conditions Of Employment for Calendar Year 2015 As Concerns the Members of the Jefferson County Sheriff's Employees, Local 3089, Security and Law Enforcement Employees Council 82, AFSCME, AFL-CIO

By Legislator: Patrick R. Jareo

Whereas, The most recent collective bargaining agreement between Jefferson County and Jefferson County Sheriff, as joint employers (hereinafter collectively referred to as "public employer"), and the Jefferson County Sheriff's Employees, Local 3089 and Security and Law Enforcement Employees Council 82, AFSCME, AFL-CIO (hereinafter collectively referred to as "employee organization"), expired on December 31, 2014, and

Whereas, The public employer and employee organization engaged in negotiations for a successor collective bargaining agreement between the parties, and

Whereas, An impasse was declared in negotiations between the public employer and the employee organization, and

Whereas, The public employer and the employee organization engaged in both mediation and fact-finding processes with the assistance of the New York State Public Employment Relations Board in accordance with Section 209(3) of the Civil Service Law, and

Whereas, The New York State Public Employment Relations Board Fact Finder issued his Report and Recommendations, and

Whereas, The public employer accepted in part, and rejected in part, the Fact Finder's Report and Recommendations, and

Whereas, The employee organization rejected the Fact-Finder's Report and Recommendations, and

Whereas, The Chairman of the Jefferson County Board of Legislators submitted the Fact Finder's Report and Recommendations together with his recommendations for settling the dispute to the Jefferson County Board of Legislators in accordance with Section 209(3)(e) of the Civil Service Law, and

Whereas, In accordance with Section 209(3)(e) of the Civil Service Law a public hearing was held on April 4, 2017 so as to permit the public employer and the employee organization to explain their positions with respect to the Fact Finder's Report and Recommendations, and

Whereas, Human Resources Director Valerie Nugent appeared at the public hearing on behalf of the public employer, and recommended that the Jefferson County Board of Legislators continue the same terms and conditions of employment as are contained in the expired January 1, 2011 to December 31, 2014 collective bargaining agreement between the public employer and the employee organization, for the period of one year, and specifically from January 1, 2015 through December 31, 2015, and

Whereas, The employee organization determined not to appear at the public hearing to explain its position with respect to the Fact Finder's Report and Recommendations.

Now, Therefore, upon review and consideration of the Fact Finder's Report and Recommendations, the recommendations of the Chairman of the Jefferson County Board of Legislators, the position and recommendations of the public employer as presented at the public hearing, and in recognition of the employee organization's preservation of rights under the Triborough Amendment to the Taylor Law, it is hereby

Resolved, That the Jefferson County Board of Legislators hereby imposes the same terms and conditions of employment upon the members of the employee organization as are contained in the expired January 1, 2011 to December 31, 2014 collective bargaining agreement between the public employer and employee organization, for the period of one year, and specifically from

January 1, 2015 through December 31, 2015.

Seconded by Legislator: Jeremiah J. Maxon

All members present voted aye.

Legislator Peck appreciated JCIDA Executive Director Don Alexander and IDA members' presentation last week on the proposed changes to the UTEP and asked if it will come back before any of the local jurisdictions for approval or if approval is in-house, and what is the time line for approval. Chairman Gray advised that they have to present it to affected jurisdictions and receive comments, but it is strictly a tool of the IDA and it is their purview to adopt it and offer other incentives. Mr. Hagemann advised that the IDA Board will likely be voting on it at their June or July meeting. Chairman Gray stated that if anyone had any comments, concerns or questions with the proposed changes they can email them to him or Administrator Hagemann as they will all be consolidated into a single document and sent to IDA.

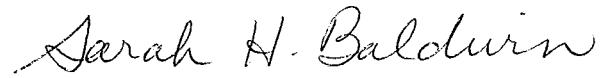
Legislator Reed offered additional comments on Resolution No. 75 concerning sales tax noting that no one likes to impose taxes, and until we can control State spending that is imposed on us, especially concerning unfunded mandates, we may have to pass some of those costs along to taxpayers. He pointed out that the County does not keep all of its sales tax collections, distribution is 47% County, 29% towns and 24% City of Watertown. He said we are the second most generous County in the State in that respect, however we realize that the towns feel the pinch of mandates also. He reiterated that everyone needs to get the message to Albany that mandates are crushing growth and development here. Chairman Gray noted that certain counties adjacent to Jefferson do not share their sales tax with towns. Legislator Fitzpatrick agreed with Legislator Reed's comments to a certain degree, but pointed out that many State legislators are working hard on mandates, and Governor Cuomo also needs to give a little on the mandates, as promised when he was elected.

Legislator Maxon noted Legislator Montigelli's participation in the recent Tug Hill Commission Local Government Conference at JCC representing the Village of Black River Planning Board and thanked him and other members of town planning and zoning boards who participated in the conference as they are a very valuable resource. He said we are lucky to have a partner such as JCC to host the conference noting that there were almost 700 participants.

Chairman Gray made reference to a recent newspaper article in the Watertown Daily Times that listed the salaries of executives from many organizations, agencies, and municipalities in the community/region. He took issue with a certain follow up comment on a news site that was made concerning Mr. Hagemann's salary. He stated that people should consider Mr. Hagemann's longevity with the County, the knowledge and experience that comes with that longevity, Mr. Hagemann's steady hand as Budget Officer, and we manage our resources well which has allowed the County to maintain a stable budget, tax rate, and services unlike other like municipalities. He said Mr. Hagemann earns what he is paid, his salary is well deserved and the County is thankful to have him. Legislator Doldo also did not agree with the comments or the fact that Mr. Hagemann was singled out, and said he works hard for the money he earns and is deserving of his salary.

There being no further business of the Board, on a motion by Legislator Doldo seconded by Legislator Montigelli and unanimously carried, the meeting was adjourned at 6:35 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Sarah H. Baldwin". The signature is written in dark ink and is positioned above the printed name and title.

Sarah H. Baldwin
Deputy Clerk of the Board