

REGULAR SESSION

TUESDAY, APRIL 7, 2015

Chairwoman Fitzpatrick called the meeting to order at 7:00 p.m.

ROLL CALL OF MEMBERS

All members present except Legislators Drake and Hirschey.

PRIVILEGE OF THE FLOOR

Chairwoman Fitzpatrick proclaimed April as Fair Housing Month in Jefferson County and presented the Proclamation to Lance Evans, Executive Director, Jeff-Lewis Board of Realtors. Mr. Evans thanked the Board for making this proclamation for the last 8-10 years as it helps to highlight the significant accomplishment of buying a home, and recognizes the commitment and dedication that professional realtors have to their profession and the people they serve.

Chairwoman Fitzpatrick proclaimed April 18th as World Amateur Radio Day in Jefferson County and presented the Proclamation to Rick Lesson, President, TI Radio Amateurs Club. Mr. Lesson accepted the Proclamation on behalf of all amateur radio operators in Jefferson County and said many of them could not be here this evening because there is training with the hospital network tonight. He said that there are 700,000 operators nationwide, and 5,319 in New York State that provide this valuable service to the community.

John Aviste, 28556 State Route 342, Black River expressed opposition to the proposed increase in sales tax and any increase in property tax in the County saying that the time has come to live within our means and it may be difficult, but needs to be done.

Arazgul Yagshyeldiyeva of Turkmenistan in attendance with the Cooperative Extension Student Government Program thanked the Board for the opportunity to learn about, observe and interact with American government. As an exchange student she found it very interesting and informative and also thanked the Cooperative Extension Student Government Program for the opportunity to participate in the program.

MINUTES OF THE LAST MEETING

The minutes of the March Board Session stand approved in the absence of objection or correction.

PETITIONS, NOTICES AND COMMUNICATIONS

The County Clerk's 2014 Annual Report was received.

A letter from JCC President Carole A. McCoy providing a copy of the SUNY Jefferson Start-Up NY Campus Plan was received. The Plan is designed to create tax-free zones to attract and grow businesses across New York State. Her letter said she was seeking the input of government, college, and community leaders and said the final Plan will be submitted to Empire State Development by April 12, 2015.

Correspondence was received from Assemblyman Ken Blankenbush thanking the Board for sending copies of Resolution No. 51 in support of JRC's sheltered workshop Production Unlimited, and Resolution No. 55 in support of restoring agriculture funding in the State Budget, and assured the Board of his support for these programs.

Correspondence was received from Senator Patty Ritchie also relative to Resolution Nos. 51 and 55 relating efforts she has undertaken with regard to protecting Production Unlimited from closure and with regard to her continued commitment to restore funding in the New York State Budget for important agriculture programs.

Communication was received from the Fort Drum Regional Liaison Organization thanking the Board for their attendance at and participation in recent events in support of retaining Fort Drum.

REPORTS OF STANDING COMMITTEES

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

LOCAL LAWS, RESOLUTIONS AND MOTIONS

Resolution No. 77

Amending the 2015 County Budget in Relation to Centralized and Reimbursed Costs

By Legislator: Michael J. Docteur

Whereas, County-wide telephone and copier costs are paid from the Information Technology Department's budget in the first instance and then reimbursed from the various departmental budgets, and

Whereas, Court-related postage is paid by the Sheriff's Unified Court sub-department in the first instance and subsequently reimbursed by the courts, and

Whereas, The initial accounts must be increased to reflect the amounts needed to pay these expenses until such time as the reimbursements or transfers are made, and revenues must be increased to offset said expenses.

Now, Therefore, Be It resolved, That the 2015 County Budget is amended as follows:

Increase:

Expenditures:

01165000 04115	Telephone	\$25,000
01165000 04117	Printing	25,000
01116200 04116	Postage	5,000

Revenues:

01168000 91256	Data Processing Fees	\$50,000
01311000 93389	State Aid Other Public Safety	5,000

Seconded by Legislator: Robert D. Ferris

Roll Call Vote

Ayes: Montigelli, Nabwyaniec, Gray, Johnson, Ferris, Docteur, Jareo, Reed, Doldo, Maxon, Adsit, Peck, Fitzpatrick

Absent: Hirschey, Drake

Resolution passed.

Resolution No. 78

Supporting Necessary Reforms to New York Labor Law §240 and §241

By Legislator: Michael J. Docteur

Whereas, New York Labor Law §240 and §241, commonly known as the “Scaffold Law,” outlines liability for injuries caused by an employee’s fall from a height, and

Whereas, The laws impose strict liability on employers and owners of buildings if a worker falls from any height, and

Whereas, The law was first imposed in 1885 at a time when worker safety was largely neglected in New York State and at a time when modern safety equipment and scaffolding techniques did not exist, and

Whereas, The Scaffold Law has caused a dramatic increase in construction costs due to increased insurance required for employers in the construction business, causing New York State to have the highest general liability insurance costs in the nation, and

Whereas, Half of the 30 largest law suits in the state stem from Scaffold Law issues while, at the same time, scaffold related injuries have steadily decreased over the past 20 years, and

Whereas, New York is the only state in the country to impose a construction law like the Scaffold Law that imposes strict liability on the employer; further it is one of a very few laws that mandate strict liability in the State of New York, and

Whereas, The increase in costs in New York drives away investment in our infrastructure when developers and contractors can get better rates in other states, and

Whereas, Not only does the law drive away out-of-state investment in infrastructure but the lost investment to other states also serves to decrease the number of new construction jobs created every year, making it more difficult for many of New York's skilled laborers to find appropriate employment, and

Whereas, Federal regulations have been enacted that attempt to protect workers from injury to falls by requiring certain precautions to be in place for people working at heights and allows an outlet for workers concerned about their safety to engage federal review of any worksite for compliance with these regulations.

Now, Therefore, Be It Resolved, That the Jefferson County Board of Legislators is strongly in support of Scaffold Law reform as well as meaningful protection of construction workers by repealing or modifying the existing Scaffold Law in New York State, and be it further

Resolved, That a certified copy of this resolution be forwarded to Governor Andrew Cuomo, Assembly Speaker Carl Heastie, Senate Majority Leaders Dean Skelos and Jeffrey Klein and Jefferson County's representatives in the New York State Legislature.

Seconded by Legislator: Jennie M. Adsit

Legislator Montigelli said the law was put in place to protect people who work at a high elevation and he understood that insurance costs have gone up because of it, and there is a perception that the workers will file lawsuits and try to scam the system. He understood why the resolution is moving forward but was opposed to it because he does not think the worker is being fairly considered.

Legislator Reed appreciated Legislator Montigelli's comments, but supports the resolution advising that New York is the only state in the nation that has this law, many advancements in technology have been made since this law was put in place and the workers have adequate protection in the field. He said the law is antiquated and has driven workers compensation rates to one of the highest in the nation, and it drives construction business out of the state.

Legislator Maxon said the express liability that is placed on the property owner by the Scaffold Law is onerous, it shifts the burden from the company who employs the worker to the property owner. He said it discourages investment in our buildings and businesses, and he supports the resolution and encouraged the state to change the law.

Legislator Peck supported the resolution and could understand Legislator Montigelli's views

regarding protection for workers, but said it is particularly troubling that this law makes the property owner liable.

Legislator Jareo supported the resolution and did not believe doing away with the law would prohibit workers from seeking compensation or insurance from injuries due to negligence, but the law makes it very onerous to property owners.

All members present voted aye except Legislator Montigelli who voted nay.

Resolution No. 79

Approving Appointment to the Jefferson County Planning Board

By Legislator: Michael A. Montigelli

Resolved, That pursuant to Section 239-c of the General Municipal Law, the following individual is hereby appointed to the Jefferson County Planning Board for term to expire December 31, 2015.

William R. Ferguson

Seconded by Legislator: Robert D. Ferris

All members present voted aye.

Resolution No. 80

Requesting Introduction of Legislation for the Authorization of a One Percent Increase in the County Sales and Compensating Use Tax in Jefferson County

By Legislator: Robert D. Ferris

Whereas, By Resolution Nos. 135, and 169 of 2004, this Board of Legislators requested the introduction of a bill in the State Legislature to amend the New York State Tax Law to allow the County of Jefferson to impose an additional sales tax of three quarters of one percent (3/4%) through November 30, 2005, and following introduction of legislation concurred in and authorized the home rule request of the Chairman of this Board for its enactment; said legislation was subsequently passed by the State Legislature and signed into law by the Governor, and

Whereas, By Resolution Nos. 32 and 114 of 2005, Resolution Nos. 31 and 115 of 2007, Resolutions Nos. 32 and 95 of 2009, Resolution Nos. 48 and 104 of 2011, Resolution Nos. 97 and 138 of 2013 this Board of Legislators requested the introduction of a bill in the State Legislature to amend the New York State Tax Law to allow the County of Jefferson to impose an additional sales tax of three quarters of one percent (3/4%) through November 30, 2007, November 30, 2009, November 30, 2011, November 30, 2013, and November 30, 2015

respectively; and following introduction of legislation concurred in and authorized the home rule request of the Chairman of this Board for its enactment; and said legislation was subsequently passed by the State Legislature and signed into law by the Governor, and

Whereas, The County now requires a full one percent instead of three quarters of one percent of said sales tax revenue in order to continue to stabilize the property tax levy and retain important local government services.

Now, Therefore, Be It Resolved, That this Board hereby requests that Senator Patty Ritchie and Assemblypersons Ken Blankenbush and Addie Russell introduce appropriate legislation in conformance with the attached draft bill, in the New York State Legislature authorizing Jefferson County to impose up to an additional one percent rate of sales and compensating use tax through November 30, 2017, and be it further

Resolved, That the Chairman of this Board be and is hereby authorized and directed to forthwith communicate the foregoing request of this Board to the aforesaid State Legislators.

Seconded by Legislator: Michael A. Montigelli

Chairwoman Fitzpatrick entertained a motion to amend the resolution to add language to paragraphs 3 and 4 as indicated on the resolution on Legislators desks. **(The foregoing resolution is the amended version)**. Such motion was made by Legislator Nabywaniec seconded by Legislator Ferris and unanimously carried by the Board.

Legislator Jareo appreciated Administration and Board efforts, both past and present, to reduce costs and expenses and keep taxation reasonable, and efforts to find efficiencies by the ad hoc committee a few years ago. He said sales tax is a much better way to fund County operations than property tax, but with the property tax override last fall and now an increase in sales tax, he felt there are things the County needs to do to make sure we are controlling expenses the best we can. Until such procedures are in place and we have the ability to examine them, he could not support a sales or property tax increase.

Legislator Maxon stated that over the last decade or two the County/Board has done a good job of keeping the budget in line and that is why we have been positioned well to date, however more must be done to justify a sales tax increase. He felt the Board needs to justify in writing that every cut is to the bone. He suggested there are opportunities for additional shared services with other municipalities and increased efficiencies, and that the sales tax distribution formula should be renegotiated more equitably.

Legislator Docteur stated that the former Ad Hoc Efficiency Committee went through a 6 month in depth process starting in January, 2010 looking at departments and talking to department heads, and a decrease in spending in almost every department was achieved however there were no big ticket decreases. He expressed support for the increase in sales tax using it as property tax relief, but stated that maybe it is time to go through the efficiency process again to find across the board cuts.

Legislator Peck expressed support for the increased sales tax but said it will only be a temporary fix. He agreed that a reexamination of departments for efficiencies was in order, giving credit to Administration for their budget preparations and trying to hold the line on spending as much as possible. He said the gain would be in seeing what costs we can control, what programs may be fringes we can cut, and what things we can house out or share services to try and stay under the tax cap.

Legislator Nabywaniec supports the increase in sales tax and said he participated in the former Efficiency Ad Hoc Committee and found it very educational and efficiencies were identified. The County also saved taxpayer money by partnering with Samaritan Medical Center and Carthage Area Hospital to get out of the adult home business which has benefitted the community greatly. He pointed out that costs for state mandates have risen by \$6.5 million in the last five years and those funds could have been better spent on County projects and services.

Legislator Ferris stated that the current sales tax rate gave the County the ability to cut and then hold the line on property taxes since it went into effect, but it is no longer covering the mandate increases, salaries, retirement, health insurance increases, etc. He supported the increase in sales tax, but will be looking to lower property taxes in the fall or next year hoping that a surplus will be realized.

Legislator Reed said he is reluctantly supporting the increase in sales tax, and the perception that it is easy to raise a tax is not an accurate one as it is being done with great angst and no one is looking forward to it. He said the County has taken great pains to operate efficiently over the years from shared services policies and procedures at Highway to undertaking changes at the Jail, however the Governor's tax cap does not give credit to Counties already operating in that vein, only to those that are now making changes to stay under the cap. He noted upcoming larger expenditures such as the Radio Project and commitments to JCC Capital saying that the budget will be challenging this year and he welcomed discussions regarding further efficiencies and cost savings.

Legislator Doldo said talking to each department to understand their operation is the only way to learn how any efficiencies or cost savings can be done and working together with Administration through committees or however deemed appropriate would be best. The County has grown and money is running short so in order to keep the burden off the property tax payers he said he will be supporting a sales tax increase with the idea that an efficiency committee will be formed.

Chairwoman Fitzpatrick said she is supportive of and will be appointing an efficiency ad hoc committee as has been recently discussed and is within her responsibilities as Chair of the Board. It will not be an easy task as discussions with every department need to be accomplished, however she said it is not the intention of the Board to take jobs away from anyone that is currently employed by the County. She was not sure how long the exercise will take, but said it will be done right. For eight years straight she said Jefferson County either lowered or did not raise property taxes and we have done a good job, but we need to keep offering the needed services to our residents.

All members present voted aye, except Legislators Maxon and Jareo who voted nay.

Resolution No. 81

**Amending the 2015 County Budget in Relation to a U.S. Department of Transportation
Grant Relative to the Watertown International Airport**

By Legislator: Patrick R. Jareo

Whereas, U. S. Department of Transportation has awarded Jefferson County a grant of \$235,000 for marketing of Watertown International Airport as part of the Small Community Air Service Development Program, and

Whereas, The project will develop and implement a marketing program to promote the subsidized Essential Air Service (EAS) provided at Watertown International Airport, including studies conducted for the purpose of developing targeted campaigns to market connecting service options available to the community through air service.

Whereas, Pursuant to Resolution 64 of 2015, this Board of Legislators entered into an agreement with the U.S. Department of Transportation and Sixel Consulting Group to effectuate said grant, and

Whereas, The 2015 County Budget must be amended to recognize said funds and appropriate it to expenditure accounts.

Now, Therefore, Be it Resolved, That the 2015 County Budget is hereby amended as follows:

Increase:

Revenue:

01561000 94589	Federal Aid Other Transportation	\$235,000
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Expenditure:

01561000 04415	Advertising	186,000
01561000 04416	Professional Fees	55,000

Decrease:

Expenditure:

01561000 04585	Operating Supplies	\$ 6,000
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Seconded by Legislator: Scott A. Gray

Roll Call Vote

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

Absent: Drake, Hirschey

Resolution passed.

Resolution No. 82

Authorizing FY 2014 Operation Stonegarden Grant Agreement and Amending the 2015 County Budget in Relation Thereto

By Legislator: Jennie M. Adsit

Whereas, The Sheriff's Department has been awarded a \$77,761 FY14 Operation Stonegarden Program Grant (CFDA 97.067) from the New York State Office of Homeland Security (NYSOHS) for the purpose of increasing security at the border, and

Whereas, Said funds will be used for border security operations and provide for overtime payments for various details of the Sheriff's Department, New York State Police and New York State Park Police, and

Whereas, Said grant requires an agreement with the NYSOHS, and possibly with other involved police agencies, and

Whereas, The 2015 County Budget must be amended to recognize the revenue and appropriate it to expenditure accounts.

Now, Therefore, Be It Resolved, That this Board of Legislators enter into an agreement with the New York State Office of Homeland Security to accept the grant as described above, as well as any other agreements with involved police agencies necessary for the grant's programs and that the Chairman of the Board be and is hereby authorized and directed to execute said agreements on behalf of Jefferson County, subject to the review and approval of the County Attorney, and be it further

Resolved, that the 2015 County Budget is hereby amended as follows:

Increase:

Revenue:

01311000 943201	Federal Aid Other Public Safety	\$ 77,761.00
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Expenditures:

01311400 01300	Operation Stonegarden Overtime	\$ 28,850.00
01311400 02300	Operation Stonegarden Technical Equipment	35,811.00

01311400 043101	Operation Stonegarden Internal Fleet Expense	2,963.48
01311400 04311	Operation Stonegarden Gasoline & Oil	1,481.52
01311400 08010	Operation Stonegarden Retirement	4,110.26
01311400 08030	Operation Stonegarden Social Security	3,441.23
01311400 08040	Operation Stonegarden Workers Comp.	1,103.51

Seconded by Legislator: Anthony J. Doldo

Legislator Jareo stated that he would not support this resolution or the next two for the Stonegarden grants because the funding is being used for what he believes are unconstitutional road blocks. He qualified his comments by saying that he knows this is not specifically done in Jefferson County and is not accusing the Sheriff's Department of wrongdoing but is opposed on the principal.

Roll Call Vote

Ayes: Docteur, Reed, Adsit, Johnson, Gray, Montigelli, Ferris, Nabywaniec, Doldo, Peck, Fitzpatrick

Nays: Maxon, Jareo

Absent: Drake, Hirschey

Resolution passed.

Resolution No. 83

Re-Appropriating FY 2013 Operation Stonegarden Grant Funds and Amending the 2015 County Budget in Relation Thereto

By Legislator: Scott A. Gray

Whereas, Pursuant to Resolution 95 of 2014, this Board of Legislators recognized a Sheriff's Department FY13 Operation Stonegarden Program Grant (CFDA 97.067), and

Whereas, The grant remains unspent and the 2015 County Budget must be amended to re-appropriate them.

Now, Therefore, Be It Resolved, That the 2015 County Budget is hereby amended as follows:

Increase:

01000000 30599	Appropriated Fund Balance	\$ 97,579.00
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Expenditures:

01311400 01300	Operation Stonegarden Overtime	\$ 24,000.00
01311400 02300	Operation Stonegarden Technical Equipment	5,000.00
01311400 02401	Operation Stonegarden Automotive Equipment	35,900.75
01311400 043101	Operation Stonegarden Internal Fleet Expense	3,060.32
01311400 04311	Operation Stonegarden Gasoline & Oil	1,529.93
01311400 04414	Operation Stonegarden Supporting Services	22,088.00
01311400 08010	Operation Stonegarden Retirement	2,849.40
01311400 08030	Operation Stonegarden Social Security	2,385.60
01311400 08040	Operation Stonegarden Workers Comp.	765.00

Seconded by Legislator: James A. Nabywaniec

Roll Call Vote

Ayes: Montigelli, Nabywaniec, Adsit, Johnson, Peck, Reed, Docteur, Doldo, Gray, Ferris, Fitzpatrick

Nays: Maxon, Jareo

Absent: Drake, Hirschey

Resolution passed.

Resolution No. 84

Re-Appropriating FY 2012 Operation Stonegarden Grant Funds and Amending the 2015 County Budget in Relation Thereto

By Legislator: Jennie M. Adsit

Whereas, Pursuant to Resolutions 181 of 2013 and 94 of 2014, this Board of Legislators recognized a Sheriff's Department FY12 Operation Stonegarden Program Grant (CFDA 97.067), and

Whereas, The grant remains unspent and the 2015 County Budget must be amended to re-appropriate them.

Now, Therefore, Be It Resolved, That the 2015 County Budget is hereby amended as follows:

Increase:

01000000 30599	Appropriated Fund Balance	\$ 27,529.18
Expenditures:		
01311400 01300	Operation Stonegarden Overtime	\$ 19,169.18

01311400 043101	Operation Stonegarden Internal Fleet Expense	1,906.76
01311400 04311	Operation Stonegarden Gasoline & Oil	953.24
01311400 08010	Operation Stonegarden Retirement	2,611.95
01311400 08030	Operation Stonegarden Social Security	2,186.80
01311400 08040	Operation Stonegarden Workers Comp.	701.25

Seconded by Legislator: Anthony J. Doldo

Roll Call Vote

Ayes: Gray, Ferris, Johnson, Doldo, Nabywaniec, Montigelli, Docteur, Reed, Adsit, Peck, Fitzpatrick

Nays: Jareo, Maxon

Absent: Drake, Hirschey

Resolution passed.

Resolution No. 85

Re-Appropriating State FY13 Law Enforcement Terrorism Prevention Program (LETTP) Grant Funds and Amending the 2015 County Budget in Relation Thereto

By Legislator: Jennie M. Adsit

Whereas, Pursuant to Resolutions 48 and 179 of 2014, This Board of Legislators recognized a FY13 LETTP (CFDA 97.067) grant, and

Whereas, Grant funds remain unspent and the 2015 County Budget must be amended to re-appropriate them.

Now, Therefore, Be It Resolved, That The 2015 County Budget is amended as follows:

Increase:

01000000 30599	Appropriated Fund Balance	\$ 10,510
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Expenditures:

01311400 04585	Operating Supplies	\$ 10,510
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Seconded by Legislator: Scott A. Gray

Roll Call Vote

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

Absent: Hirschey, Drake

Resolution passed.

Resolution No. 86

Authorizing Agreement with the City of Watertown for Dog Control Services

By Legislator: James A. Nabywaniec

Whereas, Pursuant to Article 7 of the Agriculture and Markets Law the City of Watertown is required to provide the services of dog control officer and maintain a shelter for dogs, and

Whereas, Sections 114 and 115 of the Agriculture and Markets Law provide that the City may contract with another municipal corporation to provide such dog control services, and

Whereas, Jefferson County has the authority, facilities and personnel to provide the required dog control services under contract with the City; and, to that end, the County has successfully done so for sixteen years, thus provided operational efficiencies and improved service to all residents of Jefferson County, and

Whereas, The City and County desire to extend the longstanding intermunicipal agreement for Dog Control Services from January 1, 2015 through December 31, 2019.

Now, Therefore, Be It Resolved, Pursuant to Article 7 of the Agriculture and Markets Law, and Section 450 of the County Law, the Board of Legislators hereby authorizes an agreement with the City of Watertown for the provision of dog control services by Jefferson County to the City of Watertown, and be it further

Resolved, That the Chairman of the Board of Legislators is hereby authorized and directed to sign an intergovernmental agreement relative to dog control services, subject to approval by the County Attorney as to form and content.

Seconded by Legislator: Scott A. Gray

Legislator Maxon stated that this is a shared service between the County, City of Watertown and the towns and he was opposed to such a long agreement with the City of Watertown when the towns are interested in seeing the arrangement changed.

Legislator Peck asked what the City of Watertown's share of the dog control agreement is.

Mr. Hagemann advised that while an overall economy of providing dog control services

Countywide is achieved, the agreement with the City of Watertown is different then the towns and is very specific because it involves the enforcement of a leach law. He said the City's annual costs are just under \$100,000 and any costs associated with dog control in the City of Watertown would not be passed on to the towns and vice versa; a portion of the agreement with the City contains an escalator clause so that at the end of the day the charge backs in place are appropriate and reflect just the costs from the City. He said everything is kept very separate and distinct from the towns.

Following discussion, all members present voted aye except Legislator Maxon who voted nay.

Resolution No. 87

Amending the 2015 County Budget to Allocate Additional State Aid Relative to Community Services Programs and to Correctly Align State and Federal Aid Funding

By Legislator: Michael J. Docteur

Whereas, By Resolution No. 124 of 2014 contracts for various mental hygiene programs were authorized, and

Whereas, The NYS OASAS (Office of Alcohol & Substance Abuse Services) has approved one time only State Aid for the CREDO Residential Rehab Services for Youth Program (\$103,000), and

Whereas OASAS also approved additional State Aid for the provision of a 2% salary and fringe benefit (COLA) increase for direct care and support staff effective January 1, 2015 for CREDO (\$31,522), and is expected for the Alcohol & Substance Abuse Council staff effective April 1, 2015 (\$6,137), and

Whereas, The NYS OMH (Office of Mental Health) has approved additional State Aid for a COLA increase for Northern Regional Center (NRCIL) for \$641 more than was approved in Board of Legislators Resolution No. 48 of 2015, and

Whereas, State and Federal aid funding allocations need to be correctly aligned per OASAS 2015 authorization.

Now, Therefore, Be It Resolved, That the 2015 County Budget be and is hereby amended as follows:

Increase:

Revenue

01431000.93484	State Aid - Alcohol & Substance Abuse Services	\$140,659
01431000.93490	State Aid - Office of Mental Health	641
01431000.94484	Federal Aid - Alcohol & Substance Abuse Services	230,000

Expenditures:

01432000.04702	CREDO Community Center	\$134,522
01432000.04703	Alcohol & Substance Abuse Council	6,137
01432000.04708	Northern Regional Center (NRCIL)	641

Decrease:

Revenue

01-431000.93484	State Aid - Alcohol & Substance Abuse Services	\$230,000
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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 amended agreements related to these changes.

Seconded by Legislator: William W. Johnson

Roll Call Vote

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

Absent: Drake, Hirschey

Resolution passed.

Resolution No. 88

**Amending the 2015 County Budget Relative to Community Services
Jefferson County Justice and Mental Health Collaboration Project**

By Legislator: Jeremiah J. Maxon

Whereas, The NYS OASAS (Office of Alcohol & Substance Abuse Services) has approved transformation funding within the local forensic system services for more collaborative and comprehensive services to inmates with mental health troubles and to connect them with local services upon discharge, and

Whereas, Included in the transformation project will be an intercept mapping model study and law enforcement personnel training through the Division of Criminal Justice Services (DCJS), and

Whereas, Contracts for services will be with the following: Policy Research Association (\$10,000), Overcoming the Darkness, Inc. (\$6,000), NYS Division of Criminal Justice Services (\$2,000), Schenectady County Probation Department (\$3,000), and Samaritan Medical Center for forensic Psychiatric Support (\$25,833).

Now, Therefore, Be It Resolved, That the 2015 County Budget be and is hereby amended as follows:

Increase:

Revenue

01431000.93490	State Aid - Office of Mental Health	\$46,833
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Expenditures:

01432000.04712	Contracted Mental Health Services	\$46,833
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and be it further

Resolved, That this Board further grants approval for the Community Services Board to enter into agreements with the above agencies and with the State of New York as may be required to obtain the funding and services.

Seconded by Legislator: Anthony J. Doldo

Roll Call Vote

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

Absent: Drake, Hirschey

Resolution passed.

Resolution No. 89

Appointing Member to the Community Services Board

By Legislator: William W. Johnson

Resolved, That pursuant to Section 41.11 of the Mental Hygiene Law the following individual is hereby appointed as a member of the Jefferson County Community Services Board and the designated sub-committee thereof for a term to expire as indicated below:

<u>Member</u>	<u>Sub-Committee</u>	<u>Term to Expire</u>
Joey Marie Horton	Alcohol & Substance Abuse	12/31/2017

Seconded by Legislator: Jeremiah J. Maxon

All members present voted aye.

Resolution No. 90

Amending the 2015 County Budget in Relation to Ebola Grant Funding

By Legislator: Anthony J. Doldo

Whereas, Jefferson County Public Health Service has been allocated supplemental Public Health Emergency Preparedness (PHEP) funding for Ebola, and

Whereas, Such funding will allow for planning and preparedness, including personal protective equipment, drills and supplies; as well as any required monitoring activities and Infection and Quarantine response operations.

Now, Therefore, Be It Resolved, That the Jefferson County Board of Legislators hereby accepts said grant award for the project period April 1, 2015 through September 30, 2016, and be it further

Resolved, That the Chairman of the Board of Legislators is hereby authorized and directed to execute any and all documents as may be required to fulfill the requirements of this grant award, subject to approval by the County Attorney as to form, and be it further

Resolved, That the 2015 County Budget is hereby amended as follows:

Increase:

Revenue

01405000 94489	Federal Aid Public Health Other	\$39,269
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Expenditure

01405800.01300	Overtime	487
01405800.08010	State Retirement	86
01405800.08030	Social Security	37
01405800.08040	Workers Compensation	14
01405100.01300	Overtime	2,155
01405100.08010	State Retirement	382
01405100.08030	Social Security	165
01405100.08040	Workers Compensation	63
01405100.04216	Trash & Waste Removal	12,000
01405100.04414	Supporting Services	12,000
01405800.041113	Computer Equipment	2,500
01405800.04313	Travel	2,880
01405800.04510	Medical Supplies	1,000
01405800.04613	Training	5,500

Seconded by Legislator: Michael J. Docteur

Roll Call Vote

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

Absent: Drake, Hirschey

Resolution passed.

Resolution No. 91

**Authorizing Amended Agreement for Home Health Care Services to Public Health
in Relation to NYS Department of Health (NYSDOH) Workforce Development Funding**

By Legislator: Michael J. Docteur

Whereas, Pursuant to Workforce Recruitment and Retention legislation passed in the 2002-2003 to 2014 State Budgets, Public Health has received \$2,201,126 through December 2014 in additional Medicaid funding for the purpose of recruiting and training non-supervisory home health care service workers with direct patient care responsibility, and

Whereas, Public Health identified a need for the three Licensed Home Care Service Agencies it contracted with to develop enhanced paraprofessional recruitment and retention programming, and previously recommended utilizing a portion of the funds for that purpose, and

Whereas, It is again necessary to modify agreements to award estimated amounts for such NYSDOH Workforce Development funding for the period August 31, 2014 through December 31, 2014.

Now, Therefore, Be It Resolved, That Jefferson County enter into amended supplemental home health care service reimbursement to reflect the award of NYSDOH Workforce Development funding, with \$17,875 to be paid out of 2014 accruals as follows:

CareGivers, AKA Homemakers	\$11,700
Family Home Care	\$ 2,225
Home Care Plus (Sibley Personnel)	\$ 3,950

Seconded by Legislator: Jeremiah J. Maxon

All members present voted aye.

Resolution No. 92

**Amending Agreement for Provision of Physical Therapy Services
to Clients of the Home Health Care Programs and Amending 2015 County Budget**

By Legislator: William W. Johnson

Whereas, The Public Health Service utilizes physical therapists to provide direct services for the Certified Home Health Agency and the Long Term Home Health Care Program clients, and

Whereas, After evaluating the level of care and needs, Public Health recommends establishing an agreement with a physical therapist to address the need for continuing care to clients on service and to admit new clients, and

Whereas, The 2015 County Budget needs to be amended to appropriately allocate the funds for expenditure.

Now, Therefore, Be It Resolved, That Jefferson County enter into an agreement with Dean J. Gardner, R.P.T. to provide physical therapy services for Public Health clients at a rate of \$57 per visit for the period 04/08/15 through 12/31/17, and be it further

Resolved, That the Chairman of the Board of Legislators be and is hereby authorized to execute such agreement on behalf of Jefferson County, and be it further

Resolved, That the 2015 County Budget is hereby amended as follows:

Increase

01405000-04413	Medical Fees	\$40,000
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Decrease

01405000-01100	Personal Services	\$40,000
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Seconded by Legislator: Anthony J. Doldo

All members present voted aye.

Chairwoman Fitzpatrick entertained a motion to go into Executive Session to discuss litigation and a personnel matter. Such motion was made Legislator Doldo seconded by Legislator Ferris and unanimously carried by the Board at 8:10 p.m. The Board returned to open session at 9:05 p.m. on a motion by Legislator Doldo seconded by Legislator Montigelli and unanimously carried by the Board.

Chairwoman Fitzpatrick entertained a motion to waive the Standing Rules to permit the introduction of resolutions and a local law for consideration by the Board. A motion was duly made by Legislator Maxon seconded by Legislator Ferris and unanimously carried by the Board.

Resolution No. 93

**Authorizing Settlement of a Discrimination Claim Brought Against the County of Jefferson
By and Through the United States Equal Employment Opportunity Commission**

and Amending the 2015 County Budget in Relation Thereto

By Legislator: Robert D. Ferris

Whereas, A Charge was filed with the United States Equal Employment Opportunity Commission (“EEOC”) against the County of Jefferson by an employee of the County, Annette Docteur, and an investigation and determination was made by the Commission thereon; and

Whereas, On the advice of counsel after the consideration of the testimonial and documentary evidence, and that a negotiated settlement is, as a matter of litigation analysis and risk management, a cost-effective alternative to litigation of the action, and

Whereas, Pursuant to Local Law No. 5 of 1986, a settlement or compromise of a claim in excess of \$10,000.00 requires the prior approval of the Board of Legislators, and

Whereas, The 2015 County Budget needs to be amended in order to appropriate funds to pay the claim.

Now, Therefore, Be It Resolved, That for purposes of avoiding the costs and expense of litigation, the Board of Legislators does hereby agree to the compromise and settlement of the claim by complainant and findings of EEOC by the payment of the sum of thirty thousand and 00/100 dollars (\$30,000.00), said amount to be and hereby is appropriated for purposes of payment of the referenced claim against the County of Jefferson; and the County Attorney is hereby authorized to either tender that sum to counsel for the complainant, upon such terms and conditions as counsel agree, upon receipt of a Release of all claims in a form acceptable to the County Attorney, and be it further

Resolved, that the 2015 County Budget be and is hereby amended as follows:

Increase

01193000 04600	Judgements & Claims	\$30,000
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Decrease

01199000 04963	Contingent	\$30,000
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Seconded by Legislator: William W. Johnson

All members presented voted aye, except Legislator Peck who voted nay, and Legislator Docteur who abstained.

COUNTY OF JEFFERSON, STATE OF NEW YORK

LOCAL LAW INTRO. NO. I OF 2015

By Legislator: Michael A. Montigelli

A Local Law to Authorize a Non-County Resident to Hold the Appointed Public Office of
Jefferson County Director of Planning

BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF JEFFERSON,
STATE OF NEW YORK AS FOLLOWS:

SECTION 1: PURPOSE

The position of County Director of Planning is classified as a “public officer” under New York State Public Officers Law. Public Officers Law Section 3 requires that a local public officer be a resident of the political subdivision or municipal corporation of the state for which he or she shall be chosen or within which his or her official functions are required to be exercised. The position of County Director of Planning requires specialized training, education, and experience not readily available from candidates residing in or willing to move to Jefferson County. The purpose of this local law is to authorize a person who is a non-resident of Jefferson County to hold the appointed public office of Jefferson County Director of Planning, provided such person resides in the State of New York.

SECTION 2: AUTHORITY

Under Municipal Home Rule Law Section 10, the County of Jefferson has the authority to authorize a non-county resident to hold the appointed public office of Jefferson County Director of Planning, provided such person resides in the State of New York.

SECTION 3: RESIDENCY

With respect to the appointed public office of Jefferson County Director of Planning, the provisions of Public Officers Law Section 3 requiring a person to be a resident of the political subdivision or municipal corporation of the state for which he or she shall be chosen or within which his or her official functions are required to be exercised shall not prevent a person from holding the appointed public office of Jefferson County Director of Planning, provided that such person resides in the State of New York.

SECTION 4: SEVERABILITY

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by a court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstances directly involved in the controversy in which such order or judgment shall be rendered.

SECTION 5: EFFECTIVE DATE

This local law shall take effect upon its filing in the Office of the Secretary of State as provided in Section 27 of the Municipal Home Rule Law.

Seconded by Legislator: Anthony J. Doldo

There being no discussion, Legislator Ferris made a motion to lay the local law on the table pending a public hearing, the motion was seconded by Legislator Peck and unanimously carried by the Board.

Resolution No. 94

Setting Time and Place for Public Hearing on Local Law Intro No. I of 2015

By Legislator: Jeremiah J. Maxon

Resolved, That this Board of Legislators shall hold a public hearing on a proposed local law entitled "A Local Law to Authorize a Non-County Resident to Hold the Appointed Public Office of Jefferson County Director of Planning" on Tuesday, May 5, 2015 at 7:00 P.M. in the Chambers of the Board of Legislators, Historic Courthouse, 195 Arsenal Street, Watertown, NY, and be it further

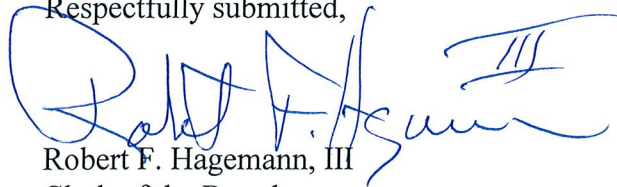
Resolved, That the Clerk of the Board of Legislators shall give notice of said public hearing as required by law.

Seconded by Legislator: Robert D. Ferris

All members present voted aye.

There being no further business of the Board, on a motion by Legislator Ferris seconded by Legislator Maxon and unanimously carried, the meeting was adjourned at 9:10 p.m.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Robert F. Hagemann, III". The signature is stylized with a large initial "R" and a prominent "III" at the end.

Robert F. Hagemann, III
Clerk of the Board