

## **REGULAR SESSION**

**TUESDAY, FEBRUARY 10, 2015**

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

### **ROLL CALL OF MEMBERS**

All members present.

### **PRIVILEGE OF THE FLOOR**

Bob Gorman, CEO of United Way, 200 Washington Street, Watertown, informed the Board of the start of a free informational reference service in the area operated by Contact Community Services, Inc. which can be accessed by dialing 211 and telling the operator what community and service you need. Mr. Gorman said he has been working with State and federal officials to bring the service to the area as it provides a vital link to nonprofit human service agencies and government services who provide services related to food and shelter, day care, elder services, disaster and crisis response, mental health services, afterschool programs, and government services. He said the service will start tomorrow (2/11) in Jefferson, Lewis and St. Lawrence counties and it will be valuable to everyone in the community but particularly those associated with Fort Drum who would need to access services but are not aware of what is offered or who to contact for information. The service can be accessed by dialing 211 or 1-844-245-1922 if your service provider has not activated the 2-1-1 number yet, and through the companion website [www.221cny.com](http://www.221cny.com). Cheryl Jeruso, Contact Community Services representative encouraged people to take a look at the website and contact them through the 211 service with any questions.

Russell Marceau, 627 James Street, Clayton, addressed the Board concerning the Purple Heart County designation. He briefly outlined the history of the Purple Heart metal started by General Washington in 1782. He said Governor Cuomo has requested that every county in the State be designated a Purple Heart County and he felt it particularly important for Jefferson County because we are the home of the 10<sup>th</sup> Mountain Division, the most deployed division in the US Army. He noted that citizens in Jefferson County have had a history of service in the armed forces for as long as he could remember and thanked the Board for bringing forward a resolution to designate Jefferson County a Purple Heart County to honor all men and women who have been wounded or killed in combat while serving in the U.S. Armed Forces. He related that the American Legion posts in the area are very supportive of this effort and may be able to help with signage in the County for the designation.

American Legion County Commander Phil Snyder, 41167 State Rt 180, Clayton, also thanked the Board for its willingness to have the County designated a Purple Heart County and said he is honored to serve in the Jefferson County area with so many veterans. He said it would mean a great deal to him as well as all veterans in the community to have this designation.

Howie Ganter, Executive Director, JRC, 610 Main Street, Glen Park, NY thanked Deputy Administrator Kaskan for writing the resolution before the Board tonight concerning New York State's interpretation of the Olmstead decision that would close sheltered workshops. He said the State's interpretation left out the part of the decision regarding individuals having a choice, and New York State closed new admissions to the workshops on July 1, 2013 but has not formed a new acceptable model. Production Unlimited currently has contracts to produce hydraulic brake repair kits for the New York Airbrake, package products for a Canadian company that makes safety equipment, produces plastic tags for the government, produces equipment folders for the US Army, and makes 3-ring binders. JRC believes this is a viable model for people who want to work in that environment, but they are preparing for the worst case scenario that the workshop closes, however they continue to look for a model that is acceptable to the State. JRC recently purchased the UPS store and are competitively employing people on their own, and they are looking for ways to bring a more integrated work setting into their workshop. Mr. Ganter said they fully support the Olmstead decision that developmentally disabled people should work competitively in the community if they can, but for those who cannot there should be a choice for a viable workshop model. He urged legislators to support Resolution No. 51.

#### **MINUTES OF LAST SESSION**

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

#### **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 Administrator reported on budget transfers for the months of December, 2014 and January, 2015.

The County Auditor provided a report on erroneous assessments for the month of December, 2014.

The Probation Department provided a 2014 Annual Report.

#### **LOCAL LAWS, RESOLUTIONS AND MOTIONS**

##### **Resolution No. 33**

##### **Increasing County Clerk Petty Cash Fund**

By Legislator: Michael A. Montigelli

Whereas, A recent New York State DMV audit has recommended that the County Clerk's petty cash fund should be increased.

Now, Therefore, Be It Resolved, Pursuant to Section 371, Subdivisions 1 and 2 of the County Law, the funding level of the County Clerk petty cash fund established by Resolution 88 of 1956 and increased by Resolutions 97 of 1982, 323 of 1990, 281 of 1991, 69 of 1997 and 97 of 2010 is hereby increased from \$1425.00 to \$1875.00.

Seconded by Legislator: John D. Peck

All members present voted aye.

### **Resolution No. 34**

#### **Appointing Election Commissioner**

By Legislator: Robert D. Ferris

Resolved, That pursuant to Section 3-204 of the Elections Law, which specifies that the County Board act on such appointment within 30 days of receipt of the party's county committee's certificate of party recommendation, Jude R. Seymour, Republican, be and hereby is appointed as Election Commissioner of the County of Jefferson for a two year term effective immediately and ending December 31, 2016.

Seconded by Legislator: John D. Peck

Legislator Maxon was excited to welcome Mr. Seymour and said it will be a privilege to have him in that office.

All members present voted aye.

### **Resolution No. 35**

#### **Classifying Project and Determining Significance of Environmental Impacts Pursuant to the New York State Environmental Quality Review Act**

By Legislator: Michael A. Montigelli

Whereas, The County Board of Legislators of the County of Jefferson, New York (the "County") has been requested to pay fifty percent (50%) of the cost of the construction of the Collaborative Learning Center and the renovations to the Dewey Library, located on the Jefferson Community College main campus, including grading and improvement of the site and original furnishings, equipment, machinery and apparatus required for the purposes for which such constructed and reconstructed buildings are to be used (the "Project"); and

Whereas, Pursuant to Article 8 of the Environmental Conservation Law, as amended, the New York State Environmental Quality Review Act (the "SEQR Act") and the regulations adopted pursuant thereto by the Department of Environmental Conservation at the State of New York, being 6 NYCRR Part 617, as amended (the "Regulations"), the County desires to comply with the SEQR Act and the Regulations with respect to the Project; and

Whereas, To assist the County in approving the Project, the County has prepared a Short Environmental Assessment Form for the Project (the "EAF"), which was discussed by the Board of Legislators at this meeting, and a copy of which is on file at the office of the County Administrator located in the County Historic Courthouse; and

Whereas, The County has considered the potential environmental effects of the Project using the criteria specified in Section 617.7 of the Regulations; and

Whereas, Pursuant to the Regulations, the County has examined the EAF, and such other information as has been deemed appropriate in order to make a determination as to the potential for significant adverse environmental impacts; and

Whereas, the Project constitutes an "Unlisted Action," as this quoted term is defined in the Regulations; and

Now, therefore, Be It Resolved by the County Board of Legislators of the County of Jefferson, New York as follows:

1. Based upon an examination of the EAF, the knowledge of County staff familiar with the area surrounding the Project, and such further investigation of the Project and its potential environmental effects as the County has deemed appropriate, the County makes the following findings and determinations with respect to the Project:

- (a) The Project is described in the EAF;
- (b) The Project constitutes an "Unlisted Action," as this quoted term is defined in the Regulations;
- (c) No potentially significant adverse environmental impacts are noted in the EAF for the Project and none are known to the County; and
- (d) As a consequence of the foregoing, the County has prepared a negative declaration with respect to the Project.

2. The County Administrator is hereby directed to file a negative declaration with respect to the Project (the negative declaration to be substantially in the form and to the effect of the negative declaration attached hereto); and a copy of the negative declaration shall be maintained in the office of the County Administrator in a file that will be readily accessible to the public.

3. This resolution shall take effect immediately.

Seconded by Legislator: Allen T. Drake

All members present voted aye.

**Resolution No. 36**

**Authorizing the Execution of a Subordination Agreement in Regard to a Mortgage Note Held by Jefferson County in Relation to the Community Development Block Grant Housing Improvement Program**

By Legislator: Allen T. Drake

Whereas, The County of Jefferson received funding from the New York Office of Community Renewal for the operation of a county-wide housing improvement program under the Small Cities Community Development Block Grant funding (CDBG), and

Whereas, By Resolution 199 of 2014 this Board adopted Guidelines and Administrative Procedures for the operation of the Housing Improvement Program, and

Whereas, Said Regulations require the protection of the County's investment in individual projects by means of a mortgage note securing the County's right to seek reimbursement of loaned funds in the event of a breach of program regulations by the property owner, and

Whereas, It is not the intent of the program to impair property owners ability to finance or refinance their residential real property through a third party lender, as a result of the interest mortgaged to the County, and

Whereas, An application having been made by Housing Improvement Program participant Tina M. Porter requesting that the County execute a Subordination Agreement, subordinating the County's existing mortgage (File No. 2011-14990) to a mortgage about to be executed and recorded to Community Bank, N. A.

Now, Therefore, Be it Resolved, that the Chairwoman of the Board is hereby authorized to execute the Subordination Agreement in favor of the party set forth above, subject to the approval of the County Attorney as to form and content.

Seconded by Legislator: Jennie M. Adsit

All members present voted aye.

**Resolution No. 37**

**Authorizing Agreement for Janitorial**

## **Services for Jefferson County Office Buildings**

By Legislator: Anthony J. Doldo

Whereas, The Jefferson Rehabilitation Center (JRC)/DOHL Development Corporation (DOHL) is currently providing janitorial services to Jefferson County, and

Whereas, Renewal of said contract will provide the County with necessary janitorial services, while also providing training and work experience for the clients of JRC/DOHL.

Whereas, Both JRC/DOHL and Jefferson County wish to renew the custodial services agreement for an additional one year term (1/1/15-12/31/15), with rates to take effect on January 1, 2015.

Now, Therefore, Be It Resolved, That the Board of Legislators hereby authorizes the award of a contract to JRC/DOHL for janitorial services for County facilities in accordance with the County's specifications and at a cost not to exceed \$293,929, and be it further

Resolved, That the Chairman of the Board be and is hereby authorized to execute said contract on behalf of Jefferson County, subject to approval by the County Attorney as to form and content.

Seconded by Legislator: Jennie M. Adsit

All members present voted aye.

### **Resolution No. 38**

#### **Authorizing Purchase Agreement with JPJ Electronic Communications, Inc. for Purchase of Radio Licensed Frequencies For County Emergency Management Radio System Upgrade**

By Legislator: Jonathan L. Hirschey

Whereas, The County of Jefferson (hereinafter "County") is in the process of rebuilding and upgrading its emergency management radio communication system and the addition of new radio frequencies will be necessary to accommodate usage volume and signal strength Countywide, and

Whereas, JPJ Electronic Communications, Inc. (hereinafter "JPJ") desires to sell for use by County up to six channel blocks, free and clear of encumbrances, and

Whereas, County and JPJ agree the consideration to be paid for each Partitioned FCC Authorization is fifty thousand dollars (\$50,000) for a maximum purchase of six Partitioned FCC Authorizations.

Now, Therefore, Be it Resolved, That the Chairman of the Board be and hereby is authorized and directed to execute an agreement with JPJ Electronic Communications, Inc. for the purchase of up to six Partitioned FCC Authorizations at a price of \$50,000 per Partitioned FCC Authorization, either individually or collectively, with the aggregate cost not to exceed three hundred thousand dollars (\$300,000), subject to approval as to form and content by the County Attorney.

Seconded by Legislator: Anthony J. Doldo

All members present voted aye.

### **Resolution No. 39**

#### **Establishing a Highway Equipment Capital Reserve Fund**

By Legislator: Patrick R. Jareo

Resolved, That Pursuant to section 6-c of the General Municipal Law, as amended, there is hereby established a capital reserve fund to be known as the "Highway Equipment Reserve Fund" (Reserve Fund). The purpose of this Reserve Fund is to finance Highway Equipment, and be it further

Resolved, That the County Treasurer is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law, and may invest the moneys in the manner provided by Section 11 of the General Municipal Law, and consistent with the County's Investment Policy. Any interest earned on the moneys so deposited shall accrue to and become part of the Reserve Fund. The County Treasurer shall account for the Reserve Fund in a manner which maintains the separate identity of the Reserve fund and shows the date and amount of each sum paid into the fund, interest earned by the fund, the amount and date of each withdrawal from the fund and total assets of the fund, showing a cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to the Board a detailed report of the operation and condition of the Reserve Fund, and be it further

Resolved, That except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund was established, and that no expenditure shall be made from this Reserve Fund without the approval of this Board of Legislators.

Seconded by Legislator: Jennie M. Adsit

All members present voted aye.

### **Resolution No. 40**

#### **Authorizing Agreement with the Town of Antwerp to Exchange Ownership and**

**Jurisdiction of a Certain Portion of County Road 194 and a Certain Portion of County Line Road with said Town and Amending the County Highway Map in Relation Thereto**

By Legislator: Jonathan L. Hirschey

Whereas, By Resolution 76 of 1999 this Board authorized the “Jurisdictional Road Reclassification Program” providing for the transfer of certain roads and parts thereof to the Town in which the road is located upon the recommendation of the Highway Superintendent, and

Whereas, Sections 115-b and 115-c of New York Highway Law provide the County Board of Legislators with the authority, upon the recommendation of the Highway Superintendent and pursuant to a written agreement with the governing body of a town or village, to remove portions of roads from the highway system upon the adoption of a resolution, and

Whereas, The Jefferson County Highway Superintendent has recommended the removal of a portion of County Road 194 from the County Highway System and that ownership of said portion of roadway be transferred to the Town of Antwerp as hereinafter set forth, and

Whereas, The Jefferson County Highway Superintendent further recommends that Jefferson County assume ownership of a portion of County Line Road, located in the town of Antwerp, as hereinafter set forth, and

Now, Therefore, Be it Resolved, That the Chairman of the Board and the Highway Superintendent be and hereby are authorized to execute an intergovernmental agreement with the Town of Antwerp to transfer ownership of a portion of County Road 194 (and which road portion commences at the intersection with U.S. Route 11 at mile marker 10.36, thence runs easterly, thence southerly to the Village of Antwerp corporation line at mile marker 11.29, thence continues to run southerly to the Fort Drum boundary line at mile marker 11.57, for a total distance of 1.21 miles), to the Town, and be it further

Resolved, That upon conveyance of the above described portions of County Road 194 to the Town of Antwerp, it shall be deleted from the Jefferson County Highway System Map, and be it further

Resolved, That said agreement also transfer ownership of a portion of the town road called County Line Road located in the Town of Antwerp (and which road portion commences at the intersection with County Road 26 at mile marker 0.00, thence runs easterly to St. Lawrence County Road 22 at mile marker 0.82, for a total distance of 0.82 miles), to the County, and be it further

Resolved, That upon conveyance of the above described portion of County Line Road to the County, it shall be added to the Jefferson County Highway System Map, and be it further

Resolved, That the Chairman of the Board and County Attorney are hereby authorized to execute all necessary documents to effectuate the transfers of ownership as above described.

Seconded by Legislator: Anthony J. Doldo

All members present voted aye.

**Resolution No. 41**

**Authorizing the Implementation and Funding in the First Instance 100% of the Federal Aid and State "Marchiselli" Program Aid Eligible Costs of a Transportation Federal-Aid Project (CR 62 Bridges over Mill Creek), Appropriating Funds Therefor and Amending the 2015 County Budget and Capital Plan**

By Legislator: Jennie M. Adsit

Whereas, A Project for the CR 62 over Mill Creek, PIN 7753.44 (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 and 20% non-federal funds; and

Whereas, The County of Jefferson desires to advance the Project by making a commitment of 100% of the federal and non-federal share of the cost of the Preliminary Engineering phase of the project.

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 the Preliminary Engineering work for the Project or portions thereof, and be it further

Resolved, That the sum of \$100,000, which includes the Preliminary Engineering phase, or so much thereof as is necessary is hereby appropriated from Account 20511300 02874 in the 2015 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 and be it further

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

**Increase:**

Expense 20511300 02874	CR 62 Over Mill Creek	\$100,000
Revenue 20900600 94592	Federal Aid Bridges	80,000

**Decrease:**

Expense 20511300 02802	Bridge Engineering & Design	\$ 20,000
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and be it further

Resolved, That the six year capital plan is amended accordingly.

Seconded by Legislator: Anthony J. Doldo

Roll Call Vote

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

Resolution passed.

**Resolution No. 42**

**Authorizing Agreement with the NYS Unified Court System  
for Cleaning and Maintenance of Court Facilities**

By Legislator: Jonathan L. Hirschey

Whereas, Counties are required by law to furnish and maintain adequate court facilities for use by State Courts, and

Whereas, Pursuant to Chapter 686 of the Laws of 1996, New York State was designated with fiscal responsibility for managing interior cleaning and minor repairs within court facilities, and required to contract with counties for such maintenance, and

Whereas, Pursuant to Resolution 264 of 2013, Jefferson County entered into an agreement with the NYS Unified Court System for the provision of cleaning and maintenance services to the local courts during the period April 1, 2013 through March 31, 2018 in consideration of reimbursement by the NYS Unified Court System to the County for actual costs for cleaning and maintenance, and

Whereas, The maximum compensation for the 2014-2015 period shall be \$177,968.

Now, Therefore, Be It Resolved, That Jefferson County enter into an agreement with the NYS Unified Court System for the provision of cleaning and maintenance services to the local courts for the period April 1, 2014 through March 31, 2015 in consideration of reimbursement by the NYS Unified Court System to the County for actual costs for cleaning and maintenance in the amount of \$177,968, and be it further

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

Seconded by Legislator: Jennie M. Adsit

All members present voted aye.

### **Resolution No. 43**

#### **Amending the 2015 Stop DWI Plan and the 2015 County Budget in Relation Thereto**

By Legislator: Jennie M. Adsit

Whereas, The 2015 Stop DWI Plan was approved by this Board of Legislators by Resolution 303 of 2014, and

Whereas, The New York State Governor's Traffic Safety Committee will not approve the Plan as submitted because it includes too much equipment for the City of Watertown and the committee desires to see more overtime investment, and

Whereas, The Plan has been amended to comply with the State's requirements and the 2015 County Budget must be amended as well.

Now, Therefore, Be It Resolved, That the 2015 Stop DWI Plan is amended in accordance with the State's requirements, and be it further

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

**Increase:**

01331500 04428	Public Safety Svcs - Other Govt	\$24,400
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**Decrease:**

01331500 02300	Technical Equipment	\$22,500
01331500 41113	Computer Equipment	900
01331500 04585	Operating Supplies	1,000

Seconded by Legislator: Anthony J. Doldo

All members present voted aye, except Legislator Jareo who voted nay.

**Resolution No. 44**

**Authorizing Agreement with VNA Homecare Options for the Provision  
of Home Delivered Meals by Office for the Aging**

By Legislator: Allen T. Drake

Whereas, The County Office for Aging is charged with responsibility for provision of community services to the elderly residents of Jefferson County and as a part thereof provides congregate and home delivered meals to elderly residents throughout the County, and

Whereas, VNA (Visiting Nursing Association of Central New York) has been approved by the NYS Department of Health (DOH) to serve as a Managed Long Term Care company in Jefferson County, and

Whereas, VNA must provide home delivered meals to their clients and wishes to enter into an agreement with Office for Aging to provide the meals, and

Whereas, VNA has agreed to pay \$7.44 for each meal provided by Office for Aging for the period October 1, 2014 through December 31, 2015.

Now, Therefore, Be It Resolved, that Jefferson County enter into an agreement with VNA Homecare Options for the delivery of home delivered meals by Jefferson County Office for Aging the term October 1, 2014 through December 31, 2015 at a rate of \$7.44 per meal, and be it further

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

By Legislator: Jonathan L. Hirschey

All members present voted aye.

**Resolution No. 45**

**Authorizing Agreement with the City of Watertown (Citibus)  
for Transportation Services for the Elderly and Amending  
the 2015 County Budget to Reappropriate Funds**

By Legislator: Michael J. Docteur

Whereas, The Office for the Aging and this Board of Legislators desire to contract for the provision of certain programs and services for the elderly.

Now, Therefore, Be It Resolved, That pursuant to Section 95-a of the General Municipal Law, Jefferson County enter into an agreement with the City of Watertown (Citibus) for the period of October 1, 2014 through March 31, 2015 for the provision of transportation services for persons 60 years of age or older, at a cost of approximately \$5,600 funded by the NYS AAA Transportation grant as recognized in the adopted 2014 Office for the Aging budget, and be it further

Resolved, That the Chairman of the Board be and is hereby authorized and directed to execute said agreement on behalf of the County of Jefferson with the approval of the County Attorney as to form and content, and be it further

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

**Increase:**

Expenditure:		
01677200 04710	Contracted Transportation	\$5,600
Fund Balance		
01000000 30599	Appropriated Fund Balance	\$5,600

Seconded by Legislator: Allen T. Drake

Roll Call Vote

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

Resolution passed.

**Resolution No. 46**

**Authorizing Amendment to Agreement with YMCA for Diabetes Prevention Program Services Relative to the Office for the Aging**

By Legislator: Michael J. Docteur

Whereas, By Resolution No. 268 of 2013 Jefferson County contracted with the YMCA to provide a Diabetes Prevention Program to persons 60 years of age and older, and

Whereas, This YMCA evidence based Diabetes Prevention Program has been approved by the New York State Office for Aging for IIID funds, and there is approximately \$14,339 of IIID funds to be spent in the 2015 Budget for evidence based services, and

Whereas, A recent national YMCA pricing change has imposed a \$429.00 fee for each program participant, increasing the previously approved rates of \$50.00 (YMCA member) and \$150.00 (non-YMCA member), and the YMCA contract needs to be amended to reflect this change.

Now, Therefore, Be It Resolved, That YMCA Agreement be amended to reflect the increased rates, and be it further

Resolved, That the Chairman of the Board of Legislators be and is hereby authorized to execute the amended agreement on behalf of the County, subject to the approval of the County Attorney as to form and content.

By Legislator: William W. Johnson

All members present voted aye.

**Resolution No. 47**

**Appointing and Re-Appointing Members to the Community Services Board**

By Legislator: Jeremiah J. Maxon

Resolved, That pursuant to Section 41.11 of the Mental Hygiene Law the following individuals are hereby appointed as members of the Jefferson County Community Services Board and the designated sub-committee thereof for terms to expire as indicated below:

<u>Member</u>	<u>Sub-Committee</u>	<u>Term to Expire</u>
Rebecca Small Kellogg	People with Developmental Disabilities	12/31/2017
Chris Page	Alcohol & Substance Abuse	12/31/2017
Aileen Martin	Mental Health	12/31/2017
Jill Rupp*	People with Developmental Disabilities	12/31/2017

Sandy Petrillose\*                      Mental Health (sub-comm only)                      12/31/2017  
Lynn Pietroski\*                      Mental Health (sub-comm only)                      12/31/2017

\*denotes reappointments

Seconded by Legislator: Allen T. Drake

All members present voted aye.

**Resolution No. 48**

**Amending the 2015 County Budget Relative to Mental Hygiene/Community Services  
and Authorizing Amended Agreements in Relation Thereto**

By Legislator: Jeremiah J. Maxon

Whereas, The NYS Office of Mental Health provided additional 2015 State Aid for the Children’s Home Children & Youth Intensive Case Management Program for conversion of two State intensive case management positions to local intensive case management positions, and

Whereas, The NYS Office of Mental Health also provided a 2014-2015 Enacted Budget increase for the provision of cost of living (COLA) increases for direct care and support staff for Northern Regional Center for Independent Living local contracted programs effective January 1, 2015 (\$3,575) and April 1, 2015 (\$3,647).

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	\$19,126

Expenditure		
01432000 04708	Northern Regional Center (NRCIL)	7,222
01432000 04732	Children’s Home	11,904

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: Jonathan L. Hirschey

Roll Call Vote

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

Resolution passed.

**Resolution No. 49**

**Amending the 2014 County Budget in Relation to Community Services**

By Legislator: Jeremiah J. Maxon

Whereas, The County has received State Aid for converting two State intensive case managers to locally-based positions, beginning in late 2014, and

Whereas, Funding to assist in the increased costs of these case managers is also available from unspent funds originally provided to the North Country Transitional Living Services in 2014, and

Whereas, The 2014 County Budget must be amended to recognize the new and unspent revenue and place it in the appropriate account.

Now, Therefore, Be It Resolved, That the 2014 County Budget is hereby amended as follows:

**Increase:**

Revenue			
01431000 93490	State Aid - Office of Mental Health		\$2,976

Expense			
01432000 04732	Children's Home		3,379

**Decrease:**

Expense			
01432000 04714	North Country TLS		403

Seconded by Legislator: William W. Johnson

Roll Call Vote

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

Resolution passed.

**Resolution No. 50**

**Accepting Donations on Behalf of the Department of Social Services  
and Amending the 2014 County Budget**

By Legislator: Allen T. Drake

Whereas, Various businesses and individuals have donated funds to the Jefferson County Department of Social Services to be used for the Foster Care Program (\$875) and for National Adoption Day (\$100), and

Whereas, The 2014 County Budget must be amended to recognize these donations.

Now, Therefore, Be It Resolved, That Pursuant to County Law Section 215 (3), this Board of Legislators gratefully accepts said donations and be it further

Resolved, That the 2014 County Budget is amended as follows:

**Increase:**

Revenue:

01601000 92705	Donations	\$975.00
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Expenditure:

01601000 04624	Client Incidentals	\$975.00
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Seconded by Legislator: Michael J. Docteur

Roll Call Vote

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

Resolution passed.

**Resolution No. 51**

**Requesting that New York State Review its Interpretation of the Olmstead Decision  
as it Relates to Choice of Employment for Persons with Intellectual and  
Developmental Disabilities**

By Legislator: William W. Johnson

Whereas, The United States Department of Justice and the Centers for Medicare and Medicaid Services have been working with the various states to ensure that the terms of the 1999 Supreme

Court decision *Olmstead vs. L.C.*, which requires that persons with disabilities must be placed in the most integrated settings appropriate to their needs, are enforced, and

Whereas, New York State believes that sheltered workshops are segregated settings and not appropriate for implementing the *Olmstead* decision, and

Whereas, The State of New York has promulgated rules wherein no new individuals may be placed in sheltered workshops and all sheltered workshops will be closed within six years, and

Whereas, Some 8,000 individuals with disabilities are currently employed in sheltered workshops in New York State, and

Whereas, The State's plan is to move approximately half of those individuals into minimum wage jobs and the other half into day programs with no employment, and

Whereas, The individuals in the workshops currently earn less than the minimum wage based on their production capacity under the terms of an exemption in the Fair Labor Standards Act, and

Whereas, The State does not support paying less than the minimum wage under said exemption, and

Whereas, The sheltered workshops provide employment to individuals who otherwise could not be employed, and who want to continue to work there, and

Whereas, The State and federal government, by these rules, do not support the choice of these individuals to continue working, even though the *Olmstead* decision specifically states that depending on the abilities and needs of the individual, such settings are legally acceptable, and

Whereas, Jefferson County strongly supports and advocates for the choices of said individuals and their families to work in sheltered workshops as a way to feel as and be productive citizens, regardless of abilities, and

Whereas, Jefferson County believes the elimination of sheltered workshops would be a discriminatory and harmful action against disabled individuals.

Now, Therefore, Be it Resolved, That Jefferson County requests the State of New York consider that either workshops be allowed as a choice of employment or a model be created that promotes integration in the workshop with the support and resources necessary to make it successful and provides choice for people with disabilities as required by *Olmstead*, and be it further

Resolved, That copies of this resolution be provided to the County's state and federal representatives.

By Legislator: Allen T. Drake

Legislator Montigelli expressed support for the resolution as he and many people who attended the Health & Human Services Committee meeting feel that the State is not moving in the right direction with their decisions on this matter. He felt the resolution will give some traction to a positive change in terms of the sheltered workshops.

Legislator Hirschey concurred with Legislator Montigelli's comments, expressed strong support for the resolution and said it would be appropriate to have a roll call vote on the resolution.

Legislator Maxon reminded everyone of the full house of community members and clients who were willing to speak out in support of Production Unlimited and JRC at the Health & Human Services Committee meeting. He said it was very telling of the good work the agency performs. He reiterated that the unintended consequence of the State's decision is that they are depriving our intellectually and developmentally disabled citizens of the dignity of employment which he said is a travesty.

Legislator Reed thanked Mr. Kaskan for his eloquent words, Mr. Ganter for his dedication, and Board members for their support in giving these people the dignity they deserve.

Roll Call Vote

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

Resolution passed.

## **Resolution No. 52**

### **Proclaiming Jefferson County as Purple Heart County**

By Legislator: Michael J. Docteur

Whereas, Jefferson County has always supported its military veteran population, and

Whereas, The Purple Heart is the oldest military decoration in present use and was initially created as the Badge of Military Merit by General George Washington in 1782, and

Whereas, The Purple Heart was the first american service award or decoration made available to the common soldier and its specifically awarded to members of the United States Armed Forces who have been wounded or paid the ultimate sacrifice in combat with a declared enemy of the United States of America, and

Whereas, The mission of the military Order of the Purple Heart is to foster an environment of goodwill among the combat-wounded veteran members and their families, promote patriotism, support legislative initiatives, and most importantly - make sure we never forget, and

Whereas, Jefferson County has a large, highly decorated veteran population including many Purple Heart recipients, and

Whereas, Jefferson County appreciates the sacrifices our Purple Heart recipients made in defending our freedoms and believe it is important that we acknowledge them for their courage and show them the honor and support they have earned.

Now, Therefore, Be It Resolved, That this Board of Legislators does hereby proclaim Jefferson County as a Purple Heart County and be it further

Resolved, That Jefferson County appreciates the sacrifices of the Purple Heart recipients have made in defending our freedoms, and acknowledges their courage.

Seconded by Legislator: Jonathan L. Hirschey

Legislator Docteur thanked all the American Legion members present and Legion Member Russell Marceau for bringing this issue to the Board. Being the home of the 10<sup>th</sup> Mountain Division and having a history of citizens who have served and whom we have honored during many Veterans and Memorial Day ceremonies, he felt it was fitting that we never forget the sacrifices that many have made. He said this is yet another way we can show our support for the military in our community and recognize those that have given so much.

Legislator Jareo as an American Legion member thanked his fellow legionnaires for bringing this to the Board's attention. He said it is a very important piece of legislation and he was happy to support it.

All those present voted aye.

### **Resolution No. 53**

#### **Amending the 2015 County Budget in Relation to the Employment & Training Department**

By Legislator: Jeremiah J. Maxon

Whereas, The Employment and Training Department received Ticket to Work funds in 2013 and 2014, some of which remain unspent, and

Whereas, The Department intends to use most of these unspent funds purchasing technology equipment this year, and

Whereas, The 2015 County Budget must be amended for that purpose.

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

**Increase:**

Expense		
25634000 041111	Audio Visual Equipment	\$ 500
25634000 041113	Computer Equipment	12,500

**Decrease:**

Reserve		
25000000 30888	Misc. Restricted Funds	\$13,000

Seconded by Legislator: Robert D. Ferris

All members present voted aye.

**Resolution No. 54**

**Appointing Member to the Regional Fish and Wildlife Management Board**

By Legislator: Jeremiah J. Maxon

Pursuant to Section 11-0501 of the Environmental Conservation Law, this Board hereby approves the following appointment by the Chairman of the Board of Legislators to the Regional Fish and Wildlife Management Board:

<u>Name</u>	<u>Term to Expire</u>
Linda Sicley, Landowner Representative	12/31/16

Seconded by Legislator: Robert D. Ferris

All members present voted aye.

Chairwoman Fitzpatrick entertained a motion 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 Montigelli and unanimously carried.

**Resolution No. 55**

**Urging Restoration of Funding for the New York Agriculture Programs**

By Legislator: John D. Peck

Whereas, Agriculture has the ability to help communities in New York State grow local economies, create jobs, improve the tax base and provide safe nutritious food for our residents, and

Whereas, Research and development is critical to the continued viability and growth of any industry including agriculture, necessitating the investment by private industry, educational institutions, and government to facilitate innovation and growth with agriculture and other industries, and

Whereas, The Governor's proposed budget slashes the large majority of programs under the Department of Agriculture and Markets Local Assistance Appropriations, and

Whereas, Said programs include the Farm Viability Institute (a 73% reduction of \$1.1M), the Northern NY Ag. Development program (a 100% reduction - \$600,000), a \$1,000,000 reduction in Cornell's Diagnostic Labs funding, a 90% or \$460,000 reduction in the rabies program, a 29% or \$287,000 reduction in the Wine/Grape Foundation funding, and a complete defunding of 19 other programs, several of which have direct effects on Jefferson County agriculture, such as the NYS Apple Growers Association, Cornell Honeybee Research, and Cornell Maple Research, and

Whereas, the total proposed reduction of Local Assistance Appropriations is over \$8,000,000, and

Whereas, Research and development, job creation, stimulating private investment and providing safe nutritious, locally grown food supply are in the best interests of the people of New York State and Jefferson County.

Now, Therefore, Be it Resolved, That the Jefferson County Board of Legislators does hereby call upon our Honorable Governor of New York State, Andrew Cuomo, the honorable members of the NYS Assembly, and the honorable members of the New York State Senate to restore the cuts to the valuable agricultural program in the Local Assistance Appropriations, and be it further

Resolved, That a copy of this resolution be sent to the Honorable Addie Jenne Russell, NYS Assemblywoman, Honorable Patty Ritchie, NYS Senator, Honorable Kenneth Blankenbush, NYS Assemblyman, and the Commissioner of the NYS Department of Agriculture and Markets.

Seconded by Legislator: Jeremiah J. Maxon

Legislator Peck pointed out that every year since Governor Cuomo has been in office he has reduced the State budget for Agriculture and Markets Programs and it is very telling of his priorities, and goes contrary to the importance of the industry in the mainstay of the State's economy. He said it is used as a bargaining chip that our state legislators have to fight to have restored. These programs are very beneficial to the farming community and include a wide variety of agricultural practices such as wineries, honey production, dairy, beef and vegetables. He very much appreciated the resolution and urged his colleagues to support it.

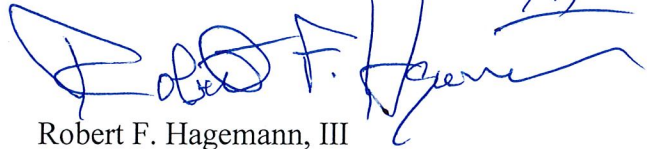
All members present voted aye.

Chairwoman Fitzpatrick related that she and Legislators Montigelli and Johnson attended the NYSAC Conference in Albany last week, and for the first time that she remembers training

for new legislators was offered. Legislator Johnson attended the new all day training program and said it covered a variety of issues and he found it very informative and interesting. He said they could have easily done another half day or day with the materials that were covered, and he encouraged other legislators to attend the training if given the opportunity even if they have been on the Board for a while as it was very worthwhile. Chairwoman Fitzpatrick said she and Legislator Montigelli particularly enjoyed the workshop on the Correction Commission, even though the Commissioner wasn't in attendance, there was quite a hearty discussion with other county representatives about issues with county jails.

There being no further business of the Board, on a motion by Legislator Maxon seconded by Legislator Montigelli and unanimously carried, the meeting was adjourned at 7:40 p.m.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Robert F. Hagemann, III". The signature is stylized and includes a large flourish that extends upwards and to the right, ending in a horizontal line with three vertical strokes underneath it, resembling the Roman numeral "III".

Robert F. Hagemann, III  
Clerk of the Board