

REGULAR SESSION

TUESDAY, NOVEMBER 13, 2018

Chairman Gray called the meeting to order at 6:00 p.m.

ROLL CALL OF MEMBERS

All members present.

**Public Hearing
2019 Tentative County Budget**

Chairman Gray called the public hearing to order at 6:01 p.m., no one present wished to make any comments, and the public hearing was closed.

PRIVILEGE OF THE FLOOR

No one present wished to address the Board.

READING OF MINUTES OF LAST SESSION

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

PRESENTATION OF PETITIONS, NOTICES AND COMMUNICATIONS

The New York State Small Business Development Center at JCC forwarded a Counseling Statistical Summary representative of data for their federal year October 1, 2017 through September 30, 2018.

The Town of Ellisburg forwarded a 2019 Special Benefit Assessment Roll for Water Districts 1 and 2 in the Town.

REPORTS OF STANDING COMMITTEES

The Finance & Rules Committee reported favorably on resolutions referred from other jurisdictional committees, on legislators expenses and on the 2019 Tentative Budget.

REPORTS OF COUNTY OFFICERS AND OTHERS

The County Treasurer provided a report on Investments and Cash in Banks as of September 30, 2018.

The County Administrator provided a report on Budget Modifications for October, 2018.

LOCAL LAWS, RESOLUTIONS AND MOTIONS

Resolution No. 207

Adopting 2019 Tentative Budget

By Legislator: James a. Nabywaniec

Whereas, Pursuant to Section 357 of the County Law, the Finance & Rules Committee of this Board has reviewed the Budget Officer's 2019 Tentative Budget.

Now, Therefore, Be It Resolved, That the 2019 Budget Officer's Tentative Budget is hereby adopted as the Budget of the County of Jefferson for County fiscal year 2019.

Seconded by Legislator: Allen T. Drake

Legislator Doldo expressed concern about the mortgage tax revenue that was in the County Clerk's budget and asked if it would fall to general fund, fund balance if we didn't receive it. Chairman Gray advised that while this Board passed a resolution asking for additional mortgage tax, it did not make it to legislation at the State level because it was a new tax. He did not see that changing for next year and said whether we replace it with fund balance now, or wait until later in the year to do it, it will come from general fund, fund balance.

Legislator Doldo understood that one of the vehicles the Probation Department uses is in serious need of some repairs as it did not have heat or defrost on a trip to Bath (NY) today, and expressed concern for the safety of the officers and the people they are transporting. He said if we can absorb a \$210,000 expense to the general fund for the County Clerk's Office we should be able to afford a vehicle. He made a motion for an allowance in the budget to cover the purchase of a vehicle for the Probation Department and the motion was seconded by Legislator Cantwell.

Legislator Maxon stated that we really need a dollar figure for the vehicle and it is a function that would routinely be handled by the jurisdictional committee for Probation, General Services, and he was completely caught off guard by this last minute amendment. He said we have a purchasing program and a Purchasing department that could make a recommendation and he is opposed to making this amendment to the budget.

Legislator Cantwell stated that being a freshman legislator he was not sure if this was the appropriate venue to discuss replacement of the Probation vehicle. He said it is important to address the need for a vehicle but we do have a process for doing so, and withdrew his second on the motion.

Chairman Gray asked for a second to Legislator Doldo's motion and he declared the motion defeated as it failed to receive a second.

Roll Call Vote on Resolution No. 207

Ayes: Fitzpatrick, Ferris, Montigelli, Jareo, Cantwell, Peck, Nabywaniec, Reed, McBride, Doldo, Johnson, Adsit, Drake, Gray

Nays: Maxon

Resolution passed.

Resolution No. 208

**Appropriation for the Conduct of County Government
for Fiscal Year 2019**

By Legislator: William W. Johnson

Whereas, Pursuant to Sections 354 and 355 of the County Law the Budget Officer has prepared and submitted to this Board the 2019 Budget Officer's Tentative Budget, and

Whereas, Said Tentative Budget has been reviewed by the Finance & Rules Committee of this Board in accordance with Section 357 of the County Law, and

Whereas, Said Tentative Budget has been adopted by this Board by Resolution No. 207.

Now, Therefore, Be It Resolved, That the numbers in the 2019 Budget Officer's Tentative Budget in the column entitled "Budget Officer's Recommendations," be inserted in the column entitled "Adopted," and be it further

Resolved, That, pursuant to Section 360 of the County Law, the several amounts specified in such budget in the column entitled "Adopted" be and are hereby appropriated for the objects and purposes specified, effective January 1, 2019.

Seconded by Legislator: Daniel R. McBride

Roll Call Vote

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

Resolution passed.

Resolution No. 209

Adopting Capital Plan for 2019 - 2024

By Legislator: Carolyn D. Fitzpatrick

Whereas, Pursuant to Resolution No. 357 of 1992 and Section 99-g of the General Municipal Law, the Budget Officer has prepared and submitted as part of the 2019 Budget Officer's Tentative Budget a Six Year Capital Plan for the years 2019-2024.

Now, Therefore, Be It Resolved, That said Capital Plan be and is hereby adopted.

Seconded by Legislator: William W. Johnson

Roll Call Vote

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

Resolution passed.

Resolution No. 210

Certification of Taxes to the City of Watertown

By Legislator: Daniel R. McBride

Resolved, That the Clerk of the Board be and is hereby authorized and directed to certify to the Clerk and the Assessor of the City of Watertown, the apportioned share of the 2019 County Tax to be levied on real property within the City as follows:

County Tax \$8,231,418.20

Seconded by Legislator: Allen T. Drake

All members present voted aye.

Resolution No. 211

Levying Tax Map Maintenance Charges for 2019

By Legislator: James A. Nabywaniec

Resolved, That, Pursuant to Section 503 of the Real Property Tax Law, the twenty-two Towns of the County be and are hereby charged \$306,759 for 2019 Tax Map Maintenance, and be it further

Resolved, That the Clerk of the Board of Legislators be and is hereby authorized and directed to apportion said sum among the twenty-two Towns in the County of Jefferson in accordance with

Resolution No. 248 of 1987, and that the amount apportioned to each Town be and is hereby levied and assessed against the taxable property of the respective Town.

Seconded by Legislator: William W. Johnson

Roll Call Vote

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

Resolution passed.

Resolution No. 212

Approving Mortgage Tax Report

By Legislator: Allen T. Drake

Whereas, This Board is in receipt of the semi-annual Mortgage Tax Report showing the amount to be credited to each tax district in the County of the money collected during the preceding six months ended September 30, 2018.

Now, Therefore, Be It Resolved, That, pursuant to Section 261 of the Tax Law, this Board issue Tax Warrants for the payment to the respective tax districts of the amounts so credited and authorize and direct the County Treasurer to make payment of said amounts to the respective districts in accordance with the report.

Seconded by Legislator: Daniel R. McBride

All members present voted aye.

Resolution No. 213

Payment of Legislators' Expenses

By Legislator: Daniel R. McBride

Whereas, This Committee to whom claims of the members of the Board were referred, has examined and audited such claims and finds the total to be \$ 59.95, we have allowed:

| | |
|---------------------|----------|
| Legislator Expense: | \$ 59.95 |
|---------------------|----------|

Now, Therefore, Be It Resolved, That the County Treasurer be and is hereby directed to draw checks payable to the claimants as audited.

Seconded by Legislator: Carolyn D. Fitzpatrick

All members present voted aye.

Resolution No. 214

**Endorsing Recommendation of the Committee Assigned to Review County Fees
and Directing the County Staff to Implement Such Recommendations**

By Legislator: Allen T. Drake

Whereas, The Chairman of the Board established an Ad-Hoc Committee to review County fees,
and

Whereas, The Committee has conducted said review and provided a report of its findings and
recommendations relative to County Fees to the Chairman of the Board, and, through the Finance
& Rules Committee, to the Board of Legislators, and

Whereas, The recommendations include:

1. Adjust Tax Enforcement, Building Permit and Commercial Tipping and Permit fees, and
institute Probation administrative fee when feasible; and
2. Review fees through the annual budget process in future.

Now, Therefore, Be It Resolved, That the Board of Legislators hereby endorses the findings and
recommendations of the Committee to adjust certain fees, and be it further

Resolved, That the County Administrator and County Attorney are hereby directed to take the
steps necessary to carry out these recommendations.

Seconded by Legislator: William W. Johnson

All members present voted aye.

Resolution No. 215

**Amending Jefferson County Administrative
Policies and Procedures for Non-Discrimination / Anti-Harassment**

By Legislator: Daniel R. McBride

Whereas, Local Law No. 10 of 1986, as amended, provides that the County Administrator shall
promulgate such administrative regulations and procedures as may be authorized by the Board of
Legislators, and

Whereas, It is the desire of the Board of Legislators to authorize the promulgation of administrative policies and procedures for non-discrimination/anti-harassment, as amended, which will replace the non-discrimination/anti-harassment policies and procedures earlier adopted.

Now, Therefore, Be It Resolved, That the Administrative Policy Section 3.06, Human Resources: Non-Discrimination/Anti-Harassment, is hereby approved and by reference incorporated herein, and its promulgation and implementation by the County Administrator is authorized, effective November 14, 2018, and be it further

Resolved, That the previously approved and promulgated (by Resolution 60 of 2013), Administrative Policy Section 3.06, Human Resources: Non-Discrimination/Anti-Harassment, is hereby rescinded.

Seconded by Legislator: Allen T. Drake

**ADMINISTRATIVE MEMORANDUM
POLICIES AND PROCEDURES**

County of Jefferson

Board of Legislators

Office of the County Administrator

Section: HUMAN RESOURCES

Issued: 5/2000

Subsection: 3.06 Non-Discrimination/Anti-Harassment

Revised: 3/2013, 11/2018

Policy Statement:

Jefferson County is committed to a working environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits discriminatory practices, including harassment. Therefore, Jefferson County expects that all decisions and relationships among employees will be free of unlawful bias, prejudice and harassment.

Illegal discrimination includes any type of action or behavior based on a person's sex, sexual orientation, predisposing genetic characteristics, race, color, national origin, age, religion, creed, marital status, military status, or disability, including pregnancy, or is otherwise a violation of any provisions of the Civil Rights Act of 1964, including Title VII; the Age Discrimination Act of 1975; The Americans with Disabilities Act of 1990; and the New York State Division of Human Rights Laws.

Applicability:

This policy applies to all elected officials and employees of Jefferson County, individuals doing business with the County and any person utilizing County Facilities.

The County's Response:

The County will actively work to prevent and eliminate discrimination and harassment and will respond promptly to deal with any incidents. This response may include, but is not limited to: training, counseling and/or disciplinary action in accordance with the appropriate collective bargaining agreement.

Examples of Discriminatory or Harassing Conduct:

- Discrimination in the provision of employment opportunities, benefits or privileges.
- Verbal or physical conduct designed to threaten, intimidate, or coerce. This may include verbal taunting (including racial and ethnic slurs or negative stereotyping) or physical actions which impairs the employee's ability to perform his or her job or interferes with the employee's work performance.
- Distribution, display or discussion of any written or graphic material that ridicules, denigrates, insults, belittles, or shows hostility or aversion toward an individual or group because of protected status.

The law and this policy prohibit men harassing women, women harassing men, women harassing women, and men harassing men. The harasser can be the victim's supervisor, an agent of the employer, a supervisor in another area, a co-worker, or a non-employee.

Procedures:

1. Department Heads and Supervisors play a critical role in prevention and correction. All supervisory personnel are responsible for:
 - ✓ Discouraging discrimination and harassment
 - ✓ Ensuring compliance with this policy
 - ✓ Properly responding and reporting discrimination and harassment complaints
2. All employees of Jefferson County are responsible to notify their supervisor, Department Head, or the Director of Human Resources immediately regarding incidents of discrimination or harassment.
3. Supervisory personnel may seek to resolve complaints through an informal process. The ability to resolve the complaint informally depends on the circumstances and the severity of the situation.
4. If the employee believes that informal resolution of the matter is not appropriate or believes that an attempt at informal resolution was ineffective, the employee shall make a formal written complaint to:

Director of Human Resources

Jefferson County Office Building, 2nd floor
175 Arsenal Street
Watertown, NY 13601

The Director of Human Resources will investigate all formal written complaints and forward the findings along with a recommendation to the Department Head. The Department Head will take the appropriate action, including discipline if necessary, in accordance with the appropriate collective bargaining agreement.

Confidentiality:

All inquiries, complaints, and investigations are treated with sensitivity, seriousness, and confidentiality except as is reasonably necessary to investigate and remedy the matter.

Retaliation:

Threats or other forms of intimidation and retaliation against a complainant or any other party reporting or acting pursuant to this policy are violations of the policy and constitutes grounds for disciplinary action. Knowingly making a false report impedes the effectiveness of this policy and constitutes grounds for disciplinary action.

REFERENCES:

1. Jefferson County Board of Legislators' Resolution No. 133 of 2000.
Jefferson County Board of Legislators' Resolution No. 69 of 2013
Jefferson County Board of Legislators' Resolution No. 215 of 2018
2. Title VII Civil Rights Act of 1964.
3. Civil Rights Act of 1991.
4. New York State Executive Law §290 et seq.

ISSUED: May, 2000

REVISED: March 5, 2013, November 13, 2018

Robert F. Hagemann, III
County Administrator

All members present voted aye.

Resolution No. 216

**Approving Jefferson County Administrative Policies and Procedures
for Sexual Harassment**

By Legislator: William W. Johnson

Whereas, Local Law No. 10 of 1986 provides that the County Administrator shall promulgate such administrative regulations and procedures as may be authorized by the Board of Legislators, and

Whereas, Title VII of the Civil Rights Act and The Civil Rights Act of 1991 requires local governments to provide a workplace that is free from sexual harassment, and

Whereas, The Board of Legislators is committed to providing a work environment which is conducive to optimum performance and efficiency.

Now, Therefore, Be It Resolved, that the Administrative Policy Section 3.09 Human Resources: Sexual Harassment is hereby approved and by reference incorporated herein, and its promulgation and implementation by the County Administrator is authorized, effective November 14, 2018.

Seconded by Legislator: Daniel R. McBride

**ADMINISTRATIVE MEMORANDUM
POLICIES AND PROCEDURES**

County of Jefferson

Board of Legislators

Office of the County Administrator

Section: HUMAN RESOURCES

Issued: 11/13/2018

Subsection: 3.09 Sexual Harassment

Revised:

Introduction:

Jefferson County is committed to maintaining a workplace free from sexual harassment. Sexual harassment is a form of workplace discrimination. All employees are required to work in a manner that prevents sexual harassment in the workplace. This Policy is one component of Jefferson County's commitment to a discrimination-free work environment. Sexual harassment is against the law. All employees have a legal right to a workplace free from sexual harassment and employees are urged to report sexual harassment by filing a complaint internally with Jefferson County. Employees can also file a complaint with a government agency or in court under federal, state or local antidiscrimination laws.

Policy:

1. Jefferson County's Policy applies to all employees, applicants for employment, interns, whether paid or unpaid, contractors and persons conducting business, regardless of immigration status, with Jefferson County. In the remainder of this document, the term "employees" refers to this collective group.

2. Sexual harassment will not be tolerated. Any employee or individual covered by this policy who engages in sexual harassment or retaliation will be subject to remedial and/or disciplinary action (e.g., counseling, suspension, termination).
3. Retaliation Prohibition: No person covered by this Policy shall be subject to adverse action because the employee reports an incident of sexual harassment, provides information, or otherwise assists in any investigation of a sexual harassment complaint. Jefferson County will not tolerate such retaliation against anyone who, in good faith, reports or provides information about suspected sexual harassment. Any employee of Jefferson County who retaliates against anyone involved in a sexual harassment investigation will be subject to disciplinary action, up to and including termination. All employees, paid or unpaid interns, or non-employees¹ working in the workplace who believe they have been subject to such retaliation should inform a supervisor or Department Head. All employees, paid or unpaid interns or non-employees who believe they have been a target of such retaliation may also seek relief in other available forums, as explained below in the section on Legal Protections.
4. Sexual harassment is offensive, is a violation of our policies, is unlawful, and may subject Jefferson County to liability for harm to targets of sexual harassment. Harassers may also be individually subject to liability. Employees of every level who engage in sexual harassment, including Department Heads and supervisors who engage in sexual harassment or who knowingly allow such behavior to continue, will be penalized for such misconduct.
5. Jefferson County will conduct a prompt and thorough investigation that ensures due process for all parties, whenever management receives a complaint about sexual harassment, or otherwise knows of possible sexual harassment occurring. Jefferson County will keep the investigation confidential to the extent possible. Effective corrective action will be taken whenever sexual harassment is found to have occurred. All employees, including Department Heads and supervisors, are required to cooperate with any internal investigation of sexual harassment.
6. All employees are encouraged to report any harassment or behaviors that violate this policy. Jefferson County will provide all employees a complaint form for employees to report harassment and file complaints.
7. Department Heads and supervisors are **required** to report any complaint that they receive, or any harassment that they observe or become aware of to:

Director of Human Resources
Jefferson County Department of Human Resources

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A non-employee is someone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or anyone providing services in the workplace. Protected non-employees include persons commonly referred to as independent contractors, "gig" workers and temporary workers. Also included are persons providing equipment repair, cleaning services or any other services provided pursuant to a contract with the employer.

175 Arsenal St.
Watertown, NY 13601

8. This policy applies to all employees, paid or unpaid interns, and non-employees and all must follow and uphold this policy. This policy must be provided to all employees and should be posted prominently in all work locations to the extent practicable and be provided to employees upon hiring.

What Is “Sexual Harassment”?

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender.

Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual’s sex when:

- Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive work environment, even if the reporting individual is not the intended target of the sexual harassment;
- Such conduct is made either explicitly or implicitly a term or condition of employment; or
- Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual’s employment.

A sexually harassing hostile work environment includes, but is not limited to, words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual’s sex. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, which interfere with the recipient’s job performance.

Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment. This is also called “quid pro quo” harassment.

Any employee who feels harassed should report so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this policy.

Examples of sexual harassment

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited:

- Physical assaults of a sexual nature, such as:
 - Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee's body or poking another employees' body;
 - Rape, sexual battery, molestation or attempts to commit these assaults.
- Unwanted sexual advances or propositions, such as:
 - Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion or other job benefits or detriments;
 - Subtle or obvious pressure for unwelcome sexual activities.
- Sexually oriented gestures, noises, remarks or jokes, or comments about a person's sexuality or sexual experience, which create a hostile work environment.
- Sex stereotyping occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
 - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity and the status of being transgender, such as:
 - Interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;
 - Sabotaging an individual's work;
 - Bullying, yelling, name-calling.

Who can be a target of sexual harassment?

Sexual harassment can occur between any individuals, regardless of their sex or gender. New York Law protects employees, paid or unpaid interns, and non-employees, including independent contractors, and those employed by companies contracting to provide services in the workplace. Harassers can be a superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer or visitor.

Where can sexual harassment occur?

Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer sponsored events or parties. Calls, texts, emails, and social media usage by employees can constitute unlawful workplace harassment, even if they occur away from the workplace premises, on personal devices or during non-work hours.

Retaliation

Unlawful retaliation can be any action that could discourage a worker from coming forward to make or support a sexual harassment claim. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation (e.g., threats of physical violence outside of work hours).

Such retaliation is unlawful under federal, state, and (where applicable) local law. The New York State Human Rights Law protects any individual who has engaged in “protected activity.” Protected activity occurs when a person has:

- made a complaint of sexual harassment, either internally or with any anti-discrimination agency;
- testified or assisted in a proceeding involving sexual harassment under the Human Rights Law or other anti-discrimination law;
- opposed sexual harassment by making a verbal or informal complaint to management, or by simply informing a supervisor or Department Head of harassment;
- reported that another employee has been sexually harassed; or
- encouraged a fellow employee to report harassment.

Even if the alleged harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment.

Reporting Sexual Harassment

Preventing sexual harassment is everyone’s responsibility. Jefferson County cannot prevent or remedy sexual harassment unless it knows about it. Any employee, paid or unpaid intern or non-employee who has been subjected to behavior that may constitute sexual harassment is encouraged to report such behavior to a supervisor, Department Head or Director of Human Resources. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior to a supervisor, Department Head or Director of Human Resources.

Reports of sexual harassment may be made verbally or in writing. A form for submission of a written complaint is attached to this Policy, and all employees are encouraged to use this complaint form. Employees who are reporting sexual harassment on behalf of other employees should use the complaint form and note that it is on another employee's behalf.

Employees, paid or unpaid interns or non-employees who believe they have been a target of sexual harassment may also seek assistance in other available forums, as explained below in the section on Legal Protections.

Supervisory Responsibilities

All Department Heads and supervisors who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing behavior or for any reason suspect that sexual harassment is occurring, **are required** to report such suspected sexual harassment to the Director of Human Resources.

In addition to being subject to discipline if they engaged in sexually harassing conduct themselves, supervisors and Department Head will be subject to discipline for failing to report suspected sexual harassment or otherwise knowingly allowing sexual harassment to continue.

Supervisors and Department Heads will also be subject to discipline for engaging in any retaliation.

Complaint and Investigation of Sexual Harassment

All complaints or information about sexual harassment will be investigated, whether that information was reported in verbal or written form. Investigations will be conducted in a timely manner, and will be confidential to the extent possible.

An investigation of any complaint, information or knowledge of suspected sexual harassment will be prompt and thorough, commenced immediately and completed as soon as possible. The investigation will be kept confidential to the extent possible. All persons involved, including complainants, witnesses and alleged harassers will be accorded due process, as outlined below, to protect their rights to a fair and impartial investigation.

Any employee may be required to cooperate as needed in an investigation of suspected sexual harassment. Jefferson County will not tolerate retaliation against employees who file complaints, support another's complaint or participate in an investigation regarding a violation of this policy.

While the process may vary from case to case, investigations should be done in accordance with the following steps:

- Upon receipt of complaint, Director of Human Resources or another individual designated by the County Administrator, will conduct an immediate review of the allegations, and take any interim actions (e.g., instructing the respondent to refrain from communications with the complainant), as appropriate. If complaint is verbal, encourage

the individual to complete the “Complaint Form” in writing. If he or she refuses, prepare a Complaint Form based on the verbal reporting.

- If documents, emails or phone records are relevant to the investigation, take steps to obtain and preserve them.
- Request and review all relevant documents, including all electronic communications.
- Interview all parties involved, including any relevant witnesses;
- Create a written documentation of the investigation (such as a letter, memo or email), which contains the following:
 - A list of all documents reviewed, along with a detailed summary of relevant documents;
 - A list of names of those interviewed, along with a detailed summary of their statements;
 - A timeline of events;
 - A summary of prior relevant incidents, reported or unreported; and
 - The basis for the decision and final resolution of the complaint, together with any corrective actions.
- Keep the written documentation and associated documents in a secure and confidential location.
- Promptly notify the individual who reported and the individual(s) about whom the complaint was made of the final determination and implement any corrective actions identified in the written documentation.
- Inform the individual who reported of the right to file a complaint or charge externally as outlined in the next section.

Legal Protections and External Remedies

Sexual harassment is not only prohibited by Jefferson County but is also prohibited by state, federal, and, where applicable, local law.

Aside from the internal process at Jefferson County, employees may also choose to pursue legal remedies with the following governmental entities. While a private attorney is not required to file a complaint with a governmental agency, you may seek the legal advice of an attorney.

State Human Rights Law (HRL)

The Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 et seq., applies to all employers in New York State with regard to sexual harassment, and protects employees, paid or unpaid interns and non-employees, regardless of immigration status. A complaint alleging

violation of the Human Rights Law may be filed either with the Division of Human Rights (DHR) or in New York State Supreme Court.

Complaints with DHR may be filed any time **within one year** of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, **within three years** of the alleged sexual harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court. There is no cost to file a complaint with DHR.

Complaining internally to Jefferson County does not extend your time to file with DHR or in court. The one year or three years is counted from date of the most recent incident of harassment.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458. You may call (718) 741-8400 or visit: www.dhr.ny.gov. For more information about filing a complaint contact DHR at (888) 392-3644 or visit www.dhr.ny.gov/complaint.

Civil Rights Act of 1964

The United States Equal Employment Opportunity Commission (EEOC) enforces federal antidiscrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint, and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief, but may take other action including pursuing cases in federal court on behalf of complaining parties.

The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669- 4000 (TTY: 1-800-669-6820), visiting their website at www.eeoc.gov or via email at: info@eeoc.gov.

Local Protections

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists.

Contact the Local Police Department

If the harassment involves unwanted physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the local police department.

REFERENCE:

Jefferson County Board of Legislators Resolution No 216 of 2018

FORMS: Sexual Harassment Complaint Form

ISSUED: November 13, 2018

Robert F. Hagemann, III
County Administrator

All members present voted aye.

Resolution No. 217

**Amending the 2018 County Budget and Capital Plan Relative to
Jefferson Community College**

By Legislator: James A. Nabywaniec

Whereas, The State of New York bonded for \$1,463,000 in 2006 for Jefferson Community College capital revitalization and maintenance projects, and

Whereas, Pursuant to Resolutions 108 and 123 of 2011, 153 and 255 of 2012, 204 of 2013, 149 of 2014, 239 of 2017, and 72 of 2018, this Board of Legislators established and subsequently amended a capital account to fund such projects, and

Whereas, The College wishes to fund \$225,000 of its capital chargebacks in this account to replace and upgrade theater lighting and controls, and

Whereas, It is necessary to amend the 2018 County Budget and capital plan to recognize the new chargebacks and state aid for this account.

Now, Therefore, Be It Resolved, That the 2018 County Budget is hereby amended as follows:

Increase:

Expenditure:

| | | |
|----------------|---------------------------------------|-----------|
| 20249000 02056 | JCC Campus Revitalization/Maintenance | \$450,000 |
|----------------|---------------------------------------|-----------|

Revenues:

| | | |
|----------------|---------------------|-----------|
| 20900600 92240 | Capital Chargebacks | \$225,000 |
| 20900600 93097 | State Aid College | 225,000 |

and be it further

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

Seconded by Legislator: William W. Johnson

Roll Call Vote

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

Resolution passed.

Resolution No. 218

Amending the 2018 County Budget Relative to Debt Service

By Legislator: William W. Johnson

Whereas, The County has issued Bond Anticipation Notes (BAN) notes for multiple capital projects, and

Whereas, The 2018 County Budget under estimated the amount of interest due, and

Whereas, Jefferson Community College reimburses the County for their share of debt service cost for the Maintenance and Revitalization Bond as authorized by Resolution No. 228 of 2014.

Now, Therefore, Be It Resolved, That the 2018 County Budget is amended as follows:

Increase:

Revenue

| | | |
|----------------|--------------------------------|----------|
| 01915000 92392 | Debt Service Other Governments | \$16,500 |
|----------------|--------------------------------|----------|

Expenditure

| | | |
|----------------|----------------------------------|----------|
| 01973000 07000 | Bond Anticipation Notes Interest | \$16,500 |
|----------------|----------------------------------|----------|

Seconded by Legislator: Allen T. Drake

Roll Call Vote

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

Resolution passed.

Resolution No. 219

Amending 2018 County Budget in Relation to Employment & Training Department

By Legislator: Daniel R. McBride

Whereas, The Jefferson-Lewis Workforce Development Board has been awarded \$48,965.16 in Trade Act Adjustment Assistance Program funds, and

Whereas, The Employment & Training Department received Ticket to Work funds in 2016 and 2017, some of which remain unspent, and

Whereas, The Department intends to use some of these funds for training and to purchase laptop computers for their resource room, for clients' use for job searches, resumes and the like, and

Whereas, The 2018 County Budget must be amended to accept the New York State funding and allocate it to the proper account, and to appropriate the 2016 and 2017 funds to purchase the laptop computers.

Now, Therefore, Be It Resolved, That the 2018 County Budget is amended as follows:

Increase:

Revenue

| | | |
|----------------|----------------------|-------------|
| 25634000 94616 | Fed Aid Job Training | \$48,965.16 |
|----------------|----------------------|-------------|

Expense

| | | |
|-----------------|------------------|-------------|
| 25634000 046132 | Clients Training | \$48,965.16 |
|-----------------|------------------|-------------|

| | | |
|---------------|-------------------------------|-----------|
| 2564000 04111 | Trackable Durable Expendables | 10,000.00 |
|---------------|-------------------------------|-----------|

Decrease:

Reserve

| | | |
|-----------------|---------------------------------|-------------|
| 250000000 30888 | Ticket to Work Restricted Funds | \$10,000.00 |
|-----------------|---------------------------------|-------------|

Seconded by Legislator: James A. Nabywaniec

Roll Call Vote

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

Resolution passed.

Resolution No. 220

**Authorizing Appointment to the
Jefferson-Lewis Workforce Development Board**

By Legislator: Carolyn D. Fitzpatrick

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, and

Whereas, Deborah Vink from JRC retired, and her replacement on the Board is Lynn Pietroski.

Now, Therefore Be It Resolved, That the Board of Legislators hereby authorizes the following appointment to the Workforce Development Board for term as indicated:

| <u>Member</u> | <u>Term to Expire</u> |
|---|-----------------------|
| New Appointments | |
| <u>Jefferson County Representatives</u> | |
| Lynn Pietroski, Jefferson Rehabilitation Center | 6/30/2020 |

Seconded by Legislator: Allen T. Drake

All members present voted aye.

Resolution No. 221

Appointing Election Commissioner

By Legislator: Allen T. Drake

Resolved, That pursuant to Section 3-204 of the Elections Law, Babette M. Hall, Democrat be and is hereby appointed as Election Commissioner of the County of Jefferson for a two year term beginning January 1, 2019.

Seconded by Legislator: William W. Johnson

All members present voted aye.

Resolution No. 222

Appointing Member to Jefferson County Industrial Development Agency

By Legislator: Allen T. Drake

Whereas, The 1972 Legislature of the State of New York created the Jefferson County Industrial Development Agency.

Now, Therefore, Be It Resolved, That, Pursuant to Article 18a of the General Municipal Law, the Jefferson County Board of Legislators hereby reappoints John H. Jennings, for a term to expire December 31, 2022, as a member of the Jefferson County Industrial Development Agency.

Seconded by Legislator: William W. Johnson

Legislator Jareo said that after reviewing the IDA website he noticed some members of the IDA Board serve at the pleasure of the Board and others have actual defined terms. He felt all the members should serve at the pleasure of the Board and have an end date. He wanted to amend the resolution to say “at the pleasure of the Board” in addition to having a defined term, and said that language should be on any IDA appointment resolutions moving forward. Chairman Gray clarified that the two members who don’t have terms do not come up for reappointment because they do not have an end date; and that Legislator Jareo thought the language “pleasure of the Board” meant that we could remove them at any time. Mr. Hagemann stated that we did institute four year terms a number of years ago and the two members without defined terms are grandfathered in.

County Attorney Paulsen advised that he believed these situations are covered under State Law but had not looked at it in some time. He did not want to give advice on the fly and cautioned against making any change to the resolution without him doing more research on the matter. Chairman Gray said these are actually two separate issues, the “pleasure of the Board” language is one issue and setting terms for the two members without terms is a separate issue. County Attorney Paulsen said that the Board remedied the members not having terms by instituting terms moving forward, but for those members that were already appointed and have an appointment resolution he was not sure we could retroactively address the term. Legislator Jareo felt that those not having defined terms are no longer “serving at the pleasure of the Board” and can be removed, but said he would hold off making an amendment to this resolution and did not want to table the resolution at this time either, but it is worth taking a look at so we can address it sooner rather than later. Chairman Gray said he was not sure how many other positions out there serve at the pleasure of the Board and do not have defined terms, but it will be an issue for the Finance & Rules Committee to address.

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

Resolution No. 223

Appointing Members to Soil & Water Conservation District Board of Directors

By Legislator: Daniel R. McBride

Resolved, Pursuant to Section 7 of the Soil & Water Conservation Districts Law, the following individuals are hereby appointed to the Soil & Water Conservation District Board for terms to expire as noted:

| <u>Name</u> | <u>Term to Expire</u> |
|--|-----------------------|
| David Brass, Grange | 12/31/2021 |
| Thomas Boxberger, Member At Large | 12/31/2021 |
| Michael Kiechle, Practical Farmer At Large | 12/31/2021 |

Seconded by Legislator: James A. Nabywaniec

All members present voted aye.

Resolution No. 224

Approving Appointment to the Thousand Islands Bridge Authority

By Legislator: Carolyn D. Fitzpatrick

Resolved, That, pursuant to Section 577 of the Public Authorities Law, the following reappointment by the Chairman of this Board to the Thousand Islands Bridge Authority for the term indicated, be and is hereby approved:

| <u>Name</u> | <u>Term Expiration</u> |
|-----------------|------------------------|
| Natalie Kinloch | 12/31/2023 |

Seconded by Legislator: Allen T. Drake

All members present voted aye.

Resolution No. 225

Approving Appointments to the Thousand Islands Regional Tourism Development Corporation

By Legislator: Daniel R. McBride

Resolved, That, pursuant to the Articles of Incorporation for the Thousand Island Regional Tourism Development Corporation, the following appointments by this Board to the Thousand Island Regional Tourism Development Corporation for terms to expire December 31, 2019 are hereby approved:

| | |
|--------------------------------------|-----------------|
| At Large Representative | Peter Whitmore |
| Alexandria Bay Representative | Ronald Thomson |
| Jefferson County Administrator | Robert Hagemann |
| At Large Representative | Peyton Taylor |

Seconded by Legislator: James A. Nabywaniec

All members present voted aye.

Resolution No. 226

Amending the 2018 County Budget in Relation to Samaritan Senior Village, Inc.

By Legislator: Allen T. Drake

Whereas, Pursuant to Resolution 281 of 2011, this Board of Legislators authorized an agreement with Samaritan Medical Center, its subsidiaries or related corporations, providing for the transfer of the County’s adult home residents of Whispering Pines to a new facility in consideration of a payment of \$5,000,000 for a term of ten years, and

Whereas, Pursuant to Resolution 290 of 2012, this Board amended its 2012 County Budget to appropriate the funds for the payment, and

Whereas, Said agreement with Samaritan Senior Village, Inc., among other clauses, specified that the \$5,000,000 payment was in consideration of replacing the services the County would have provided at the County Home for a period of ten years, and

Whereas, The County’s outside auditors, with whom the County Treasurer is in agreement, recommend that the County amend its budgets beginning in 2013 and continuing for a ten year period, to reflect the value (\$500,000 per year), of the services rendered by the Samaritan Senior Village, Inc. facility, and

Whereas, Pursuant to Resolution No. 129 of 2014 this Board amended its 2013 and 2014 County Budgets and Resolution No. 48 of 2016 amended the 2015 and 2016 County Budgets, and Resolution No. 54 of 2017 amended the 2017 County Budget, and amendment of the 2018 County Budget is needed.

Now, Therefore, Be It Resolved, That the 2018 County Budget is hereby amended as follows:

Increase:

| | | |
|----------------|---------------------------|-----------|
| 01603000 04422 | Contracted Health Care | \$500,000 |
| 01000000 30599 | Appropriated Fund Balance | \$500,000 |

Seconded by Legislator: James A. Nabywaniec

Roll Call Vote

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

Resolution passed.

Resolution No. 227

Amending the 2018 County Budget in Relation to Recycling & Waste Management

By Legislator: James A. Nabywaniec

Whereas, Recycling & Waste Management is experiencing higher than anticipated tonnage transport, and

Whereas, The 2018 County Budget must be amended to provide for resulting shortfalls anticipated in some Recycling & Waste Management Fund accounts.

Now, Therefore, Be It Resolved, That the 2018 Budget is amended as follows:

Increase:

| | | |
|----------------|------------------|----------|
| Revenue | | |
| 15910100 92131 | Tipping Fees | \$65,000 |
| Expenditure | | |
| 15816000 04311 | Gasoline and Oil | \$65,000 |

Seconded by Legislator: Daniel R. McBride

Roll Call Vote

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

Resolution passed.

Resolution No. 228

Authorizing Jefferson County to be Lead Agency under the State Environmental Quality Review Act for the Purpose of the 2018 Inclusion of Viable Agricultural Land within

Existing Agricultural Districts, and Making a Determination of Non-significance

By Legislator: Robert W. Cantwell, III

Whereas, New York State Agriculture and Markets Law Article 25AA, Section 303-b requires Counties to establish an annual thirty day period within which to accept requests by landowners to have viable agricultural land included in a certified Agricultural District, and

Whereas, The Jefferson County Board of Legislators passed Resolution No. 98 of 2004, Establishing an Annual Thirty Day Period from June 1 to June 30 for Landowners to Submit Proposals to Include Viable Agricultural Land within an Existing Agricultural District Before the District's Established Review Period, and

Whereas, In accordance with Section 303-b of Article 25AA of the New York State Agriculture and Markets Law, the requests for inclusion during the 2018 request period were referred to the Agriculture and Farmland Protection Board for review and recommendation, and

Whereas, The inclusion of viable agricultural land within an existing Agricultural District before the District's established review period is an action subject to environmental review in accordance with Article 8 of the New York State Environmental Conservation Law, State Environmental Quality Review (SEQR) Act, and

Whereas, An Environmental Assessment Form (EAF) has been completed which reviews potential environmental impacts and determines that no significant impacts will occur.

Now, Therefore, Be It Resolved, That Jefferson County shall assume lead agency status for this action pursuant to SEQR and has determined that this is an unlisted action and will not have any adverse environmental impacts, and be it further

Resolved, That the Chairman of the Board of Legislators is hereby authorized to sign the Environmental Assessment Form\ Determination of Significance and forward same to all involved agencies.

Seconded by Legislator: Anthony J. Doldo

All members present voted aye.

Resolution No. 229

**Inclusion of Viable Agricultural Land in Certified Agricultural Districts
Before the Districts' Established Review Periods**

By Legislator: Jeremiah J. Maxon

Whereas, New York State Agriculture and Markets Law Article 25AA, Section 303-b requires Counties to establish an annual thirty day period within which to accept requests by landowners to have viable agricultural land included in a certified Agricultural District, and

Whereas, The Jefferson County Board of Legislators passed Resolution No. 98 of 2004, Establishing an Annual Thirty Day Period from June 1 to June 30 for Landowners to Submit Proposals to Include Viable Agricultural Land within an Existing Agricultural District Before the District's Established Review Period, and

Whereas, In accordance with Section 303-b of Article 25AA of the New York State Agriculture and Markets Law, the 2018 requests for inclusion were referred to the Agriculture and Farmland Protection Board for review and recommendation, and

Whereas, The recommendation of the Agriculture and Farmland Protection Board has been submitted to this Board, and

Whereas, A public hearing was held on September 24, 2018 to receive public comments, and

Whereas, The Jefferson County Board of Legislators has reviewed the requests for inclusion, the recommendation of the Jefferson County Agricultural and Farmland Protection Board, and the Public Hearing record concerning the Inclusion of Viable Agricultural Land in Certified Agricultural Districts Before the Districts' Established Review Periods.

Now, Therefore, Be It Resolved, That, pursuant to Agriculture and Markets Law Article 25 AA, Section 303-b, the Jefferson County Board of Legislators does hereby approve the inclusion of 4 parcels consisting of 305.18 acres to existing Agricultural Districts.

Seconded by Legislator: Jennie M. Adsit

All members present voted aye.

Resolution No. 230

Amending the 2018 County Budget in Relation to the HOME Investment Partnership Grant Program

By Legislator: Anthony J. Doldo

Whereas, By Resolution 91 of 2017, Jefferson County, acting as lead County on behalf of the North Country HOME Consortium, was authorized to submit applications to the U.S. Department of Housing and Urban Development (HUD) for HOME Investment Partnership Program Grants for Fiscal Years 2018, 2019 and 2020 to assist in providing affordable housing resources within the Consortium area, and

Whereas, Jefferson County, as lead County of the Consortium, has been awarded a 2018 HOME Grant in the amount of \$892,867 for the purpose outlined above.

Now, Therefore, Be It Resolved, That the 2018 County Budget be amended as follows:

Increase:

| | | |
|----------------|--------------|------------|
| Revenue | | |
| 30866800 94995 | HOME Program | \$ 892,867 |
| Expenditure | | |
| 30898900 04001 | HOME Program | \$ 892,867 |

Seconded by Legislator: Jeremiah J. Maxon

Roll Call Vote

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

Resolution passed.

Resolution No. 231

Amending the 2018 County Budget in Relation to the County Road Machinery Fund

By Legislator: Anthony J. Doldo

Whereas, By Resolution 182 of 2018, the Jefferson County Board of Legislators amended the County Road Machinery Fund budget to allow for purchase of SUV and Pick Up Truck replacements, and

Whereas, The Superintendent of Highways has requested transfers between accounts to provide adequate funding due to higher than expected bid results for the replacements.

Now, Therefore, Be It Resolved, That the 2018 County Budget is amended as follows:

Increase:

| | | |
|----------------|--------------------------|-------------|
| Expenditure | | |
| 10513000 02401 | Automotive Equipment | \$ 2,000.00 |
| 10513000 02403 | Pickup Truck Replacement | 6,255.24 |

Decrease:

Expenditure
10513000 02404 Dump Truck Replacement \$ 8,255.24

Seconded by Legislator: Robert W. Cantwell, III

All members present voted aye.

Resolution No. 232

Amending the 2018 County Budget in Relation to Recycling & Waste Management

By Legislator: Jennie M. Adsit

Whereas, The 2018 County Budget must be amended to provide for anticipated shortfalls in some Recycling and Waste Management Fund accounts, and

Whereas, Said funds are available in an existing revenue account.

Now, Therefore, Be It Resolved, That the 2018 Budget is amended as follows:

Increase:

Revenue
15910100 92701 Refund Prior Years Exp \$ 53,387.97

Expenditure
15816000 04487 Tipping Fees \$ 53,387.97

Seconded by Legislator: Jeremiah J. Maxon

Roll Call Vote

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

Resolution passed.

Resolution No. 233

**Authorizing Agreement and Amending the 2018 County Budget in Relation to the
FY16 State Homeland Security Program (SHSP) Grant**

By Legislator: Jennie M. Adsit

Whereas, The New York State Division of Homeland Security and Emergency Services has awarded Jefferson County \$3,700 from the FY16 State Homeland Security Program (SHSP)(CFDA 97.067) through funding from the Division of Homeland Security and Emergency Services (DHSES), and

Whereas, The County must enter into an agreement with the New York State Division of Homeland Security and Emergency Services to receive these grant funds which will be used to enhance Safeguard NY program by conducting a red team exercise to test effectiveness of Operation Safeguard.

Now, Therefore Be It Resolved, That the County of Jefferson agrees to accept the \$3,700, and the Chairman of the Board of Legislators is hereby authorized and directed to execute said grant agreements on behalf of Jefferson County, subject to the review of the County Attorney as to form and content, and be it further

Resolved, That the 2018 County Budget is amended as follows:

Increase:

| | | |
|-----------------|-------------------------------------|-------------|
| Revenue | | |
| 01311000 943201 | Federal Homeland Security - Sheriff | \$ 3,700.00 |
| Expenditure | | |
| 01311400 01300 | Overtime | \$ 3,000.00 |
| 01311400 08010 | State Retirement | 332.43 |
| 01311400 08030 | Social Security | 278.32 |
| 01311400 08040 | Workers Compensation | 89.25 |

Seconded by Legislator: Robert W. Cantwell, III

Roll Call Vote

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

Resolution passed.

Resolution No. 234

Amending the 2018 County Budget and Capital Plan in Relation to the Watertown International Airport Terminal Apron Reconstruction Project

By Legislator: Robert W. Cantwell, III

Whereas, By Resolution 164 of 2017, This Board of Legislators approved Airport Terminal Apron Reconstruction for a total of \$2,124,067, and

Whereas, By the same resolution this Board authorized an agreement with the FAA for \$2,017,863 in funds for the construction of the Terminal Apron Reconstruction Project at the Watertown International Airport, and

Whereas, By the same Resolution, This Board authorized an agreement with the low bidder, Barrett Paving Materials, Inc., for construction contract in the amount of \$1,850,808, and McFarland Johnson, Inc. in the amount of \$270,759, and

Whereas, A change order is necessary for increased expenses related to the excavation of material on site beyond the original scope, changes in Apron lighting configurations, and fence line modifications, and

Whereas, It is necessary to provide additional funds due to said change order for Barrett Paving Materials, Inc., and to recognize anticipated additional state and federal revenues for this project.

Now, Therefore, Be It Resolved, That the 2018 County Budget is hereby amended as follows:

Increase:

| | | |
|----------------|-------------------|------------|
| Revenue | | |
| 20561000 94589 | Federal Aid – FAA | \$ 712,500 |
| 20566100 93589 | State Aid – DOT | 18,750 |

| | | |
|----------------|--------------------|------------|
| Expenditure | | |
| 20561000 02081 | Apron Improvements | \$ 750,000 |

Decrease:

| | | |
|----------------|-----------------------|-----------|
| 20698900 02064 | Property improvements | \$ 18,750 |
|----------------|-----------------------|-----------|

and be it further

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

Seconded by Legislator: Jeremiah J. Maxon

Roll Call Vote

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

Resolution passed.

Resolution No. 235

**Amending the 2018 County Budget and Authorizing Agreement
Relative to DSRIP Funding for the Office for the Aging**

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, Office for the Aging has received DSRIP funding in the amount of \$12,650, and wants to use it to complete a mandated comprehensive needs assessment for the 2019 New York State Office for the Aging 4-year plan, and

Whereas, The Fort Drum Regional Health Planning Organization (FDRHPO) provides data collection and analysis services consistent with the needs of the Office for the Aging, and

Whereas, The DSRIP funding needs to be recognized and a contract authorized with the FDRHPO to provide the referenced needs assessment.

Now, Therefore, Be It Resolved, That the 2018 County Budget is hereby amended as follows:

Increase:

Revenue

| | | |
|----------------|------------------------------|----------|
| 01677200 93772 | State Aid Programs for Aging | \$12,650 |
|----------------|------------------------------|----------|

Expenditure:

| | | |
|----------------|-------------------|----------|
| 01677200 04416 | Professional Fees | \$12,650 |
|----------------|-------------------|----------|

and be it further

Resolved, That the Chairman of the Board of Legislators is hereby authorized and directed to execute the above referenced agreement with FDRHPO on behalf of Jefferson County subject to the approval of the County Attorney as to form and content.

Seconded by Legislator: Robert D. Ferris

Roll Call Vote

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

Resolution passed.

Resolution No. 236

**Authorizing Agreement With Nascentia Health for the
Provision of Home Delivered Meals by Office for the Aging**

By Legislator: James A. Nabywaniec

Whereas, The Jefferson County Office for the Aging provides home delivered meals to Jefferson County residents via contract with suitable vendors, and

Whereas, Nascentia Health (formerly VNA Homecare Options) has been approved by the NYS Department of Health as a Managed Long Term Care company in Jefferson County, and

Whereas, Nascentia must provide home delivered meals to their clients within Jefferson County and desires to enter into an agreement with Jefferson County Office for the Aging to provide meals to Nascentia's clients, and

Whereas, Nascentia agrees to pay for each meal provided and delivered by OFA's vendor to Nascentia's clients.

Now, Therefore, Be It Resolved, That Jefferson County enter into an agreement with Nascentia Health for the purchase and delivery of meals by Jefferson County Office for the Aging, through its vendor, effective upon execution of the agreement and continuing for a three year term through December 31, 2021, and it is further

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

Seconded by Legislator: Allen T. Drake

All members present voted aye.

Resolution No. 237

**Amending the 2018 County Budget Relative to DSRIP Funding
for Community Services Department**

By Legislator: Allen T. Drake

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 Resolutions No. 84, 115 and 189 of 2017 and 104 of 2018 DSRIP funding for Community Services was received and allocated for training, and

Whereas, A DSRIP Year 3 high performance incentive payment #3 has been received in the amount of \$970.20 and needs to be recognized and allocated for training.

Now, Therefore, Be It Resolved, That the 2018 County Budget is hereby amended as follows:

Increase:

| | | |
|----------------|------------------------|----------|
| Revenue | | |
| 01431000 93488 | State Aid Other Health | \$970.20 |
| Expenditure | | |
| 01431000 04613 | Training | \$970.20 |

Seconded by Legislator: Carolyn D. Fitzpatrick

Roll Call Vote

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

Resolution passed.

Resolution No. 238

Amending the 2018 County Budget to Recognize Federal Medicaid Administration Reimbursement for the Community Services Department

By Legislator: James A. Nabywaniec

Whereas, The Community Services Department is in receipt of Federal Medicaid Administration Reimbursement, (CFDA Number 93.778 formerly Federal Salary Sharing) from the Office of Mental Health, the Office of Alcoholism and Substance Abuse Services, and the Office for People with Developmental Disabilities, and

Whereas, These funds will be used for mental health purposes including administrative costs, clinic deficits and community based services, and

Whereas, The 2018 County Budget needs to be amended to reflect these funds, and local contracts amended for the services provided.

Now, Therefore, Be It Resolved, That the 2018 County Budget is hereby amended as follows:

Increase:

| | | |
|----------------|-----------------------------|----------|
| Revenue | | |
| 01431000 94490 | Fed Aid Mental Health Admin | \$75,000 |

Expenditure
01431000 04713 Contracted Mental Health Admin \$75,000

and be it further

Resolved, That the Community Services Director is hereby authorized to execute any necessary amended agreements with local providers relative to these additional funds, with the approval of the County Attorney as to form and content.

Seconded by Legislator: James A. Nabywaniec

Roll Call Vote

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

Resolution passed.

Resolution No. 239

**Re-Appointing Members to Jefferson County Public Health Service
Health Services Advisory Board**

By Legislator: Carolyn D. Fitzpatrick

Resolved, That the following individuals be and are hereby re-appointed as members of the Jefferson County Health Services Advisory Board for terms to expire as indicated below:

| <u>Members</u> | <u>Term to Expire</u> |
|-------------------------|-----------------------|
| <u>Re-Appointments:</u> | |
| Thomas H. Carman | 12/31/2021 |
| Stephen J. Todd | 12/31/2021 |
| Jason F. White | 12/31/2021 |

Seconded by Legislator: Anthony J. Doldo

All members present voted aye.

Resolution No. 240

**Re-Appointing Members to Jefferson County Public Health Service
Professional Advisory Committee**

By Legislator: Robert D. Ferris

Resolved, That the following individuals be and are hereby re-appointed as members of the Professional Advisory Committee for terms to expire as indicated below:

| <u>Members</u> | <u>Term to Expire</u> |
|-------------------------|-----------------------|
| <u>Re-Appointments:</u> | |
| Kathleen E. Hunter | 12/31/2022 |
| Catherine M. Moore | 12/31/2022 |
| Patricia V. Signor | 12/31/2022 |

Seconded by Legislator: Allen T. Drake

All members present voted aye.

Resolution No. 241

Authorizing Agreement with Community Action Planning Council of Jefferson County, Inc. for the Provision of Nutritional Services by the Public Health Service

By Legislator: Robert D. Ferris

Whereas, The Community Action Planning Council of Jefferson County, Inc. is required to have a Registered Dietitian assess the nutritional status and special needs of children, perform menu-planning, review menus as well as review of final comments from the Nutrition Self-Assessment process every May.

Now, Therefore, Be it Resolved, That Jefferson County enter into an agreement with The Community Action Planning Council of Jefferson County, Inc. for nutritional services to be provided by Jefferson County Public Health Service's Registered Dietitian at \$60.00 per direct service hour. One unit of service will equal one hour to time spent directly providing the required services, for the period January 1, 2019, through December 31, 2020; and be it further

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

Seconded by Legislator: Anthony J. Doldo

All members present voted aye.

Resolution No. 242

Authorizing the Contractual Appointment of an Emergency Medical Services (EMS) Course Sponsor Medical Director

By Legislator: Carolyn D. Fitzpatrick

Whereas, Jefferson County, as a New York State Department of Health Emergency Medical Services Course Sponsor, must employ or contract with a Course Sponsor Medical Director, and

Whereas, The Medical Director responsibilities include standard of care compliance, protocol and course development and the clarification that EMS students have fulfilled the course requirements offered by Jefferson County, and

Whereas, The Public Health Service deems it appropriate to continue to contract with a physician with experience and education in emergency medicine.

Now, Therefore, Be It Resolved, That Jefferson County hereby appoint and authorize a contract with Dr. Matthew Maynard to serve as the EMS Course Sponsor Medical Director for the period of January 1, 2019, through December 31, 2020, at a rate of \$50.00 per hour, not to exceed \$5,000 per year, to fulfill responsibilities as established by the New York State Department of Health and the Public Health Service, 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 Jefferson County, subject to the approval of the County Attorney as to form and content.

Seconded by Legislator: James A. Nabywaniec

All members present voted aye.

Resolution No. 243

Authorizing Agreement for the Public Health Service to Provide Home Health Services for Nascentia Health

By Legislator: Robert D. Ferris

Whereas, The Public Health Service provides various services to its clients, the cost of which may be coverable and payable by Medicare, Medicaid and other third party payers, and

Whereas, Federal and state regulations require execution of a written contract with Providers in order for Jefferson County to receive payment for health care provided in the home setting, and

Whereas, The Public Health Service deems it appropriate to continue to contract with Nascentia Health (formerly the Visiting Nurse Association of Central New York) with the required agreement to include the provision that current promulgated Medicaid rates be paid to Public Health Service for home health services provided.

Now, Therefore, Be It Resolved, That Jefferson County renew an agreement with Nascentia Health (formerly the Visiting Nurse Association) for home health services delivered by Public Health Service during the period January 1, 2019, through December 31, 2021, 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 with the approval of the County Attorney as to form and content.

Seconded by Legislator: Allen T. Drake

All members present voted aye.

Resolution No. 244

Authorizing Agreement with Jefferson Community College Student Center for the Provision of Nurse Practitioner Services by the Public Health Service

By Legislator: Allen T. Drake

Whereas, The Jefferson County Public Health Service employs a full-time Nurse Practitioner, and

Whereas, Jefferson Community College must provide medical services at the Student Center on campus, and the Student Center has a full-time registered nurse that manages the office and coordinates services with the current provider, and

Whereas, The current provider can no longer staff the Student Center for JCC so Public Health was approached for their availability to provide this service, and

Whereas, Having access to this population to provide treatment, but also to promote education, vaccination and prevention, is a priority of JCPHS, and

Whereas, the JCPHS and JCC recommend creating an agreement between the entities for Nurse Practitioner services for a maximum of eight (8) hours/week per semester.

Now, Therefore, Be It Resolved, That the Board of Legislators authorizes an agreement between the Public Health Service and Jefferson Community College to provide Nurse Practitioner services at \$85/hour for the period of December 1, 2018 through November 30, 2020, with the approval of the County Attorney as to form and content.

Seconded by Legislator: Robert D. Ferris

All members present voted aye.

Resolution No. 245

**Amending 2018 County Budget Relative to Additional Revenue From NYS
Office of Temporary and Disability Assistance for Non-Custodial Parent
Employment Program Funding**

By Legislator: James A. Nabywaniec

Whereas, The Jefferson County Department of Social Services(JCDSS) has received notification from the NYS Office of Temporary and Disability Assistance that JCDSS has been awarded TANF funds for the Non-Custodial Parent Employment Program in the amount of \$46,796, and

Whereas, This funding will be used to address underemployment and unemployment among noncustodial parents, promote timely and consistent payment of child support, and improve the financial stability of families to support better outcomes for their children through case management services and educational opportunities to noncustodial parents that are receiving Temporary Assistance.

Now, Therefore, Be It Resolved, That the 2018 County Budget is hereby amended as follows:

Increase:

| | | |
|----------------|----------------------------|----------|
| Revenue | | |
| 01607000 93609 | State Aid Dependent Child | \$46,796 |
| Expenditure | | |
| 01610900 04600 | Family Assistance Programs | \$46,796 |

Seconded by Legislator: Carolyn D. Fitzpatrick

Roll Call Vote

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

Resolution passed.

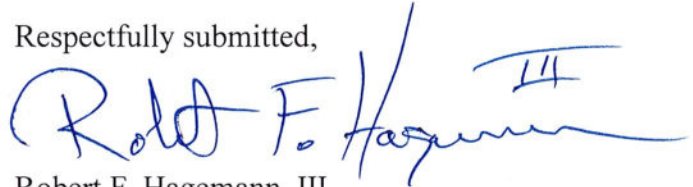
Board members briefly discussed the Radio Capital Project with Legislator Doldo advising that all the towers are constructed except one and the project is moving along. Administrator Hagemann and Legislator Reed agreed that the project is still on target to be completed in mid Summer/early Fall 2019.

Chairman Gray thanked Administration for the job well done on the 2019 County Budget. He said it reflects items that were discussed throughout the year, addresses critical issues in front of us, and carries out initiatives, i.e. Raise the Age and Indigent Defense, etc.. He said the level of services provided to constituents was maintained and we continue to provide the essential services that are needed in the community. He also thanked department heads for being diligent

with their budget submissions and working with Administration as everything got pared down, and staff for carrying out the initiatives and providing services. Administrator Hagemann said that a great deal of networking was done with the Chairman, Vice Chair, Finance & Rules Chairman and Committee Chairs to really identify what the priorities were and allowed him to provide a balanced budget that did not contain any surprises; and with all that communication came a comfort level so things didn't need to be discussed as much as other places do. He said with the adoption of the budget tonight Jefferson County is at \$7.29 per \$1,000 and comparatively; St. Lawrence County is at \$8.28; Oswego is at \$7.70; and Lewis is at \$7.34, so the Board can be sure that Jefferson County is running as efficiently as possible. Chairman Gray recognized that there are items that may not be addressed completely in the budget, i.e. Probation Department vehicle, but rest assured, they will be addressed at some point next year.

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 6:45 p.m.

Respectfully submitted,

A handwritten signature in blue ink that reads "Robert F. Hagemann, III". The signature is written in a cursive style with a large initial "R" and "H".

Robert F. Hagemann, III
Clerk of the Board