

Health & Human Services Committee
April 26, 2022
Minutes

Members Present: Committee Chair Anthony Doldo, Legislators Philip Reed, Allen Drake, John Peck, Frances Calarco, Corey Grant and Board Chair William Johnson

Others Present: Legislators Robert Cantwell, Michael Montigelli, Daniel McBride, James Nabywaniec, and Scott Gray, County Administrator Robert Hagemann, Deputy Administrator Sarah Baldwin, County Attorney David Paulsen, Community Services Director Timothy Reutten, DSS Commissioner Teresa Gaffney, Public Health Director Ginger Hall, Highway Superintendent James Lawrence, Planning Director Michael Bourcy, JCIDA Chief Executive Officer David Zembiec, YMCA Board Member Kevin Jordan, 7News Reporter Sandy Torres, Watertown Daily Times Reporter Alex Gault, Confidential Secretary Jill Jones.

Chairman Doldo called the meeting to order at 6:00 p.m. and offered privilege of the floor.

Jennifer Constance, DSS Child Support Enforcement Unit Coordinator and 24 year employee of DSS related a situation she experienced in which her granddaughter was placed into the foster care system without her being notified of the action, or what her rights were as a biological family member. She said such notification is required by Family Court Act 1017 as well as other laws, and provided a packet of legal information related to her case to legislators (attached for file reference). She fully acknowledged that the child's father, her son, is an addict and that she has at times lost contact with him. She took issue with the child being quickly placed with a non-biological foster parent who was erroneously termed a paternal aunt in Child Protective Services (CPS) paperwork, and contended that numerous mistakes were made by DSS CPS in the process of placing the child with this foster parent. This placement was made in 2018 and she has been fighting it in the Family Court system for the last four years to gain custody. She does have visitation rights, but has missed a significant amount of time with her granddaughter. She said that the Court keeps telling her she was not a party to the first action, therefore she does not have any standing, however she said she was not a party to the first action only because she was not notified by CPS at the beginning. She does have an upcoming court date and wants DSS to write a letter to her or to the Court saying that they did not do their lawful diligence in trying to contact her regarding the case from the beginning. She hopes that will make a difference to the Court with regard to custody.

Because she deals with DSS Commissioner Teresa Gaffney on a professional level Ms. Constance sought her help or suggestions with regard to what could be done about this situation. Ms. Gaffney's response to her supported what was done by CPS and while she understood and respects it, she was less than satisfied. Ms. Constance said if this can happen to her as a DSS employee it could happen to anyone and she asked for assistance from legislators to help her

situation. She informed the Committee that she has taken her case to various elected officials and would also be contacting the New York State Attorney General's Office and the U.S. Attorney's Office.

Julia Gosier, Board Member representing a new 501(c)(3) organization, Watertown Area Rescue Mission (WARM), introduced WARM Executive Director Wendy O'Donnell and Board Member Seth Buchman who were also present. She said their mission is to provide a warm, safe environment for homeless people in the community specifically during the cold months of the year where they can feel welcome, get a hot meal, a shower and have a safe place to sleep and not feel like they are imposing on the community. She said it will be a warming station, not a hostel, so they can serve anyone that needs their help without restrictions. They are currently looking for a location that is suitable for their purpose in taking in people from 8:00 p.m. to 8:00 a.m.; and hope to be open by Fall. She also hoped that the County can help in the future when they know what their more specific needs will be.

Denise Murray, the maternal grandmother of Jennifer Constance's grandchild said she was notified by CPS in 2018 that they had the baby and on more than one occasion she informed CPS that the paternal grandmother's name was Jennifer and she worked at DSS. She said CPS seemed more concerned with contact information for the maternal grandfather who lives in Wisconsin. Each time she suggested they contact Jennifer she was told they were looking into it or were working on it. She said they are all missing out on the events in the child's life because the child was placed with someone who is not family and they are not allowed to contact her. She didn't understand how the situation got to this point when there was family all along that wanted to take the child. She asked for legislators' help in getting the child placed with family.

Vicki Contino, Jennifer Constance's mother, and a resident of Pennsylvania (PA) said she herself is a kinship parent of a grandchild because of the opiate crisis and did so through Family Court in PA so she is familiar with the steps that need to be taken to be certified and get custody. She said their experience was nothing like what Jennifer has encountered and all within the same organization where Jennifer works. She was in attendance at court appearances and couldn't believe what was happening. She asked legislators to look at what has been provided to them and help Jennifer get custody of her grandchild.

Erica Porter, S. Massey Street, Watertown, thanked the Board for the support they have shown her family in the past months. She advised that her and her husband's efforts have not been successful in being recertified as foster parents, and they have not then been able to get their former foster children back into their home. She said the practices of JCDSS CPS need to be investigated, citing the speakers before her and other foster care issues she has experienced. She again related concerns she has with the treatment of foster care families by the Children's Home of Jefferson County (CHJC) and the lack of services that are provided to the children in their care. She suggested Jefferson County should investigate CHJC policies and practices, and review any contracts they currently have with CHJC. As the Jefferson County Community Helping Individuals Living in Distress (CHILD) representative, she gathers complaints about JCDSS and encouraged anyone that has complaints to contact her at child.jefferson@gmail.com.

Alicia Woodworth, Jacobs Road, Watertown related her situation in having her four children taken out of her home by DSS CPS in October, 2019. This was done after she tried to get services for her daughter through CHJC. She said the CHJC Child Coordinator was amazing but her supervisor told her it had to be turned in to CPS or she would lose her job. The children have been in foster care for over 2½ years now and have been in 7 or 8 homes. She said their current behavior issues as well as other issues all stem from being in foster care. She hoped legislators could help her with this situation.

Liz Daugherty, former DSS employee and CPS caseworker, expressed concern about the turnover rate of employees at DSS and suggested legislators should be looking into why that is happening. She took issue with legislators not responding to emails that express concerns about DSS, noting that her legislator did respond; and said County Attorney Paulsen should be looking into fraud in Jennifer Constance's case because it appears that employees falsified documents. In her opinion, CPS workers have to be on the job for about two years before they are properly trained, and caseworkers should be able to objectively go into a situation and say there is abuse or there isn't abuse in order to protect children for which the system was designed.

Courtney Fantone, Founder and Director of CHILD and St. Lawrence County citizen, said she has had complaints about Jefferson County's child welfare system from biological parents, foster parents, grandparents, as well as current and former agency employees. She said in comparison, the problems in Jefferson County are not as severe as St. Lawrence County but the Board should take these complaints and concerns seriously because if not addressed soon, the potential could be extremely catastrophic. She said there have been a large amount of complaints against CHJC and Jefferson County should hold CHJC accountable for their actions as regardless of what county we live in, we all have an obligation to protect children. She encouraged people to contact her at childhelp.director@gmail.com if she can help in any way.

Casey Pitkin, Senior Investigator, DSS Child Support Enforcement Unit, read a letter from Regina Rider who couldn't attend tonight and has been a DSS employee since 2011 and Support Investigator since 2015. The letter expressed support and admiration for Jen Constance, for the way she has handled the mistreatment she has received from her fellow employees related to her grandchild's custody case through CPS. Ms. Rider questioned the oversight and accountability of the DSS employees involved and said Jen never showed any disloyalty to the County throughout this whole process. She encouraged legislators to right the wrong that has been done to Ms. Constance.

Jamison Porter said everyone at the CHILD organization is a volunteer and provide advocacy for people who do not have a voice or are not being heard by agencies that are supposed to be doing that work. He said staff at DSS and CHJC should have the right attitude to provide services and advocacy for children and families; noting that they do not have an easy job, and may not get paid enough for the work they do. He believes there are workers and administration at DSS and CHJC that need to be replaced with people who have the resolve to put in the work and have enough integrity to always do the right thing. He took issue with DSS not recertifying his and Erica's home for foster care without good reason. He encouraged legislators to make a change and the first step would be an overhaul of DSS and CHJC.

Greg Bush, 27 year partner of Jennifer Constance, said DSS made major mistakes in handling the case of Jennifer's grandchild and the integrity of the agency is in question because children are slipping through the cracks. He does not only say that as Jen's partner, but as a 25 year veteran of law enforcement. Because of the way DSS handled their case, the person who has custody of their grandchild is holding all the cards, and makes no effort to keep the child in touch with their family. He felt the Family Court Judge's decisions weigh too heavily on the opinion of the DSS workers, and there is no oversight or accountability for the actions of the DSS attorneys. He said he and Ms. Constance will not stop fighting this case until their grandchild is home with their family. He encouraged legislators to do what they can to help.

The Committee approved the minutes of the March meeting as written

Chairman Doldo introduced a resolution Authorizing Agreements with the City of Watertown (Citibus) for Transportation Services for the Elderly and entertained a motion for consideration. A motion was duly made by Legislator Peck seconded by Legislator Calarco and there being no discussion, the Committee agreed to sponsor the resolution as presented.

Chairman Doldo introduced a resolution Accepting New York State Office for the Aging American Rescue Plan Funding and Amending the 2022 County Budget in Relation Thereto and entertained a motion for consideration. A motion was duly made by Legislator Reed seconded by Legislator Peck and there being no discussion, the Committee agreed to sponsor the resolution as presented.

Chairman Doldo introduced a resolution Accepting New York State Office for the Aging American Rescue Plan Funding and Amending the 2022 County Budget in Relation Thereto and entertained a motion for consideration. A motion was duly made by Legislator Calarco seconded by Legislator Drake and there being no discussion, the Committee agreed to sponsor the resolution as presented.

Chairman Doldo introduced a resolution Amending the 2022 County Budget to Allocate Additional State Aid for Community Services Mental Health Programs and Authorizing Amended Agreements in Relation Thereto and entertained a motion for consideration. A motion was duly made by Legislator Grant seconded by Legislator Reed and there being no discussion, the Committee agreed to sponsor the resolution as presented.

Chairman Doldo introduced a resolution Amending the 2022 County Budget to Accept Additional Funding for Veterans Peer Support (P2P) Pilot Program and Amending Agreements in Relation Thereto and entertained a motion for consideration. A motion was duly made by Legislator Calarco seconded by Legislator Grant and there being no discussion, the Committee agreed to sponsor the resolution as presented.

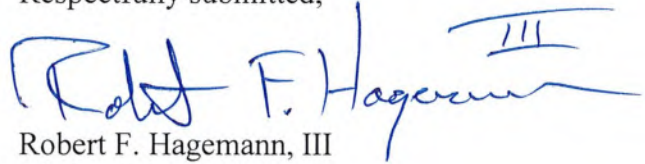
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agreed to sponsor the resolution as presented.

Chairman Doldo introduced a resolution Amending 2022 County Budget Relative to Additional Revenue From NYS Office of Children and Family Services for Enhanced Adult Protective Services and entertained a motion for consideration. A motion was duly made by Legislator Calarco seconded by Legislator Drake and there being no discussion, the Committee agreed to sponsor the resolution as presented.

There being no further business of the Committee on a motion by Legislator Drake seconded by Legislator Calarco and unanimously carried, the meeting was adjourned at 8:40 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 horizontal line above the name and the Roman numeral "III" written above the end of the name.

Robert F. Hagemann, III
Clerk of the Board