

St. Lawrence County
BOARD OF LEGISLATORS
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RUTH A. DOYLE
County Administrator

WILLIAM J. SHERIDAN
Chair, Board of Legislators

OPERATIONS COMMITTEE AGENDA
MS. RITA CURRAN, CHAIR
MONDAY, DECEMBER 13, 2021

*****BOARD ROOM AND VIA YOUTUBE*****

*****IMMEDIATELY FOLLOWING SERVICES COMMITTEE *****

****PURSUANT TO THE STATE OF EMERGENCY EXECUTIVE ORDER 202.1 ARTICLE 7, SUSPENSION OF LAW ALLOWING THE ATTENDANCE OF MEETINGS TELEPHONICALLY OR OTHER SIMILAR SERVICES****

1. CALL TO ORDER AND APPROVAL OF THE AGENDA

2. SHERIFF – BROOKS BIGWARFE

- A. Accepting an FY21 Community Oriented Policing Services (COPS) Office Hiring Program Grant from the Department of Justice and Modifying the 2022 Budget for the Sheriff's Office (Res)
- B. Modifying the 2021 Budget for the Sheriff's Office Budget for Overtime (Res)
- C. Authorizing the Chair to Sign a Federal Equitable Sharing Program Agreement and Annual Certification Report for the Sheriff's Office for the Year 2021 (Res)
- D. Authorizing the Chair to Sign Contracts and Establishing a School Resource Officer (SRO) Program for School Districts in St. Lawrence County (Res)

3. PLANNING – JASON PFOTENHAUER

- A. Authorizing the Chair to Sign a Contract with Volunteer Transportation Center, Inc., for First Mile, Last Mile Services (Res)
- B. Authorizing the Chair to Sign a One-Year Contract Extension with Volunteer Transportation Center, Inc. for Transportation Services to COVID-19 Vaccine Sites (Res)

4. HUMAN RESOURCES – JONNIE DOROTHY

- A. Authorizing the Chair to Sign a Contract with OptiMed Health Partners for Infusion Therapy Services (Res)
- B. Adoption of a Revised Family and Medical Leave Act (FMLA) Policy for St. Lawrence County (Res)

5. LEGISLATOR LARRY DENESHA

- A. Proclamation Recognizing the 100th Birthday of Mrs. Agnes Emma Blandin Woodrow (Res)

6. LEGISLATOR MARGARET HAGGARD

- A. Supporting the Expansion of Broadband Infrastructure in St. Lawrence County (Res)

7. COUNTY ADMINISTRATOR'S REPORT

8. VACANCY REVIEW COMMITTEE – RUTH DOYLE

- A. Sheriff
 - 1. Fill Correction Officer, Position No. 603000050
- B. Information Technology
 - 1. Fill Microcomputer System Coordinator, Position No. 203000002
 - 2. Fill Computer Technician, Position No. 202700002

9. COUNTY ADMINISTRATOR'S REPORT

10. COMMITTEE REPORTS

- A. Agriculture & Farmland Protection Board (Denesha)
- B. Alternative to Incarceration Board (Burke)
- C. Board of Trustees for Supreme Court Library (Fiacco)
- D. Emergency Medical Services Advisory Board (Curran)
- E. Environmental Management Council (Terminelli)
- F. Fire Advisory Board (Denesha)
- G. Intercounty Legislative Committee (Curran)
- H. Jury Board (Sheridan)
- I. Planning Board (Fay)

11. OLD/NEW BUSINESS

12. EXECUTIVE SESSION

- A. Litigation
- B. Personnel
- C. Negotiations
- D. Appointments

13. ADJOURNMENT – If there is no further business.

January 3, 2022

Operations Committee: 12-13-2021

RESOLUTION NO. _____

ACCEPTING AN FY21 COMMUNITY ORIENTED POLICING SERVICES (COPS) OFFICE HIRING PROGRAM GRANT FROM THE DEPARTMENT OF JUSTICE AND MODIFYING THE 2022 BUDGET FOR THE SHERIFF'S OFFICE

By Ms. Curran, Chair, Operations Committee

WHEREAS, the Department of Justice has awarded an FY21 Community Oriented Policing Services (COPS) Office Hiring Program Grant to five (5) counties, and awarded \$125,000 to the St. Lawrence County Sheriff's Office with a contract period of October 1, 2021 to September 30, 2026, and

WHEREAS, the COPS Hiring Program Grant is a competitive grant designed to provide funding directly to law enforcement agencies to hire and/or rehire additional career law enforcement officers in an effort to increase their community policing capacity and crime prevention efforts, and

WHEREAS, the Sheriff's Office will receive \$125,000 over a three (3) year period to cover entry-level salary and fringe benefits for the awarded position (\$43,000 for the first year, \$42,000 for the second year, and \$40,000 for the third year), and

WHEREAS, the remaining costs of the position will be covered by St. Lawrence County,

WHEREAS, the Sheriff and County Administrator reviewed this opportunity and determined it is in the best interest of the County to recommend that the balance of the cost not covered by the Grant is a worthwhile endeavor, and

WHEREAS, a budget modification is requested for the first year of the Grant as the County was not awarded the Grant prior to the Tentative Budget being finalized, the remaining years will be included in future budgets,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Sheriff to accept the FY21 Community Oriented Policing Services (COPS) Office Hiring Program Grant from the Department of Justice, upon approval of the County Attorney, and

BE IT FURTHER RESOLVED that the Treasurer is authorized to modify the 2022 Budget for the Sheriff's Office, as follows:

INCREASE APPROPRIATIONS:

S1Z31101 11000 CP21	S CRIM COPS Supervisory/Admin	\$61,132
S1Z31108 81000 CP21	S CRIM COPS Retirement	7,703
S1Z31108 83000 CP21	S CRIM COPS Social Security	4,206
S1Z31108 84000 CP21S	CRIM COPS Workmen Compensation	1,540
S1Z31108 84500 CP21	S CRIM COPS Life Insurance	110
S1Z31108 86000 CP21	S CRIM COPS Health Insurance	19,794

S1Z31108 86500 CP21	S CRIM COPS Dental Insurance	685
S1Z31108 89000 CP21	S CRIM COPS Vision Insurance	<u>245</u>
		\$95,415

DECREASE APPROPRIATIONS:

B1019904 49700	B SPEC Contingency Account	\$52,415
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INCREASE REVENUE:

S1Z43895 57000 CP	S SC COPS Federal Aid	\$43,000
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BE IT FIRTHER RESOLVED that any remaining funds will be rolled over to future budgets until the grant is fully expended.

January 3, 2022

Operations Committee: 12-13-2021

RESOLUTION NO. _____

MODIFYING THE 2021 BUDGET FOR THE SHERIFF'S OFFICE FOR OVERTIME

By Ms. Curran, Chair, Operations Committee

WHEREAS, the Criminal, Civil, and Correctional Divisions of the Sheriff's Office have exceeded the budget in the overtime account for 2021, and

WHEREAS, there are remaining funds in other accounts to cover the overages,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Treasurer to modify the 2021 Budget for the Sheriff's Office for overtime, as follows:

INCREASE REVENUE:

S1033895 56000	S SA CRIM Other Public Safety	\$15,000
S4022645 550MI	S LR Jail Miscellaneous Aid	<u>60,000</u>
		\$75,000

DECREASE APPROPRIATIONS:

S1031101 44000	S CRIM I/D Automotive Expense	\$40,000
S1031104 44100	S CRIM I/D Fuel Charges	10,000
S1031104 45301	S CRIM Dry Cleaning	2,000
S4031504 43004	S Jail Medical Fees	17,000
S4031504 45200	S Jail Food Supplies & Expenses	<u>12,000</u>
		\$81,000

INCREASE APPROPRIATIONS:

S1031101 18000	S CRIM Overtime	\$60,000
S2031101 18000	S CIVIL Overtime	1,000
S4031501 18000	S JAIL Overtime	<u>95,000</u>
		\$156,000

January 3, 2022

Operations Committee: 12-13-2021

RESOLUTION NO. _____

AUTHORIZING THE CHAIR TO SIGN A FEDERAL EQUITABLE SHARING PROGRAM AGREEMENT AND ANNUAL CERTIFICATION REPORT FOR THE SHERIFF'S OFFICE FOR THE YEAR 2021

By Ms. Curran, Chair, Operations Committee

WHEREAS, the United States Department of Justice requires that the St. Lawrence County Sheriff's Office file an annual Federal Equitable Sharing Program Agreement and Annual Certification Report to be eligible to submit requests for federally forfeited property or proceeds, and

WHEREAS, the agreement is entered into by the United States Department of Justice, the County of St. Lawrence, and the St. Lawrence County Sheriff's Office,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Chair to sign a Federal Equitable Sharing Program Agreement and Annual Certification Report for the Sheriff's Office for the Year 2021, upon approval of the County Attorney.

January 3, 2022

Operations Committee: 12-13-2021

RESOLUTION NO. _____

**AUTHORIZING THE CHAIR TO SIGN CONTRACTS AND
ESTABLISHING A SCHOOL RESOURCE OFFICER (SRO) PROGRAM
FOR SCHOOL DISTRICTS IN ST. LAWRENCE COUNTY**

By Ms. Curran, Chair, Operations Committee

WHEREAS, there has been interest and requests from various St. Lawrence County school districts to have a resource officer located in schools to ensure a safe environment conducive to enriched learning, and

WHEREAS, the School Resource Officer (SRO) will be a deputy sheriff who is assigned to work in collaboration with a school, and the role of the SRO can include being protector and enforcer, first responder, mentor, and community liaison, and

WHEREAS, the SRO would be employed by the St. Lawrence County Sheriff's Office, but work location would be at a designated school district, and

WHEREAS, policies and procedures will be established to define rules, regulations, procedures, and protocols for the program, and

WHEREAS, once a contract that defines terms, costs, responsibilities and roles of the participant is approved by both agencies and has been reviewed by the County Attorney, a resolution will be submitted to make the necessary budget modifications,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Chair to sign contracts and establish a School Resource Officer (SRO) Program for school districts in St. Lawrence County.

January 3, 2022

Operations Committee: 12-13-2021

RESOLUTION NO. _____

**AUTHORIZING THE CHAIR TO SIGN A CONTRACT WITH VOLUNTEER
TRANSPORTATION CENTER, INC., FOR FIRST MILE, LAST MILE SERVICES**

By Ms. Curran, Chair, Operations Committee

WHEREAS, St. Lawrence County has signed a continuing multi-year agreement with the New York State Department of Transportation (DOT) to provide rural transportation services and receive reimbursement of Federal and State shares, and

WHEREAS, First Mile, Last Mile is a rural transportation program in which volunteer drivers connects public transit passenger to the bus system in the County, and

WHEREAS, the County issued a Request for Proposal from vendors to provide First Mile, Last Mile services and Volunteer Transportation Center, Inc. was the sole responding agency, and

WHEREAS, First Mile, Last Mile is fully funded by New York State Department of Transportation (NYS DOT) with a local match that is satisfied by the vendor, and no local funds are used to provide this service,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Chair to sign a contract with Volunteer Transportation Center, Inc. to provide First Mile, Last Mile services, upon approval of the County Attorney.

January 3, 2022

Operations Committee: 12-13-2021

RESOLUTION NO. _____

**AUTHORIZING THE CHAIR TO SIGN A ONE-YEAR CONTRACT EXTENSION
WITH VOLUNTEER TRANSPORTATION CENTER, INC. FOR TRANSPORTATION
SERVICES TO COVID-19 VACCINE SITES**

By Ms. Curran, Chair, Operations Committee

WHEREAS, St. Lawrence County signed a contract with Volunteer Transportation Center, Inc. to provide transportation service for citizens of St. Lawrence County to and from COVID-19 vaccination sites, and

WHEREAS, the service addresses transportation issues for residents who have no other viable transportation option to obtain a COVID-19 vaccine, and

WHEREAS, the current contract is set to expire on December 31, 2021, and

WHEREAS, vaccination transportation expenses are eligible for reimbursement using Supplemental Rural Transit Operating Assistance (STOA) through Section 5311 Formula Grants to Rural Areas, the Coronavirus Response and Relief Supplemental Appropriations Act, and the American Rescue Plan Act,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Chair to sign a one-year contract extension with Volunteer Transportation Center, Inc. for transportation services to COVID-19 vaccine sites, upon approval of the County Attorney.

January 3, 2022

Operations Committee: 12-13-2021

RESOLUTION NO. _____

**AUTHORIZING THE CHAIR TO SIGN A CONTRACT WITH
OPTIMED HEALTH PARTNERS FOR INFUSION THERAPY SERVICES**

By Ms. Curran, Chair, Operations Committee

WHEREAS, the Department of Human Resources is required to provide benefit administration for the St. Lawrence County (SLC) Health Insurance and Pharmacy Plans, and

WHEREAS, Burnham Benefit Advisors, the benefit advisor for St. Lawrence County, recommends the Department of Human Resources contract with OptiMed Health Partners for Infusion Medication/Therapy, and

WHEREAS, OptiMed will implement a program that includes identifying prescription medications that are used to treat complex medical conditions involving infusion medications and setting up services to administer the medication at home or at a mutual agreed upon facility, and

WHEREAS, the program will be voluntary for plan members and will entail flagging healthcare claims that meet predetermined criteria established by OptiMed, contacting members and contacting prescribing physicians to set up the service and communicate ongoing medical care, and

WHEREAS, there are no minimum utilization requirements and no monthly fees as OptiMed builds the fees into the services, and the medications provided can be secured at a lower cost than currently provided through medical providers in a medical facility or office setting, and

WHEREAS, OptiMed will bill the County directly for services and medications provided with explanation of benefits provided and cost savings, and

WHEREAS, twelve months of recent claims data reveals twelve (12) medications which represents twenty (20) members and a projected savings for St. Lawrence County of up to \$1,113,408, and

WHEREAS, St. Lawrence County will provide participating members with incentives to utilize this program/service which may be phased in over a period of time and in a manner the healthcare committee deems appropriate to increase participations rates, and

WHEREAS, the incentives may include waiving cost shares for members and gift cards,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Chair to sign a contract with OptiMed Health Partners for Infusion Therapy Services, upon approval of the County Attorney, and

BE IT FURTHER RESOLVED that following the expiration of the one (1) year contract, it shall continue in effect on an annual basis unless or until the agreement is terminated by either party with a sixty (60) days written notice to either party.

January 3, 2022

Operations Committee: 12-13-2021

RESOLUTION NO. _____

**ADOPTION OF A REVISED FAMILY AND MEDICAL LEAVE ACT (FMLA) POLICY
FOR ST. LAWRENCE COUNTY**

By Ms. Curran, Chair, Operations Committee

WHEREAS, in 1993 the United States passed the Family and Medical Leave Act (FMLA) granting certain categories of employees up to twelve (12) weeks of unpaid job-protected leave for the following reasons: the birth and care of a newborn child; the placement of a son or daughter for adoption or foster care; to care for an immediate family member (spouse, child, or parent) with a serious health condition; and a serious illness or injury of the employee, and

WHEREAS, St. Lawrence County subsequently established a FMLA policy to comply with the legislation, and

WHEREAS, FMLA legislation has been expanded several times over the years, and the St. Lawrence County FMLA policy needs to be updated to reflect the changes made to the law,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the adoption of a revised Family and Medical Leave Act (FMLA) Policy for St. Lawrence County.

POLICY: Family and Medical Leave Act	DATE: 12/06/2021
SUBMITTED BY: Human Resources Jonnie J. Dorothy	REVIEWED BY: Ruth Doyle, County Administrator Board of Legislators
REGULATION(S)	The Family and Medical Leave Act of 1993 as amended CFR Title 29 Part 825

Family and Medical Leave Act

The Family and Medical Leave Act of 1993, as amended (“FMLA”), requires employers with 50 or more employees to provide eligible employees with unpaid leave. There are two types of leave available: the basic 12-week leave entitlement (“Basic FMLA Leave”), as well as the military family leave entitlements (“Qualifying Exigency Leave” and “Military Caregiver Leave”) described in this policy.

Eligibility for FMLA Leave

Employees are eligible for FMLA leave if they have worked for St. Lawrence County (SLC) for at least 12 months (the 12 months need not be consecutive) and have worked at least 1,250 hours during the 12-month period before commencement of the leave (hours paid but not worked ex. vacation, sick, etc. and unpaid leave will not be counted in determining the 1,250 hours of service).

Basic FMLA Leave

Employees who meet the eligibility requirements described above are eligible to take up to 12 weeks of unpaid leave during any 12-month period for any of the following reasons:

- The birth of the employee’s son or daughter and/or to care for the child during the first 12 months following birth;
- The placement of a son or daughter with the employee for adoption or foster care and/or to care for the child during the first 12 months following placement;
- To care for an employee’s spouse, son, daughter, or parent who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform his/her job, including incapacity due to the employee’s pregnancy, prenatal medical or child birth.

The relevant 12-month period used to determine eligibility for Basic FMLA Leave will be calculated on a calendar year basis.

When both spouses are both employed by SLC, they are limited to a combined total of 12 weeks of leave during any 12-month period if the leave is taken:

- For the birth of the employees’ son or daughter or to care for the child after birth;
- For placement of a son or daughter with the employees for adoption or foster care, or to care for the child after placement; or
- To care for an employee’s parent with a serious health condition.

Serious Health Condition

A serious health condition is an “illness, injury, impairment, or physical or mental condition” that requires (1) inpatient care or (2) continuing treatment:

1. "Inpatient Care" is an overnight stay in a hospital, hospice, or residential medical-care facility and any resulting period of incapacity or treatment.
2. "Continuing treatment" is defined as one of the following:
 - a period of incapacity of more than 3 consecutive calendar days and (i) treatment 2 or more times by a health care provider within 30 days of the first day of incapacity (unless extenuating circumstances exist); or (ii) treatment by a health care provider which results in a regimen of continuing treatment;
 - The first treatment visit must take place within 7 days of the first day of incapacity.
 - Treatment by a health care provider also requires an in-person visit to the health care provider.
 - a period of incapacity due to pregnancy or for prenatal care;
 - a period of incapacity or treatment for a chronic serious health condition which requires periodic visits for treatment (at least 2 visits per year) by a health care provider;
 - a period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective; or
 - a period of absence to receive multiple treatments for (i) restorative surgery after an accident or injury or (ii) an injury or condition which would result in incapacity of more than 3 consecutive calendar days if left untreated.

Ordinarily, unless complications arise, the common cold, flu, ear aches, upset stomach, ulcers, headaches other than migraines, routine dental problems, etc. do not qualify as serious health conditions. In addition, routine medical examinations are not considered serious health conditions, and neither are voluntary cosmetic treatments, unless inpatient care is required or complications develop.

The terms spouse, parent, son and daughter are defined in accordance with the FMLA. If you have any questions regarding these definitions, please contact the Human Resources Department.

Military Family Leave

There are two types of Military Family Leave available: Qualifying Exigency Leave and Covered Servicemember Leave.

Qualifying Exigency Leave – Employees meeting the eligibility requirements may be entitled to use up to 12 weeks of their Basic FMLA Leave entitlement to address certain qualifying exigencies.

Leave may be used if the employee's spouse, son, daughter, or parent (the "military member") is on covered active duty (or has been notified of an impending call or order to covered active duty) in the Armed Forces. The term "covered active duty" is defined in accordance with the FMLA. If you have any questions about what constitutes a "covered active duty," please contact the Human Resources Department.

Qualifying exigencies may include:

- Short-notice deployment (up to 7 days of leave);
- Attending certain military events and related activities;
- Arranging for alternative childcare and attending certain school meetings;
- Addressing certain financial and legal arrangements;
- Spending time with a covered servicemember who is on short-term rest and recuperation leave (up to 15 calendar days of leave);
- Caring for a military member's parent who is incapable of self-care, when such care is necessitated by the member's covered active duty (*i.e.*, arranging for alternative care, providing care on an immediate need basis, admitting or transferring the parent to a care facility, attending meetings with staff at a care facility, etc.);

- Attending certain counseling sessions;
- Attending post-deployment activities that occur up to 90 days after the termination of the covered servicemember's active duty status or to address that arise from the death of a covered servicemember while on (covered) active duty status; and
- Other activities arising out of the servicemember's active duty or call to (covered) active duty status which are agreed upon by SLC and the employee.

The relevant 12-month period used to determine eligibility for Qualifying Exigency Leave will be calculated on a calendar year basis.

Covered Servicemember Leave (a.k.a. "Military Caregiver Leave") – There is also a special leave entitlement that permits employees who meet the eligibility requirements for FMLA leave to take up to 26 weeks of unpaid leave during a single 12-month period to care for an immediate family member (spouse, child, parent) or next of kin (nearest blood relative) who is a covered servicemember.

A "covered servicemember," as it applies to this form of leave, is: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or (2) a covered veteran who is undergoing medical treatment, recuperation or therapy for a serious injury or illness. The terms "covered veteran" and "serious injury or illness" are defined in accordance with the FMLA. If you have any questions about what constitutes a "covered veteran" or a "serious injury or illness," please contact the Human Resources Department.

The 12-month period for Covered Servicemember Leave is defined as the 12-month period measured *forward* from the date an employee's first FMLA leave to care for the covered servicemember begins. In other words, the single 12-month period begins on the first day the eligible employee takes FMLA leave to care for a covered servicemember and ends 12 months after that date, regardless of the method used by SLC to determine the employee's 12 workweeks of leave entitlement for other FMLA-qualifying reasons. During this 12-month period, an eligible employee's FMLA leave entitlement is limited to a combined total of 26 workweeks of leave for any FMLA-qualifying reason.

In cases where both spouses are employed by SLC, the combined total of leave taken to care for a covered servicemember may not exceed 26 weeks in a single 12-month period.

Employee's Responsibilities When Requesting FMLA Leave

If the need for leave is foreseeable, the employee must notify his/her supervisor(s) and the Human Resources Department at least 30 days before the FMLA leave begins. When 30 days notice is not possible, the employee must give notice *as soon as practicable* (or within 1 or 2 business days) of learning of the need for leave, except in extraordinary circumstances. Failure to provide such notice may be grounds for delaying the start of the FMLA leave or denying the request for leave.

If the need to use FMLA leave is not foreseeable, the employee must notify his/her supervisor(s) and the Human Resources Department as soon as practicable (or within 1 or 2 business days). Employees are expected to provide notice in accordance with this policy, as well as SLC's usual and customary notice requirements, which means that notice of the need for unforeseeable FMLA leave should ordinarily be given prior to the start of the employee's workday, absent unusual circumstances. Failure to provide such notice may be grounds for delaying the start of the FMLA leave or denying the request for leave.

The employee will be requested to fill out an FMLA medical certification form which can be obtained from the Human Resources Department. Furthermore, when submitting a request for leave, the employee must

provide sufficient information for SLC to determine if the leave might qualify for FMLA leave, and also provide information on the anticipated date when the leave would start, as well as the anticipated duration of the leave.

Employer Responsibilities

When an employee requests leave, SLC will inform the employee whether he or she is eligible for leave under the FMLA and provide the employee with written notice of his or her rights and responsibilities. SLC will also inform the employee whether the leave will be designated as FMLA-protected, and if so, provide information on the amount of leave that will be counted against the employee's 12 or 26 week entitlement.

Medical Certification

SLC will require that an employee's request for leave to care for the employee's spouse, son, daughter, or parent with a serious health condition, or due to the employee's own serious health condition that makes the employee unable to perform the functions of the employee's position, be supported by written medical certification issued by an appropriate health care provider providing the medical attention. Additionally, if an employee is requesting either Qualifying Exigency Leave or Military Caregiver Leave, the employee must also provide appropriate certification.

When the employee requests leave, SLC will notify the employee of the requirement for certification and when it is due. The employee must provide the requested certification to SLC within 15 calendar days after SLC's request, unless to do so is not practicable despite the employee's diligent, good faith efforts. Failure to provide requested certification in a timely manner may result in denial of leave until it is provided.

The employee certification must be complete and sufficient. In the event that the certification is deficient, SLC will advise the employee, in writing, what additional information is necessary to make the certification complete and sufficient. The employee will be given 7 calendar days (unless not practicable despite the employee's diligent, good faith efforts) to cure any such deficiency. If the deficiencies are not cured in the resubmitted certification, SLC may deny the taking of FMLA leave.

SLC may require verification of the need for leave by requesting that the employee obtain a second or third medical opinion. Failure to obtain the second and/or third medical opinion(s), where applicable, will result in the denial of FMLA leave. Where permissible, SLC may also require subsequent medical recertification and/or an annual certification. Failure to provide requested certification within 15 days, unless it is not practicable to do so despite the employee's diligent, good faith efforts, may result in the delay of further FMLA leave.

Intermittent Leave

Leave because of a serious health condition involving an employee or an employee's spouse, child, or parent, or either type of Military Family Leave may be granted on an intermittent basis (in separate blocks of time due to a single health condition) or on a reduced-schedule leave (reducing the number of hours worked per workweek or workday) when necessary because of the nature of the medical condition and the scheduling of medical treatments. However, leave may not be taken on an intermittent basis or on a reduced work schedule when used to bond with the employee's own child during the first year following birth, or to bond with a child placed with the employee for foster care or adoption, unless SLC agrees to such leave in writing.

When planning medical treatment, employees must consult with SLC and make reasonable efforts to schedule leave so as not to unduly disrupt SLC Department operations.

If leave is unpaid, SLC will reduce the employee's salary based on the amount of time actually taken. In addition, while an employee is taking recurring leave on an intermittent or reduced-schedule basis for foreseeable, planned medical treatments, SLC may temporarily transfer or assign the employee to another position or an alternative position that better accommodates the recurring leave and which has equivalent pay and benefits.

Maintenance of Health Benefits

While an employee is on leave, SLC will maintain the employee's health benefits as if the employee continued to be actively employed. Specifically, SLC will continue to pay the employer's portion of the employee's group medical premium for a period not to exceed 12 weeks. In addition, the employee will be given the opportunity to choose continuation coverage under the COBRA regulations if he/she has not returned to work at the end of the 12-week period.

If paid leave is substituted for unpaid FMLA leave, SLC will deduct the employee's portion of the group medical premium as a regular payroll deduction. If leave is unpaid, the employee will be responsible for continuing to contribute his/her portion of the premium by mailing it on a monthly basis to SLC Human Resources Department.

The employee's coverage and the coverage of all enrolled dependents will be terminated if the payment of the employee's portion of the premium is more than 30 days late. If the payment is more than 15 days late, SLC will send the employee a letter to this effect. If SLC does not receive the payment for outstanding benefit premiums within 15 days after the date of that letter, the employee's coverage will terminate for non-payment of his/her required contributions.

The employee has a five (5) day grace period to submit payment after which coverage will be discontinued if payment is not received and will result in the loss of their COBRA rights. There are no provisions for reinstating the employee's coverage after the COBRA rights have been lost.

If an employee on unpaid FMLA leave chooses not to return to work for reasons other than (1) a continued serious health condition of the employee or the employee's family member, (2) a serious injury or illness of a covered servicemember which would otherwise entitle the employee to FMLA leave, or (3) a circumstance beyond the employee's control, SLC will require the employee to reimburse it the amount it paid for the employee's health insurance premium during the leave period if applicable.

Substitution of Accrued Paid Leave

Employees on unpaid FMLA leave will not accumulate paid leave and are required to substitute all forms of available accrued paid leave for their unpaid leave. The substitution of paid leave time for unpaid leave time does not extend the 12-week leave period. Furthermore, in no case can the substitution of paid leave time for unpaid leave time result in the receipt of more than 100 percent of an employee's normal wages. An employee's FMLA leave runs concurrently with other types of leave (ex. 207C, Workers' Compensation, Disability, Extended Sick Leave, etc.) or paid time taken during the FMLA leave.

Employees who are on a leave of absence that is covered by Worker's Compensation payments will not be required to substitute accrued paid benefit time leave while receiving these payments. However, SLC and the employee may agree to have accrued paid leave supplement the disability or Workers' Compensation benefits to the extent permitted by state law. Any leave of absence taken pursuant to an applicable disability law or Workers' Compensation law will be run concurrently with FMLA leave.

Reporting While on Leave

While on leave, employees may be required to contact their Supervisor to report on their status and intent to return to work. In addition, the employee must give notice as soon as practicable, within 2 business days, if the dates of the leave change, are extended, or were unknown initially.

Return to Work at the Conclusion of FMLA Leave

Prior to the exhaustion of FMLA leave, employees will be responsible for notifying their supervisor, in writing, regarding their intention to return to work.

An employee (whose leave was occasioned by the employee's own serious health condition that made the employee unable to perform their job) will be required to present medical certification from the health care provider that he/she is able to resume work. This certification must specifically address the employee's ability to perform the essential functions of his or her job. Failure to provide such medical certification may result in delay or denial of reinstatement.

Whenever possible, employees who return at the end of the approved leave time will be restored to the position they held when the leave began. If the same position is not available, the employee will be restored to an equivalent position with equivalent pay, benefits, and other terms and conditions of employment. An exception to this policy of restoration may be made with respect to "key employees" (*i.e.*, salaried employees in the top 10% of St. Lawrence County payroll).

Fraud

An employee who fraudulently obtains FMLA leave is subject to disciplinary action, up to and including termination.

FMLA Posting

In accordance with federal law, SLC shall post a notice summarizing the provisions of the FMLA, including enforcement of the law. A copy of the notice posting is also attached to this policy.

EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

LEAVE ENTITLEMENTS



Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons:

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within 1 year of the child's birth or placement);
- To care for the employee's spouse, child, or parent who has a qualifying serious health condition;
- For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job;
- For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

An eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the servicemember with a serious injury or illness.

An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule.

Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies.

While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave.

Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.

An employer may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

BENEFITS & PROTECTIONS

ELIGIBILITY REQUIREMENTS

An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must:

- Have worked for the employer for at least 12 months;
- Have at least 1,250 hours of service in the 12 months before taking leave;* and
- Work at a location where the employer has at least 50 employees within 75 miles of the employee's worksite.

*Special "hours of service" requirements apply to airline flight crew employees.

REQUESTING LEAVE

Generally, employees must give 30-days' advance notice of the need for FMLA leave. If it is not possible to give 30-days' notice, an employee must notify the employer as soon as possible and, generally, follow the employer's usual procedures.

Employees do not have to share a medical diagnosis, but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection. Sufficient information could include informing an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified.

Employers can require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a written notice indicating what additional information is required.

EMPLOYER RESPONSIBILITIES

Once an employer becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the employer must notify the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a reason for ineligibility.

Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

ENFORCEMENT

Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer.




The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

For additional information or to file a complaint:

1-866-4-USWAGE
(1-866-487-9243) TTY: 1-877-889-5627

www.dol.gov/whd

U.S. Department of Labor | Wage and Hour Division

January 3, 2022

Operations Committee: 12-13-2021

RESOLUTION NO. _____

**PROCLAMATION RECOGNIZING THE 100TH BIRTHDAY OF
MRS. AGNES EMMA BLANDIN WOODROW**

By Ms. Curran, Chair, Operations Committee
Co-Sponsored by Mr. Denesha, District 6

WHEREAS, longevity of life is a blessing for an individual and for the community which benefits from the knowledge and experiences this individual brings to all, and

WHEREAS, the Town of Hermon and County of St. Lawrence recognizes with respect and admiration the contributions all people, including senior citizens, give to our community, and

WHEREAS, Mrs. Agnes Emma Blandin Woodrow was born on January 8, 1922 to her parents Frederick Perle Blandin and Ethel Euphemia Baxter Blandin, and lived her whole life in St. Lawrence County, and

WHEREAS, Mrs. Woodrow and her husband ran a farm for many years and raised a family in the Hermon area, and from 1974 to 1982 she owned and operated the Hermon IGA store, and she also was a woman who gave back to the community by volunteering as a member of the Hermon Volunteer Fire Department's Ladies Auxiliary, and by feeding the community during the ice storm of 1998, and

WHEREAS, in addition, Mrs. Woodrow was a mail carrier for many years retiring in 1993, and

WHEREAS, now at the blessed age of 100 years old, Mrs. Woodrow is to be commended for distinguishing herself not only for the length of her incredible life but the impact she undoubtedly had on many lives in and around her community, and

WHEREAS, the Board of Legislators wishes to honor the newest centenarian in the County with sincerest congratulations and best wishes for many more happy productive years,

NOW, THEREFORE, BE IT RESOLVED the Board of Legislators recognizes the 100th birthday of Mrs. Agnes Emma Blandin Woodrow.

January 3, 2022

Operations Committee: 12-13-2021

RESOLUTION NO. _____

**SUPPORTING THE EXPANSION OF BROADBAND INFRASTRUCTURE
IN ST. LAWRENCE COUNTY**

By Ms. Curran, Chair, Operations Committee
Co-Sponsor by Ms. Haggard, District 10

WHEREAS, broadband access is critical for efforts to support growth of the economy and for adequate educational opportunities to be provided to all St. Lawrence County residents, and

WHEREAS, the St. Lawrence County Board of Legislators has continued to advocate for the expansion of broadband; most recently Resolution No. 302-2021 urged the State of New York and Federal Government to expand true broadband coverage to all New Yorkers, and

WHEREAS, broadband enables business, education, medicine, government, and public safety to function efficiently, and

WHEREAS, it is a critical component of economic development and the ability of a community to attract and retain industry, and recent surveys show high-speed broadband is now as important to job creation and business locations as good transportation and skilled labor, and

WHEREAS, rural areas of the Country still rely heavily on copper-based infrastructure or satellite connections for broadband connectivity, and cost-benefit analyses of low population density areas remain to be unattractive for the telecommunication industry, and

WHEREAS, St. Lawrence County has partnered with the Development Authority of the North County (DANC) to better understand rural area broadband capacity and explore opportunities for possible broadband expansion to help the County overcome the digital divide, and

WHEREAS, the study concluded that while St. Lawrence County has a fair amount of incumbent broadband infrastructure within populated areas of the County, there are several pockets of rural areas which are limited to satellite as their only broadband option, which can be expensive and experience reliability issues, and

WHEREAS, the study specifically focused on areas in Brasher, Canton, Oswegatchie, Parishville, and Pitcairn, and estimating approximately 1,019 household that lack access to broadband connectivity in those areas, and

WHEREAS, on October 4th, a Broadband Committee was appointed that includes DANC, BOCES, and the SLC IDA to address issues of broadband access within the County, and

WHEREAS, the Committee is tasked to evaluate grant opportunities and create recommendations to the Board of Legislators for consideration of the expansion of broadband infrastructure,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators supports improving broadband infrastructure in St. Lawrence County, and

BE IT FURTHER RESOLVED that any Federal or State funding efforts recommended by the Broadband Committee will be brought to the attention of Representatives at the State and Federal levels to ensure their assistance is included, and

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to President Joseph R. Biden, Jr., Governor Kathy Hochul, Senator Joseph Griffo, Senator Patricia Ritchie, Senator Dan Stec, Assemblyman Ken Blankenbush, Assemblyman Billy Jones, Assemblyman Robert Smullen, Assemblyman Mark Walczyk, and the Federal Communications Commission.

St. Lawrence County Vacancy Authorization Form

Sheriff



Type: Fill

Correction Officer

Subunit (If Applicable):

Date Submitted: 11/29/21

Reason Vacated: Resignation

Position Number: 603000050

Date Vacated: 12/11/21

Position # Abolished:

Position Will Be: Fulltime

Last Fill Date: 01/02/20

Hours Per Week:

Appointee Will Be: Permanent

Budget

Fill Request Timeline: Immediately

Temporary Position? No

Salary of Person Leaving: \$60,184

Revenue Generating: No 0 %

Benefits: Yes \$28,979

Reimbursed by State
or Federal Funds: No 0 %

Base Salary: \$45,910

Budget Mod Attached, If Required?

Grade:

Net County Cost: \$89,163

Detailed Justification

What is the impact on your department if this position is not filled? Please provide, in detail, the need to fill the position. Please include the service provided, if it is mandated, number of people (clients) affected, and what you will do if the position is not filled.

The New York State Commission of Correction determines the minimum number of personnel necessary to effectively and efficiently operate the Correctional facility. Minimum staffing for Correction Officers as set forth by the NYS Commission of Corrections is fifty-six (56). This will fulfill minimum staffing requirements for the facility.

Department Head: *Brooks J. Bijuane*

Approved?

Yes No

County Administrator:

Resolution #:

St. Lawrence County Vacancy Authorization Form

Information Technology



Type: Fill

Microcomputer Systems Coordinator

Subunit (If Applicable):

Date Submitted: 11/08/2021

Reason Vacated: Promotion

Position Number: 203000002

Date Vacated: 11/08/2021

Position # Abolished:

Position Will Be: Fulltime

Last Fill Date: 02/09/2015

Hours Per Week: 35

Appointee Will Be: Provisional

Budget

Fill Request Timeline: Immediately

Temporary Position? No

Salary of Person Leaving: \$59,554

Revenue Generating: No 0 %

Benefits: Yes \$28,675

Reimbursed by State or Federal Funds: No 0 %

Base Salary: \$52,797

Budget Mod Attached, If Required?

Grade: 27

Net County Cost: \$88,229

Detailed Justification

What is the impact on your department if this position is not filled? Please provide, in detail, the need to fill the position. Please include the service provided, if it is mandated, number of people (clients) affected, and what you will do if the position is not filled.

This position is being vacated by an individual who is being promoted within the department. The person in this role is responsible for the design, installation, and maintenance of all network infrastructure, including the phone network and all internet and wireless connectivity. The need is acute and immediate, as all functionality to the computer network and programs is dependent upon it.

Department Head:

Approved?

Yes No

County Administrator:

Resolution #:

St. Lawrence County Vacancy Authorization Form

Information Technology



Type: Fill

Computer Tech

Subunit (If Applicable):

Date Submitted: 11/08/2021

Reason Vacated: Promotion

Position Number: 202700002

Date Vacated: ASAP

Position # Abolished:

Position Will Be: Fulltime

Last Fill Date: 09/10/2018

Hours Per Week: 35

Appointee Will Be: Provisional

Budget

Fill Request Timeline: Immediately

Temporary Position? No

Salary of Person Leaving: \$47,107

Revenue Generating: No 0 %

Benefits: Yes \$22,682

Reimbursed by State or Federal Funds: No 0 %

Base Salary: \$45,328

Budget Mod Attached, If Required?

Grade: 23

Net County Cost: \$69,789

Detailed Justification

What is the impact on your department if this position is not filled? Please provide, in detail, the need to fill the position. Please include the service provided, if it is mandated, number of people (clients) affected, and what you will do if the position is not filled.

County IT has two Computer Tech positions. These are responsible for the planning, ordering, installation, and maintenance of the County computer fleet which includes over 600 desktop, laptop, and tablet computers, the software that runs on them, and the peripheral devices to which they connect, including keyboards, mice, scanners, printers, and many specialty devices. These positions run front on office visits to address technical problems and have been on the front line supporting our Public Health Department's COVID vaccination PODs.

I am planning to promote the current staffer in this position to fill the Microcomputer Systems Coordinator vacated by the promotion of Rodney Cisneros to Information Services Manager.

Department Head:

Approved?

Yes No

County Administrator:

Resolution #: