

REGULAR SESSION

TUESDAY, OCTOBER 7, 2014

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

ROLL CALL OF MEMBERS

All members present except Legislators Thomas, Ferris, Gray and Doldo.

Public Hearing
Local Law Intro. No. II of 2014
A Local Law to Authorize Overriding the Tax Levy Limit Established
by General Municipal Law § 3-c (A/K/A “2% Tax Cap”) for the
Jefferson County 2015 Budget

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

Bart Bonner, Brookside Drive, Watertown, NY, expressed displeasure that the Board is considering this measure as he felt the property tax payers are burdened enough already. He urged legislators not to approve the override.

Lance Evans, Jefferson Lewis Board of Realtors felt property taxes here are high enough and any further measures to raise them would hamper efforts to sell houses in the area. He said the 2% tax cap was meant to provide relief to homeowners and this measure would negate that relief. He cited various statistics related to the high cost of taxes on a home and property in this area as compared to other areas of the country, suggesting that it is one of the most expensive places to live in terms of property taxes, and this measure would not help that situation. He urged legislators to also not vote for an override because if passed property taxpayers would not be eligible for the property tax cap relief credit promised by New York State. He urged legislators to cut costs, eliminate waste and reduce spending.

There being no further comments, Chairwoman Fitzpatrick closed the public hearing at 7:15 p.m.

PRIVILEGE OF THE FLOOR

Matt Montroy, Clark Street and Mayor, Village of Philadelphia, reiterated his concerns expressed last month about the County Dog Control Office providing services in the Town of Philadelphia but not in the Village of Philadelphia, but said they do come into the Village to conduct surveys. He offered to sit down with whomever necessary to see if a solution can be found. He also understood that there is a problem with Dog Control in the towns referring to a statement made by Town Supervisor Justin Taylor regarding costs for those services skyrocketing. He said that the 1982 law needs to be readdressed by the legislators and he was also willing to help in that regard.

READING OF MINUTES OF LAST SESSION

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

PRESENTATION OF PETITIONS, NOTICES AND COMMUNICATIONS

A letter was received from Bill Bowman, Executive Director, Alcohol & Substance Abuse Council (ASAC) stating that the name of the agency will change to Pivot as of January 1, 2015.

A copy of a letter from NYSAC Executive Director Stephen J. Acquario to the U.S. Environmental Protection Agency was received expressing 35 counties serious concerns over the proposed changes to the definition of the waters of the U.S. under the Clean Water Act.

2014 NYSAC Fall Seminar Resolutions were received. Mr. Hagemann noted that the very first resolution passed was supporting the north country regional economy by opposing further reductions in personnel at Fort Drum.

REPORTS OF STANDING COMMITTEES

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

The Finance & Rules committee reported favorably on legislators' expenses.

REPORTS OF COUNTY OFFICERS AND OTHERS

The County Treasurer reported on the Summary of Cash in Banks, and the Interest Allocation by Fund as of 8/31/2014.

The County Administrator provided a report on Budget transfers for the month of September, 2014.

LOCAL LAWS, RESOLUTIONS AND MOTIONS

Chairwoman Fitzpatrick entertained a motion to take Local Law Intro No. II of 2014 "A Local Law to Authorize Overriding the Tax Levy Limit Established by General Municipal Law § 3-c (A/K/A "2% Tax Cap") for the Jefferson County 2015 Budget" off the table. Such motion was duly made by Legislator Peck seconded by Legislator Drake and unanimously carried.

Legislator Jareo reiterated his comments made at the Finance & Rules Committee meeting that he did not believe this was an appropriate time to raise taxes above the 2% tax cap when we have a shrinking economy as evidenced by the reduction in sales tax revenue, and said he would not be supporting the local law.

Legislator Hirschey urged the speakers against this local law to write to their State representatives because a significantly large portion of the County's budget is State mandates that are largely out of our control. He was sympathetic to the speakers cause(s), looked forward to taking a hard look at the budget and said he would not be supporting the override at this time.

Legislator Peck stated that given the circumstances of the 2% tax cap he did not believe it was meant to protect taxpayers from over taxation, but rather create an awareness to the legislative bodies of their actions. He said the Town of Champion just approved an override as they have routinely done for the last three years, just in case it is needed. He was sure the County will diligently work to get under the 2%, and hoped that this vote was only an insurance package, but when it comes time for the budget to be approved and if the override is needed and not in place, it may create a delay in adopting a budget. He will be conscientious and is aware that cuts need to be made but said at the end of the day this is the way we collect our revenues and do business, unless extras fees to the taxpayers are created, and we all have to work through it together.

Legislator Reed said this is a procedural matter, it does not necessarily mean we will be going over the tax cap. He noted that Legislator Docteur chaired an Efficiency Ad Hoc Committee a few years ago that put a lot of cost saving measures in place. He reminded legislators that the County has committed to redoing a pod of the Public Safety Building and there will be a significant amount of new employees there (corrections officers, supervisors, etc.) that were mandated by the State. He said those costs are unavoidable, but if anyone is doing their homework and wants to come forward with cuts we should listen to them.

Legislator Docteur stated that this Board has worked very well to cut costs over the years looking at every option during the annual budget process to find places to economize. He stated that the workforce has been cut through attrition, thereby cutting future pensions costs and immediate salaries. The Efficiency Ad Hoc Committee he served on with Legislator Drake was work done by the Department heads because they were challenged to and came up with many cost saving measures within their department(s) and it was a very constructive process. He said the project at the Jail was attempted 10 years ago however there was no support locally or at the State level for those changes, the support is now there and so are the State mandated positions that go along with it. He expressed support for the tax cap override and looked forward to looking at the budget and working together with new members of the Board who may have a fresh perspective to offer in cutting costs as much as possible so this safe gap measure is not necessary.

Legislator Nabywaniec stated that the Board needs to continue to work together as a group and look at ways to cut costs as has been done in the past such as privatizing security at the Airport, or making a conscious decision to get out of the Adult Home business which required cooperation with other agencies (Samaritan Medical Center, Carthage Area Hospital) and provided much needed assisted living services in the community at a cost savings to taxpayers. He said it is frustrating to see a bigger portion of the budget every year go toward State mandated programs which has risen from about 70% to over 90% during his time on the Board. He was in favor of the tax cap override and stated that we need to work together to identify cuts in the

future.

Chairwoman Fitzpatrick very much appreciated the hard work done by the department heads and legislators and shared frustrations concerning the percentage of the budget going toward the State mandates. Because she knew the Board is doing the best it can to cut costs she was in favor of a tax cap override and hoped it would not be necessary.

There being no further discussion, all members present voted aye on the Local Law with Legislators Hirschey, Jareo and Maxon opposed.

Resolution No. 223

Payment of Legislators' Expenses

By Legislator: John D. Peck

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 \$1,121.82 we have allowed:

Legislator Expense:	\$1,121.82
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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: Allen T. Drake

All members present voted aye.

Resolution No. 224

Setting Time and Place for Public Hearing on Tentative Budget for Fiscal Year 2015

By Legislator: Michael J. Docteur

Resolved, That, Pursuant to Section 359 of County Law, a public hearing on the Tentative Budget for County fiscal year 2015 be held before this Board of Legislators at 7:00 p.m. on the 12th day of November, 2014 in the Chambers of the Board of Legislators, Historic Courthouse, 195 Arsenal Street, Watertown, NY, and be it further

Resolved, That notice of said public hearing be given in accordance with law.

Seconded by Legislator: Robert D. Ferris

All members present voted aye.

Resolution No. 225

**Authorizing Agreements with New York State and with IQS and
Amending the 2014 County Budget Relative to the County Clerk's Office**

By Legislator: Michael A. Montigelli

Whereas, The County Clerk has received a \$38,800 Local Government Records Management Improvement Fund grant from the New York State Education Department, and

Whereas, said grant will be used to hire IQS (Info Quick Solutions) to scan 323 deed books (years 1946-1966), and

Whereas, Agreements must be authorized and the 2014 County Budget must be amended accordingly.

Now, Therefore, Be It Resolved, That the Chairman of the Board of Legislators be and is hereby authorized to execute agreements on behalf of the County as described above, subject to the review of the County Attorney as to form and content, and be it further

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

Increase:

Expenditure		
01-1410-1460.4414	Supporting Services	\$38,800
Revenue		
01-1410-999.93061	State Aid, Records Management	\$38,800

Seconded by Legislator: Robert D. Ferris

Roll Call Vote

Ayes: Drake, Maxon, Reed, Nabywaniec, Jareo, Hirschey, Gray, Peck, Docteur, Adsit, Fitzpatrick

Absent: Montigelli, Thomas, Ferris, Doldo

Resolution passed.

Resolution No. 226

**Authorizing Agreement with POMCO Group for Jefferson County
Inmate Outpatient Claims**

By Legislator: Michael A. Montigelli

Whereas, The Office of the New York State Comptroller Recently completed a draft of a multi-county audit titled “ Reducing the Cost of Hospital Services Provided to County Inmates,” and

Whereas, Said audit indicates that Jefferson County should negotiate with local providers for preferential rates, and

Whereas, The POMCO Group currently provides said rates through its provider network and is willing to contract with the County on a per claim basis to provide said rates and review claims, and

Whereas, Said services are available for a cost of \$26.50 per claim, which would amount to approximately \$15,000 per year with the potential to save more than that by lower medical fees.

Now, Therefore, Be It Resolved, That the Chairman of the Board of Legislators be and is hereby authorized to execute an agreement on behalf of the County as described above, subject to the review of the County Attorney as to form and content.

Seconded by Legislator: Michael J. Docteur

All members present voted aye.

Resolution No. 227

Endorsing Jefferson Community College 2014-2020 Facilities Master Plan Update

By Legislator: Allen T. Drake

Whereas, In 2008 Jefferson Community College prepared its 2008 JCC Facilities Master Plan which was endorsed by this Board by Resolution 235 of 2008, and

Whereas, The College has now completed the Jefferson Community College 2014-2020 Facilities Master Plan Update, which has been adopted by the College’s Board of Trustees in August of this year, and

Whereas, Said Plan, which has been presented to this Board, recommends capital projects which include new facilities and enhancements and renovations of existing facilities, and

Whereas, This Board desires to endorse said Master Plan Update as the College’s long term goal, understanding that it makes no financial commitment as a result of the endorsement, and that it and the College will collaborate on establishing the Plan’s priorities and review each project on a case by case basis to determine appropriate funding.

Now, Therefore, Be It Resolved, That the Jefferson County Board of Legislators hereby endorses

the 2014 Jefferson Community College 2014-2020 Facilities Master Plan Update.

Seconded by Legislator: Michael J. Docteur

All members present voted aye.

Resolution No. 228

Commitment of Jefferson County to Share in the Debt Service Costs of a \$3,500,000 Maintenance and Revitalization Bond for Jefferson Community College

By Legislator: Michael J. Docteur

Whereas, The 2014-15 Jefferson Community College Budget does not include an increase in County funding for its operating costs, and

Whereas, The College desires to pursue funding for various maintenance and revitalization projects through a bond, which will be matched by the State of New York, and

Whereas, the College's Faculty/Student Association and the College Foundation have both committed to contributing to the costs of the debt service for said bond, and

Whereas, The College has requested that the County also contribute one-third of said costs, and

Whereas, The College proposes that the County issue a \$3,500,000 bond for a 15 year term, which would result in each entity paying approximately \$100,000 per year for the debt service costs, and

Whereas, Said bond would be matched by the State, resulting in a total of \$7,000,000 made available to the College for its projects.

Now, Therefore, Be It Resolved, That the Jefferson County Board of Legislators hereby commits to providing up to \$100,000 annually for the term of the 15 year bond for the purposes stated above for Jefferson Community College.

Seconded by Legislator: Michael A. Montigelli

All members present voted aye.

Resolution No. 229

Authorizing Agreement with Jefferson Community College for Repayment of Funds for Design Costs of Collaborative Learning Center and Dewey Building Renovations Under Certain Circumstances

By Legislator: John D. Peck

Whereas, Pursuant to Resolution 203 of 2013, This Board of Legislators committed to spending, through a bond, up to \$7,000,000 for the proposed Jefferson Community College Collaborative Learning Center and the subsequent and related renovations to the Dewey Building which are identified in the 2008 Master Plan and the 2014-2020 Master Plan Update, and

Whereas, Jefferson County issued a Bond Anticipation Note (BAN) for \$500,000 in 2014 with the expectation that it would be matched with State funds for the purpose of providing for design costs for said projects and so budgeted said funds in its 2014 County Budget, and

Whereas, The State of New York failed to authorize said match in 2014, and

Whereas, While both the College and the County do expect this funding to be made available in 2015, in the event that it is not, the College Board of Trustees has committed to repaying the expected \$500,000 State match over a 15 years to reflect the bonding period for the project.

Now, Therefore, Be It Resolved, That Jefferson County and Jefferson Community College enter into an agreement for the repayment of up to \$500,000 in design costs for the above-referenced project over a 15 year period in the event the State fails to authorize the funds, and be it further

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

Seconded by Legislator: Michael J. Docteur

All members present voted aye.

Resolution No. 230

Amending the 2014 County Budget and Capital Plan in Relation to the JCC Master Plan Project (Salt Storage Building)

By Legislator: Allen T. Drake

Whereas, By Resolution No. 70 of 2005, the Jefferson County Board of Legislators endorsed the 2004 Update of the 1998 Facilities Master Plan for Jefferson Community College, which presented recommended capital projects with a total estimated cost of \$18,144,271, and

Whereas, The “Storage Building Upgrade” account in the capital fund requires additional monies to complete the project, which funds are available in other College capital accounts, and

Whereas, It is necessary to amend the 2014 County Budget and Capital Plan for this purpose.

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

Increase:

20-9006-2490.2021.007	Storage Building Upgrade	\$14,783.80
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Decrease:

20-9006-2490.2020	Technology Infrastructure	\$ 74.39
20-9006-2490.2021.010	Higher Education Center	3,101.01
20-9006-2490.2021.011	Site Work	4,500.00
20-9006-2490.2021.012	Gas Lines	3,796.50
20-9006-2490.2021.013	Softball Field	1,419.81
20-9006-2490.2021.014	Security Upgrades	1,892.09

and be it further

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

Seconded by Legislator: Michael A. Montigelli

Roll Call Vote

Ayes: Gray, Jareo, Nabywaniec, Docteur, Adsit, Drake, Peck, Maxon, Hirschey, Reed, Fitzpatrick

Absent: Ferris, Thomas, Montigelli, Doldo

Resolution passed.

Resolution No. 231

Approving (i) The Issuance By the Jefferson County Industrial Development Agency of up to \$30,000,000 Aggregate Principal Amount of Tax-Exempt Solid Waste Disposal Revenue Bonds (ReEnergy Black River LLC Project), Series 2014 in Accordance with Section 147(f) of the Internal Revenue Code of 1986, As Amended in Connection with a Certain Project (As Described Herein) to be Undertaken By ReEnergy Black River LLC

By Legislator: John D. Peck

Whereas, By Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended (hereinafter collectively called the "Act"), was created with the authority and power to own, lease and sell property for the purpose of, among other things, acquiring, constructing and equipping civic, industrial, manufacturing and commercial facilities as authorized by the Act; and

Whereas, ReEnergy Black River LLC (the “Company”) previously submitted an application (the “Application”) to the Issuer requesting the Issuer’s assistance with a certain project (the “Project”) consisting of: (i) the acquisition by the Issuer of a leasehold interest to approximately 16 acres of real property located near Second Street and Oneida Avenue, Fort Drum, Town of LeRay, New York (the “Town”), such real property being more particularly described as TMID No’s 75.00-2-1.701, 75.00-2-1.702 and an additional 4 acre unlotted parcel (as may be merged, and collective herein, the “Land”) along with the existing improvements located upon the Land, principally consisting of a 60MW coal-fired power plant building, related equipment and electrical transmission improvements located upon the Land (the “Existing Improvements”), (ii) the construction, reconstruction, rehabilitation and refitting of the Existing Improvements for operation thereof as a biomass fed electrical general facility (collectively, the “Improvements”), and (iii) the acquisition in and around the Existing Improvements and Improvements and of certain items of equipment and other tangible personal property and equipment (the “Equipment” and, collectively with the Land, Existing Improvements and the Improvements, the “Facility”), (iv) the issuance by the Issuer of its Solid Waste Disposal Revenue Bonds (ReEnergy Black River LLC Project) in a principal amount not to exceed \$30,000,000 (the “Bonds”) for the purpose of financing the Facility in accordance with applicable provisions of the Internal Revenue Code of 1986 (the “Code”) relating to solid waste disposal facilities, (v) paying certain costs and expenses incidental to the issuance of the Bonds and/or establishment of debt service reserve funds, and (vi) the lease (with the obligation to purchase) of the Facility to the Company; and

Whereas, Pursuant to and in accordance with Section 147(f) of the Code, and in furtherance of the Project and the issuance of the Bonds, the Issuer previously scheduled, noticed and conducted a public hearing (the “Public Hearing”) on the 28th day of June, 2012 at 10:00 a.m. local time, at LeRay Town Hall, 8650 LeRay Street, Evans Mills, New York, whereat representatives of the Agency presented a copy of the Application (including a cost-benefit analysis) and heard and accepted written and oral comments from all persons with views in favor of, opposed to or otherwise relevant to the Project and issuance of the Bonds; and

Whereas, The County Board of Legislators, after due consideration of the foregoing, as the “applicable elected representative” of the County, within the meaning of Section 147(f)(2)(E) of the Code, desires to approve the issuance of the Bonds, provided the principal, premium, if any, and interest on the Bonds shall be special limited obligations of the Issuer and shall never be a debt of the State of New York (the “State”) or any political subdivision thereof, including, without limitation, the County, and neither the State, nor any political subdivision thereof, including, without limitation, the County, shall be liable thereon; and

Whereas, The County Board of Legislators, after due consideration of the foregoing, desires to authorize the issuance of Bonds by the Issuer pursuant to Section 147(f) of the Code.

Now, Therefore, Be It Resolved, By the Board of Legislators of the County of Jefferson as follows:

Section 1. For the purpose of satisfying the approval requirement of Section 147(f) of

the Code, the County does hereby approve the issuance by the Issuer of the Bonds for the purpose of financing the Project, provided that the Bonds, and the premium, if any, and interest thereon, shall be special limited obligations of the Issuer and shall never be a debt of the State or any political subdivision thereof, including, without limitation, the County, and neither the State nor any political subdivision thereof, including, without limitation, the County, shall be liable thereon. This approval is given pursuant to Section 147(f) of the Code for the sole purpose of qualifying the interest payable on the Bonds for exclusion from gross income for federal income tax purposes pursuant to the provisions of Section 103 and 141-150 of the Code.

Section 2. This resolution shall be deemed to be made for the benefit of the Company and the holders of the Bonds.

Section 3. This resolution shall take effect immediately.

Seconded by Legislator: Michael A. Montigelli

Legislator Peck said that ReEnergy Black River is a great asset to have in the community and it is the best use of pilot dollars he has ever seen for industrial purposes in a long time, and the contract they were awarded to supply Fort Drum with renewable energy will ensure long term viability of the facility for many years to come.

All members present voted aye.

Resolution No. 232

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

By Legislator: Jennie M. Adsit

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

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

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

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

Whereas, Resolution #200 of 2014 approved a request by Housing Improvement Program applicant Doris Rowland to execute a Subordination Agreement, subordinating the County's existing mortgage (File No. 2011-14596) to a reverse mortgage she planned to execute with American Advisors Group, and

Whereas, The applicant has requested that the County modify its previous approval to change the financial institution that will hold the reverse mortgage to M+T Bank.

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

Seconded by Legislator: John D. Peck

All members present voted aye.

Resolution No. 233

Authorizing Agreement with the New York State Division of Homeland Security and Emergency Management and Amending the 2014 County Budget in Relation Thereto

By Legislator: Anthony J. Doldo

Whereas, Jefferson County has been awarded a FY14 Emergency Management Performance Grant in the amount of \$48,863, and

Whereas, It is necessary to authorize an agreement with the State and to amend the 2014 County Budget to appropriate the funds.

Now, Therefore, Be It Resolved, That the Chairman of the Board of Legislators be and is hereby authorized and directed to execute said agreement 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 2014 County Budget is amended as follows:

Increase:

(Revenue)

01-3410-999.94305	Federal Aid Homeland Security (FEMA)	\$ 48,863
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(Expenditure)

01-3410-3414.2302	Radios	\$ 48,863
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Seconded by Legislator: Patrick R. Jareo

Roll Call Vote

Ayes: Docteur, Hirschey, Maxon, Peck, Drake, Reed, Nabywaniec, Adsit, Gray, Jareo, Fitzpatrick

Absent: Montigelli, Ferris, Thomas, Doldo

Resolution passed.

Resolution No. 234

**Amending the 2014 County Budget to Recognize Insurance Recovery
and Allocating Same in Fire and Emergency Management Department Budget**

By Legislator: Jennie M. Adsit

Whereas, The Fire and Emergency Management Department has received insurance settlement checks in the amount of \$1,256.07 and \$3,845.66 for damage to a vehicle, and has requested that the settlement be used to supplement the external fleet expense line to pay for needed repairs.

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

Increase:

01-3410-3410.4310.002	External Fleet Expense	\$ 5,101.73
01-3410-999.92680	Insurance Recoveries	\$ 5,101.73

Seconded by Legislator: Anthony J. Doldo

Roll Call Vote

Ayes: Jareo, Gray, Adsit, Peck, Docteur, Maxon, Drake, Nabywaniec, Hirschey, Reed, Fitzpatrick

Absent: Doldo, Thomas Ferris, Montigelli

Resolution passed.

Resolution No. 235

**Authorizing Agreement with AutoMon, LLC and
Amending the 2014 County Budget in Relation Thereto**

By Legislator: Jonathan L. Hirschey

Whereas, The Probation Department receives a small portion of bail fees paid by defendants, and

Whereas, Said fees are placed in a reserve account and carry over from year to year, and

Whereas, The funds (currently approximately \$37,000) are restricted as to purpose, and

Whereas, The Probation Director recommends using said funds for a software program enhancement to assist in monitoring probationers who are released under supervision (RUS), which is a permissible use of the funds, and

Whereas, Said software has an annual fee of \$3,000 with no initial set-up cost, and

Whereas, It is necessary to authorize an agreement with the software development company and amend the 2014 County Budget to provide for the first year's expense.

Now, Therefore, Be It Resolved, That Jefferson County enter into an agreement with AutoMon, LLC for the use of its Checkin software module for a cost of \$3,000 per year, and that the Chairman of the Board be and is hereby authorized and directed to execute said agreement on behalf of the County, subject to the review of the County Attorney as to form and content, and be it further

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

Increase:

01-3140-3140.4114.003	Computer Software Maintenance	\$3,000
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Decrease:

01-0888	Misc Restricted Funds	\$3,000
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Seconded by Legislator: Patrick R. Jareo

All members present voted aye.

Resolution No. 236

Amending the 2014 County Budget in Relation to the Highway Fund

By Legislator: Jennie M. Adsit

Whereas, The Superintendent of Highways recommends that the Highway Fund be amended to transfer funds from the snow removal account to the highway pavement markings account.

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

Increase:

05-9003-3310.4480 Highway Pavement Markings \$ 25,000

Decrease:

05-9003-5142.4931 Snow Removal \$ 25,000

Seconded by Legislator: Anthony J. Doldo

All members present voted aye.

Resolution No. 237

**Amending the 2014 County Budget Relative to Mental Hygiene/Community Services
and Authorizing Amended Agreements with Transitional Living Services of NNY
in Relation Thereto**

By Legislator: Jeremiah J. Maxon

Whereas, By Resolution No. 124 of 2014 contracts for various mental hygiene programs were authorized for the North Country Transitional Living Services (D/B/A: Transitional Living Services of NNY), and

Whereas, The NYS OMH has approved additional funding for the Supported Housing program effective April 1, 2014 to help reduce reliance on inpatient services, and

Whereas, The additional funding needs to be recognized and amended agreements authorized for these changes.

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

Increase:

Revenue

01-4310-999.93490 State Aid - Mental Health Services \$51,807

Expenditure

01-4310-4320.4714 North Country TLS (D/B/A: TLSNNY) \$51,807

and be it further

Resolved, That the Board of Legislators does hereby grant its approval for the Community Services Board to enter into any necessary amended agreements with Transitional Living Services of NNY and New York State for these changes.

Seconded by Legislator: Michael J. Docteur

Roll Call Vote

Ayes: Drake, Jareo, Peck, Maxon, Nabywaniec, Adsit, Reed, Hirschey, Docteur, Fitzpatrick

Absent: Thomas, Doldo, Ferris, Montigelli

Abstain: Gray

Resolution passed.

Resolution No. 238

Amending the 2014 County Budget Relative to Public Health Department Accounts

By Legislator: Jonathan L. Hirschey

Whereas, Two Public Health operating accounts are projected to be overspent by year's end, and

Whereas, The County's Control and Accountability and Audit of Claims Policies require that budgeted accounts be properly funded, and

Whereas, It is necessary to amend the 2014 County Budget to fund these accounts.

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

Increase:

01-4050-4010.8020	Public Health Administration Health Benefits	\$15,436
01-4050-4050.1300	Public Health Home Health Overtime	\$32,000

Decrease:

01-4050-4050.1100	Public Health Home Health Personal Services	\$47,436
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Seconded by Legislator: Allen T. Drake

All members presented voted aye.

Resolution No. 239

Authorizing Agreement in Relation to New York State's Highway Safety Program Grant

By Legislator: Jeremiah J. Maxon

Whereas, The Public Health Service has been notified by the State of New York Governor's Traffic Safety Committee of a re-award in the amount of \$28,286 for the period of October 1, 2014 through September 30, 2015, and

Whereas, The purpose of the grant is to address motorist education related to drunk and impaired driving on the County's roadways, and

Whereas, Said grant funds are already budgeted with 2014 Adopted appropriations and revenue.

Now, Therefore, Be It Resolved, That the Chairman of the Board of Legislators be and is hereby authorized and directed to execute any necessary documents in relation to this agreement with the New York State Governor's Traffic Safety Committee, subject to approval by the County Attorney as to form and content.

Seconded by Legislator: Michael J. Docteur

All members present voted aye.

Resolution No. 240

Approving a Full-Time Nutritionist Position at Jefferson County Public Health Service and Amending the 2014 County Budget in Relation Thereto

By Legislator: Allen T. Drake

Whereas, It is required for the Jefferson County Public Health Service to have nutritional services available for Certified Home Health Agency and Long Term Home Health Care Program, and

Whereas, Office for the Aging must also provide nutritional services, and

Whereas, The Directors of Public Health and the Office for the Aging recommend creating a shared Nutritionist position in the Public Health Department, with an agreement between the Departments for sharing the employee's services, and

Whereas, The 2014 County Budget must be amended to fund this position and the position must be established.

Now, Therefore, Be It Resolved, That a Nutritionist position (01-4050-4050.1100 position # 81), is hereby established, and be it further

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

Increase:

Expenditures:

01-4050-4050.1100	Personal Services	\$12,685
01-4050-4050.8010	State Retirement	1,142
01-4050-4050.8030	Social Security	970
01-4050-4050.8040	Worker's Comp	254

Revenues:

01-4050-999.91292	Interdepartmental Income	\$ 6,020
01-4050-999.91610	Home Nursing Charges	9,031

Seconded by Legislator: Michael J. Docteur

Roll Call Vote:

Ayes: Docteur, Reed, Nabywaniec, Gray, Peck, Drake, Adsit, Maxon, Jareo, Fitzpatrick

Nays: Hirschey

Absent: Doldo, Thomas, Ferris, Montigelli

Resolution passed.

Resolution No. 241

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

By Legislator: Jonathan L. Hirschey

Whereas, Pursuant to Workforce Recruitment and Retention legislation passed in the 2002-2003 to 2014 State Budgets, Public Health has received \$2,140,264 through August 2014 in additional Medicaid funding for the purpose of recruiting and training non-supervisory home health care service workers with direct patient care responsibility, and

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

Whereas, It is again necessary to modify agreements to award estimated amounts for such NYSDOH Workforce Development funding for the period January 1, 2014 through August 30, 2014.

Now, Therefore, Be It Resolved, That Jefferson County enter into amended supplemental home health care service reimbursement to reflect the award of NYSDOH Workforce Development funding, with \$38,070 to be paid out of 2014 accruals as follows:

CareGivers, AKA Homemakers	\$25,750
Family Home Care	\$4,070
Home Care Plus (Sibley Personnel)	\$8,250

Seconded by Legislator: Jeremiah J. Maxon

All members present voted aye.

Resolution No. 242

Appointing Member to Jefferson County Public Health Service Professional Advisory Committee

By Legislator: Jeremiah J. Maxon

Resolved, That Michael A. Montigelli be appointed as the legislator member of the Professional Advisory Committee for a term to expire 12/31/15.

Seconded by Legislator: Michael J. Docteur

All members present voted aye.

Resolution No. 243

Authorizing Jefferson County to be Lead Agency under the State Environmental Quality Review Act for the Purpose of the 2014 Inclusion of Viable Agricultural Land within Existing Agricultural Districts Before the Districts' Established Review Periods, and Making a Determination of Non-significance

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 requests for inclusion during the 2014 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, expresses the County's desire to serve as lead agency, 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: Robert D. Ferris

All members present voted aye.

Resolution No. 244

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

By Legislator: Robert D. Ferris

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 2014 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 August 25, 2014 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 a certified Agricultural District before the District's 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 19 parcels consisting of 1,966 acres to existing Agricultural Districts.

Seconded by Legislator: Jeremiah J. Maxon

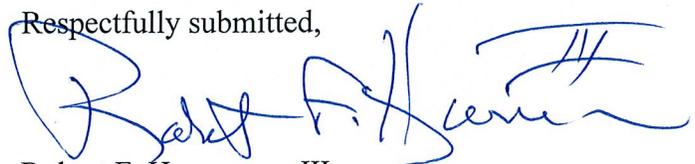
All members present voted aye.

Chairwoman Fitzpatrick entertained a motion to go into executive session for the purpose of discussing litigation. The Board moved into executive session at 7:50 p.m. on a motion by Legislator Jareo seconded by Legislator Hirschey and unanimously carried by the Board. The Board returned to open session at 8:22 p.m. on a motion by Legislator Docteur seconded by Legislator Nabywaniec and unanimously carried.

Mr. Hagemann advised that 2015 Budget Worksessions for the Board are scheduled for Monday, Tuesday and (if needed) Wednesday, October 27, 28 and 29; and will begin at either 5:00 or 5:30, a definite time will be communicated to legislators before then. He added that the Board Session in November is a little different than the normal schedule and will be held on the second Wednesday, November 12th due to Election Day and Veterans Day.

There being no further business of the Board, on a motion by Legislator Docteur seconded by Legislator Maxon and unanimously carried, the meeting was adjourned at 8:25 p.m.

Respectfully submitted,



Robert F. Hagemann, III
Clerk of the Board