

REGULAR SESSION

TUESDAY, APRIL 1, 2014

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

ROLL CALL OF MEMBERS

All members present except Legislators Adsit and Ferris.

PRIVILEGE OF THE FLOOR

Chairwoman Fitzpatrick presented a Proclamation naming April, 2014 as Fair Housing Month in Jefferson County to Lance Evans, Executive Officer, Jeff-Lewis Board of Realtors and Lin Fields, Vice Chairperson, New York State Association of Realtors, Cultural Diversity and Fair Housing Committee. They thanked the Board for the Proclamation and for the Board's continued support for this program.

Liz Dougherty, CSEA County Unit President, hoped that with Airport Manager Grant Sussey being hired and the responsibilities being handed over from Highway Superintendent Jim Lawrence to Mr. Sussey, a position at the Airport could be upgraded as promised when this person was hired. She said the employee currently in the position was hired 16 months ago below the pay scale for the position. She congratulated the County on this latest step at the Airport as it has been a long process, and said the Airport will be a great asset to the County.

Donald Hassig, Cancer Action NY, Colton, NY addressed the Board concerning science knowledge about chemicals causing cancer. He said a 2010 World Health Organization report details how persistent organic pollutants (POP) such as dioxins and PCBs are getting into our food supplies and causing things such as cancer, heart disease, diabetes, ADHD and autism. That organization recommended taking action to minimize the risks to our children, and he encouraged legislators to read the report and take any necessary action they feel appropriate even if the action was only to post the report on our webpage for educational purposes.

READING OF MINUTES OF LAST SESSION, IF REQUESTED

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

PRESENTATION OF PETITIONS, NOTICE AND COMMUNICATIONS

Community Action Planning Council audited financial statements for the period of October 1, 2012 through September 30, 2013 were received.

REPORTS OF STANDING COMMITTEES

A Report of the Finance & Rules Committee reporting favorably on resolutions referred from other jurisdictional committees was received.

REPORTS OF COUNTY OFFICERS AND OTHERS

The County Administrator provided a report on budget transfers for the month of March, 2014.

The County Auditor provided a report on erroneous assessments for the month of March, 2014 and an annual report for 2013.

LOCAL LAWS, RESOLUTIONS AND MOTIONS

Resolution No. 106

Authorizing Appropriation and Tender of Self Insured Retention to County Excess Insurance Carrier in the Matter of Willix v. County of Jefferson, et al.

By Legislator: Allen T. Drake

Whereas, the County of Jefferson is self insured for claims and judgments against the County, its officers, agents and employees, nevertheless insurance coverage is maintained for claims and judgments in excess of \$100,000, and

Whereas, Pursuant to policy provisions; when a claim or lawsuit, upon investigation and discovery, reasonably appears to evidence a potential liability in excess of \$100,000, the excess insurance carrier may assume defense of the action, litigate or settle the action, and the County may tender its \$100,000 self insured reserve (the "SIR") in order to avail itself of the excess insurance coverage available through the carrier, and

Whereas, Upon due deliberation, consultation with its insurance carrier, U. S. Specialty Insurance Company, and upon advice of Counsel, this Board is of the opinion that tender of the County's SIR in the matter of Willix v. Jefferson County, *et al.* (Index No, 2012-2232) is in the best interest of the County of Jefferson, and

Whereas, Upon the terms of the policy of insurance the County is entitled to credits and deduction from the SIR amount for expenses incurred in the defense of the action and such credits and deductions reduce the amount necessary to be appropriated and tendered to the insurance carrier to \$87,981.72.

Now, Therefore, Be It Resolved, That the County Attorney and County Director of Insurance are hereby authorized and directed to tender the self insured reserve in the matter of Willix v. Jefferson County, et al. to U.S. Specialty Insurance Co. in care of HCC Public Risk Claim Service in the amount of \$87,981.72, authorize the settlement of the litigation, and execute any documents necessary to carry out such directives, and it is further

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

Increase:

01-0599	Appropriated Fund Balance	\$87,981.72
01-1436-1930.4600	Judgements and Claims	\$87,981.72

Seconded by Legislator: Michael A. Montigelli

Roll Call Vote

Ayes: Drake, Montigelli, Peck, Maxon, Gray, Docteur, Reed, Hirschey, Thomas, Doldo, Nabywaniec, Jareo, Fitzpatrick

Absent: Ferris, Adsit

Resolution passed.

Resolution No. 107

**Amending the 2014 County Budget and Capital Plan
in Relation to the JCC Master Plan Project (Dewey Vestibule)**

By Legislator: John D. Peck

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, By Resolution 225 of 2013, this Board amended the 2013 County Budget and capital plan to provide \$101,689 in funds for an enclosure to the entrance of the Dewey Building, and

Whereas, The bids for the project have been received and are higher than originally projected, and

Whereas, Funds are available in the completed McVean Building capital account to allow for this project to be completed, 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:

20-9006-2490.2021.009	Dewey Renovations	\$70,000
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Decrease:

20-9006-2490.2021.008	JCC McVean Renovations	\$70,000
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and be it further

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

Seconded by Legislator: Jennie M. Adsit

Roll Call Vote

Ayes: Doldo, Hirschey, Drake, Reed, Jareo, Peck, Montigelli, Maxon, Thomas, Docteur, Nabywaniec, Gray, Fitzpatrick

Absent: Ferris, Adsit

Resolution passed.

Resolution No. 108

**Amending the 2014 County Budget and Capital Plan and Accepting Donation
Relative to Jefferson Community College**

By Legislator: Michael J. Docteur

Whereas, JCC desires to renovate its cafeteria to prepare for the opening of its residence hall, and

Whereas, Said project is currently estimated to cost \$650,000, including architectural fees, and

Whereas, The College's Faculty Student Association, which owns and will run the residence hall, will provide the local share of the project's cost by donation, and

Whereas, It is necessary to amend the 2014 County Budget and capital plan to recognize the donation and state revenues and to amend the capital account for the use of these funds.

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

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

Increase:

Expenditures:

20-9006-2490.2056	JCC Campus Revitalization/Maintenance	\$ 650,000
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Revenues:

20-9006-999.92705	Donations	\$ 325,000
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20-9006-999.93097	State Aid College	325,000
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and be it further

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

Seconded by Legislator: Robert D. Ferris

Roll Call Vote

Ayes: Hirschey, Jareo, Gray, Thomas, Reed, Montigelli, Peck, Drake, Maxon,
Nabywaniec, Doldo, Docteur, Fitzpatrick

Absent: Ferris, Adsit

Resolution passed.

Resolution No. 109

**Authorizing Agreement Extension for the New York State Board of Elections
Voter Education and Poll Worker Training and the Poll Site Access Improvement Grants
(Help America Vote Act) and Amending the 2014 County Budget to
Re-Appropriate Remaining Funds**

By Legislator: Michael A. Montigelli

Whereas, By Resolution 174 of 2006, this Board of Legislators authorized agreements with the New York State Board of Elections to accept a Voter Education and Poll Worker Training Grant and a Poll Site Access Improvement Grant (Help America Vote Act), and amended the 2006 County Budget to recognize and appropriate these grant funds, and

Whereas By Resolutions 123 and 172 of 2008, Resolution 56 of 2009, Resolution 49 of 2010, Resolution 44 of 2011, Resolution 83 of 2012, and Resolution 67 of 2013, this Board subsequently amended the 2008, 2009, 2010, 2011, 2012, and 2013 County Budgets to re-appropriate unspent funds from these grants, and

Whereas, Said grants still have unspent funds and grant extensions must be executed and the 2014 County Budget amended to re-appropriate them.

Now, Therefore, Be It Resolved, That Jefferson County enter into agreements to extend the above-referenced grant agreements for the period April 1, 2014 through March 31, 2015 and that

the Chairman of this Board be and is hereby authorized and directed to execute said agreement extensions on behalf of Jefferson County, and be it further

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

Increase:

01-0599	Appropriated Fund Balance	\$36,963.82
Expenditures		
01-1450-1451.4110	Office Expenses	\$9,414.58
01-1450-1451.4313	Travel	9,000.00
01-1450-1451.4415	Advertising	9,000.00
01-1450-1451.4585	Operating Supplies	9,549.24

Seconded by Legislator: Robert D. Ferris

Roll Call Vote

Ayes: Maxon, Doldo, Jareo, Nabywaniec, Reed, Drake, Docteur, Hirschey, Peck, Montigelli, Gray, Thomas, Fitzpatrick

Absent: Adsit, Ferris

Resolution passed.

Resolution No. 110

**Approving the Pre-payment of Telephone System Maintenance
and Amending the 2014 County Budget in Relation Thereto**

By Legislator: Michael J. Docteur

Whereas, Pursuant to Resolution 186 of 2010, This Board of Legislators approved the purchase of a Voice Over Internet Protocol (VOIP) telephone system which was subsequently purchased and installed in 2011, and

Whereas, Cisco Systems, Inc. is offering extended additional software support of two years in exchange for a three-year support pre-payment, meaning the hardware will be covered through 2016 and the software through 2018, and

Whereas, The unbudgeted amount of pre-payment (one year, equal to \$50,000, is unbudgeted) will be taken from the computer capital account, and

Whereas, It is necessary to amend the 2014 County budget and capital plan to enable the

payment.

Now, Therefore, The 2014 County Budget is amended as follows:

Increase:

Expenditure		
01-1680.1650.4114.005	Telephone Maintenance	\$50,000
Transfers		
20-9006-9901.9000	Transfer to General Fund	\$50,000
01-8992-999.5031	Transfer from Capital Fund	50,000

Decrease:

20-9006-1680.2012	Computer Mainframe	\$50,000
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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: Peck, Docteur, Thomas, Nabywaniec, Drake, Reed, Gray, Maxon, Hirschey,
Montigelli, Doldo, Jareo, Fitzpatrick

Absent: Ferris, Adsit

Resolution passed.

Resolution No. 111

Amending the 2014 County Budget Relative to Employment and Training Department

By Legislator: Jennie M. Adsit

Whereas, The 2014 County Budget must be amended to provide adequate funding in two accounts.

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

Increase:

25-0599	Appropriated Fund Balance	\$133,000
25-6340.6340.4619	Lewis County Reimbursement	\$130,000
25-6340.6340-4624	Incidental Res/CInt/Inmte	\$ 3,000

Seconded by Legislator: Robert D. Ferris

Roll Call Vote

Ayes: Hirschey, Thomas, Docteur, Montigelli, Gray, Drake, Maxon, Nabywaniec, Peck, Doldo, Reed, Jareo, Fitzpatrick

Absent: Adsit, Ferris

Resolution passed.

LOCAL LAW INTRO NO 1 OF 2014

A LOCAL LAW REGULATING THE USE OF THE OFFICIAL SEAL OF THE COUNTY OF JEFFERSON AND THE EMBLEM, SEAL OR STAMP OF ITS VARIOUS DEPARTMENTS.

BE IT ENACTED by the County Legislature of the County of Jefferson as follows:

Section 1. Legislative Intent.

- A. The County Seal of the County of Jefferson as defined in County Law §404 is the official instrument evidencing the consent, approval and participation of the County of Jefferson in the agreement or business contained in the document to which the seal is attached.
- B. County Law § 404 specifies that the seal shall only be used when authorized by law. This Local Law is intended to define who has authority to utilize the County seal or emblem and establish a sanction for the misuse of such seal or emblem.
- C. The Attorney General of the State of New York has opined that: "We can find no authority regarding the reproduction of a county seal by persons or entities other than the county." (1975 Op. Atty. Gen. 148). Therefore the regulation of the use of the county seal is a subject left to the County under Municipal Home Rule Law.

Section 2. Definitions.

- A. County Seal of the County of Jefferson: The seal authorized by County Law §404 and described in the filing with the offices of the Jefferson County Clerk and the New York State Secretary of State.
- B. Jefferson County Emblem: Any graphic, logo or emblem commissioned for or designed by Jefferson County or its departments for the purpose of advertising or promotion of the County of Jefferson government, Jefferson County as a region, local tourism, industry, or general regional identity.
- C. Jefferson County Departmental Stamps and Seals: Any stamp or seal designed and utilized by a county department for official business bearing the name of the department.
- D. Jefferson County Department: Including but not limited to Jefferson County Clerk, County Treasurer, District Attorney, Sheriff, Airport Department, and all other Jefferson County departments, offices and entities.

Section 3. Prohibitions.

- A. It shall be unlawful to imprint, reproduce, or copy the official seal of the County of Jefferson, or the emblem, departmental stamp or seal of its departments, in form or substances, without the prior written authorization of the County of Jefferson.
 - 1. Officers and employees of the County of Jefferson are deemed to have authorization by virtue of the duties of their employment to utilize the County Seal, Emblem, departmental and other stamps and seals provided said officers and employees are duly appointed, in good standing, and not subject to disciplinary suspension.
 - 2. Justices of the Supreme Court, County Court and Surrogates Court, resident in Jefferson County, and any clerk or officer of the NYS Office of Court Administration authorized by said justices may use and affix the County Seal when authorized by law to do so.
 - 3. Contractors of the Jefferson County, other governmental entities, and third parties may use the County Seal or County Emblem with prior written approval of the County of Jefferson. Such application shall be in writing and state the purpose for which the reproduction is intended and the extent to which the reproduction will be distributed or published. Applications will be reviewed and

approved only when the use of the County Seal or Emblem is deemed to be legal, in the best interest of the County and will not be used to support a political, religious, corporate, or fund raising purpose. Applications shall be addressed to the County Administrator, 195 Arsenal Street, Watertown, New York 13601.

4. Under no circumstances will a departmental stamp or seal be authorized to be imprinted, reproduced or copied by a third party or used by anyone other than officers and employees of a county department for official county business.

Section 4. Sanctions

1. The use of the County Seal, Emblem, departmental stamp or seal, or any replica or simulation thereof, in form or substance, by an unauthorized person for any wrongful purpose, is prohibited.
 - a. Any violation of this prohibition shall be deemed to be a misdemeanor and punishable as such.
2. The use of the County Seal, Emblem, departmental stamp or seal, or any replica or simulation thereof, in form or substance, by an unauthorized person is prohibited.
 - a. Any violation of this prohibition shall be subject to a fine of up to \$500.00 per instance/event or \$25.00 per copy, whichever is greater.

Section 5. Severability

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by a court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstances directly involved in the controversy in which such order or judgement shall be rendered.

Section 6. Effective Date

This Local Law shall be effective immediately upon its filing with the New York State Secretary of State.

There being no discussion, Chairwoman Fitzpatrick entertained a motion to table the local law until such time as a public hearing is held. A motion was duly made by Legislator Gray seconded by Legislator Peck and unanimously carried by the Board. Local Law tabled.

Resolution No. 112

Setting Time and Place for Public Hearing on Local Law Intro No. I of 2014

By Legislator: John D. Peck

Resolved, That this Board of Legislators shall hold a public hearing on a proposed local law entitled "A Local Law Regulating the Use of the Official Seal of the County of Jefferson and the Emblem, Seal or Stamp of its Various Departments." on Tuesday, May 6, 2014 at 7:00 P.M. in the Chambers of the Board of Legislators, Historic Courthouse, 195 Arsenal Street, Watertown, NY, and be it further

Resolved, That the Clerk of the Board of Legislators shall give notice of said public hearing as required by law.

Seconded by Legislator: Michael J. Docteur

All members present voted aye.

Resolution No. 113

Authorizing the Compromise of a Claim and Judgment Owed to the County of Jefferson

By Legislator: Allen T. Drake

Whereas, Pursuant to a building code violation proceeding against Timothy S. Carpenter, the County of Jefferson was awarded fines and costs ultimately resulting in the issuance of a money judgement in the amount of \$30,048.19, entered on January 29, 2009, and

Whereas, Said money judgment is a lien against the real property subject to the code violation case, 8291 Catfish Point Road, Cape Vincent, and said code violations have been remedied and the property sold to a third party, and

Whereas, The County has been requested to compromise its claim and judgment and accept payment in full satisfaction of the judgment from the debtor and new property owner in the amount of \$19,000.00, and

Whereas, In the interest of having the property conveyed and redeveloped and thereby increasing its future taxable value, this Board is supportive of compromising the remainder of the County's claim under the existing money judgement.

Now, Therefore, Be It Resolved, That the Chairwoman of the Board be and hereby is authorized and directed to execute a release and satisfaction of the judgement, dated January 29, 2009 (File No. 2009-1479), upon receipt by the County of the sum of \$19,000.00, subject to the approval of the County Attorney as to form and content.

Seconded by Legislator: Jennie M. Adsit

All members present voted aye, except Legislator Docteur who abstained.

Resolution No. 114

Amending the 2014 County Budget and Capital Plan Relative to the County Road Account

By Legislator: Anthony J. Doldo

Whereas, The Superintendent of Highways has identified several complete road project accounts that have both positive and negative balances, and

Whereas, These accounts should be brought to zero balances and closed, and

Whereas, Funds are available in these accounts to do so, with a small balance to be transferred into an actual account.

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

Increase:

20-9006-5112.2711	County Road 155/69	\$ 27,348.80
20-9006-5112.2749	County Road 30A, Simonet Rd.	3,733.26
20-9006-5112.2755	County Road 95	146,609.81

Decrease:

20-9006-5112.2750	County Road 6	\$177,691.87
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and be it further

Resolved, That account 20-9006-5112.2711, .2749 and .2750 are hereby closed, and be it further

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

Seconded by Legislator: Patrick R. Jareo

Roll Call Vote

Ayes: Montigelli, Docteur, Thomas, Maxon, Reed, Hirschey, Jareo, Drake, Peck, Doldo,
Gray, Nabywaniec, Fitzpatrick

Absent: Ferris, Adsit

Resolution passed.

Resolution No. 115

**Amending the 2014 County Budget and Capital Plan in Relation to the
County Bridge Account**

By Legislator: Anthony J. Doldo

Whereas, County Capital Bridge and Equipment accounts must be increased to provide for additional costs, and

Whereas, Funds are available in completed bridge project accounts.

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

Increase:

Expenditure		
20-9006-5113.2844	D002, County Road 59	\$ 51,930.72
20-9006-5113.2902	H086, LeMay Road	352,601.50
20-9006-5130.2479	Paver	1,676.57

Decrease:

Expenditure		
20-9006-5113.2841	B27, County Road 192	\$ 665.21
20-9006-5113.2892	U015, Selos Road	405,543.58

and be it further

Resolved, That capital accounts 20-9006-5113.2841, .2844 and .2892 are hereby closed, and be it further

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

Seconded by Legislator: Patrick R. Jareo

Roll Call Vote

Ayes: Thomas, Nabywaniec, Hirschey, Peck, Doldo, Docteur, Montigelli, Jareo, Gray, Drake, Reed, Maxon, Fitzpatrick

Absent: Ferris, Adsit

Resolution passed.

Resolution No. 116

Authorizing Intergovernmental Agreement with the Town of Cape Vincent to Transfer Ownership of County Road 7, Culvert E020, and Road Maintenance Rights over Portions of NYS Route 12E a.k.a. State Highway 1255 to said Town and Amending the County Highway Map in Relation Thereto

By Legislator: Jonathan L. Hirschey

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

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

Whereas, The Jefferson County Highway Superintendent has recommended the removal of County Road 7 from the County Highway System and that ownership of said roadway be transferred to the Town of Cape Vincent as hereinafter set forth, and

Whereas, The Jefferson County Highway Superintendent has further recommended the removal of Culvert E020 located on County Road 7 from the County Highway System and that ownership of said roadway portion be transferred to the Town of Cape Vincent as hereinafter set forth, and

Whereas, The Jefferson County Highway Superintendent has further recommended the transfer of any and all road maintenance rights over certain portions of NYS Route 12E a.k.a. State Highway 1255 to the Town of Cape Vincent as hereinafter set forth.

Now, Therefore, Be it Resolved, That the Chairman of the Board and the Highway Superintendent be and hereby are authorized to execute an intergovernmental agreement with the Town of Cape Vincent to transfer ownership of County Road 7 (and which road commences near the intersection with New York State Route 12E and at the boundary of NYS Route 12E a.k.a. State Highway 1255 at mile marker 0.06, thence runs northerly and thence easterly to the boundary of NYS Route 12E a.k.a. State Highway 1255 at mile marker 1.13, for a total distance of 1.07 miles), to the Town, and be it further

Resolved, That said agreement also transfer ownership of Culvert E020 located on County Road 7 to the Town, and be it further

Resolved, That said agreement also transfer any and all road maintenance rights possessed by Jefferson County over certain portions of NYS Route 12E a.k.a. State Highway 1255 (and which road portions respectively commence at: (1) the intersection with New York State Route 12E at mile marker 0.00, thence runs northerly to the southern boundary of County Road 7 at mile marker 0.06, for a total distance of 0.06 miles; (2) the intersection with County Road 7 at mile marker 0.00, thence runs southeasterly to the intersection with New York State Route 12E at mile marker 0.07, for a total distance of 0.07 miles; and (3) the northern boundary of County Road 7 at mile marker 1.13, thence runs northeasterly to a dead end at mile marker 1.15, for a total distance of 0.02 miles), to the Town

Resolved, That upon conveyance of the above described County Road 7 and Culvert E020 to the Town of Cape Vincent, they shall be deleted from the Jefferson County Highway System Map, and be it further

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

Seconded by Legislator: Patrick R. Jareo

All members present voted aye.

Resolution No. 117

Authorizing Agreement with the Town of LeRay to Exchange Ownership and Jurisdiction of County Road 50, County Road 129, County Road 138 and a portion of Goulds Corners Road with said Town and Amending the County Highway Map in Relation Thereto

By Legislator: Anthony J. Doldo

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

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

Whereas, The Jefferson County Highway Superintendent has recommended the removal of County Road 50 from the County Highway System and that ownership of said roadway be transferred to the Town of LeRay as hereinafter set forth, and

Whereas, The Jefferson County Highway Superintendent further recommends the removal of County Road 129 from the County Highway System and that ownership of said roadway be transferred to the Town of LeRay as hereinafter set forth, and

Whereas, The Jefferson County Highway Superintendent further recommends the removal of County Road 138 from the County Highway System and that ownership of said roadway be transferred to the Town of LeRay as hereinafter set forth, and

Whereas, The Jefferson County Highway Superintendent further recommends that Jefferson County assume ownership of a portion of Goulds Corners Road, located in the Town of LeRay, as hereinafter set forth,

Now, Therefore, Be it Resolved, That the Chairman of the Board and the Highway Superintendent be and hereby are authorized to execute an intergovernmental agreement with the Town of LeRay to transfer ownership of County Road 50 (and which road commences at the intersection with Public Works Drive in the Village of Black River at mile marker 0.00, thence runs northeasterly to the Village of Black River corporation line at mile marker 0.28, thence continues to run northeasterly to the intersection with New York State Route 283 at mile marker 0.63, for a total distance of 0.63 miles), to the Town, and be it further

Resolved, That said agreement also transfer ownership of County Road 129 (and which road commences at the intersection with New York State Route 342 at mile marker 0.00, thence runs easterly, thence southeasterly to the Village of Black River corporation line at mile marker 0.37, for a total distance of 0.37 miles), to the Town, and be it further

Resolved, That said agreement also transfer ownership of County Road 138 (and which road commences at the intersection with U.S. Route 11 at mile marker 0.00, thence runs northeasterly to the intersection with New York State Route 342 at mile marker 1.17, for a total distance of 1.17 miles), to the Town, and be it further

Resolved, That upon conveyance of the above described County Road 50, County Road 129 and County Road 138 to the Town of LeRay, they shall be deleted from the Jefferson County Highway System Map, and be it further

Resolved, That said agreement also transfer a portion of the town road called Goulds Corners Road (and which road portion commences at the Town of Pamela corporation line at mile marker 0.24, thence runs northeasterly to the Village of Evans Mills corporation line at mile marker 3.81, for a total distance of 3.57 miles), to the County, and be it further

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

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

Seconded by Legislator: Jonathan L. Hirschey

Legislator Montigelli inquired if any inter-municipal agreements the municipalities have with the County/Village relative to plowing and sanding stay in place after the roads are transferred to the towns, in particular with County Road 129. Mr. Hagemann believed that they do stay in place or a similar agreement is worked out, but he was not positive.

All members present voted aye.

Resolution No. 118

Authorizing Intergovernmental Agreement with the Town of Adams for Transfer of Ownership of Culvert A030

By Legislator: Patrick R. Jareo

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

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

Whereas, The Jefferson County Highway Superintendent has recommended the removal of Culvert A030 from the County Highway System and that ownership of said culvert be transferred to the Town of Adams.

Now, Therefore, Be it Resolved, That the Chairman of the Board and the Highway Superintendent be and hereby are authorized to execute an intergovernmental agreement with the Town of Adams to transfer ownership of Culvert A030, located on North Harbor Road in the Town of Adams, to said Town, and be it further

Resolved, That the Chairman of the Board and County Attorney are hereby authorized to execute all necessary documents to effectuate the transfer of ownership as above described, and be it further

Resolved, That upon conveyance of the above described section of county highway to the Town of Adams, it shall be deleted from the Jefferson County Highway System Map.

Seconded by Legislator: Anthony J. Doldo

All members present voted aye.

Resolution No. 119

Authorizing Agreement with the Town of Pamela to Transfer Ownership and Jurisdiction of a portion of Goulds Corners Road from said Town to the County and Amending the County Highway Map in Relation Thereto

By Legislator: Jonathan L. Hirschev

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

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

Whereas, The Jefferson County Highway Superintendent has recommended that Jefferson County assume ownership of a portion of Goulds Corners Road, located in the Town of Pamela, as hereinafter set forth.

Now, Therefore, Be it Resolved, That the Chairman of the Board and the Highway Superintendent be and hereby are authorized to execute an intergovernmental agreement with the Town of Pamela to transfer ownership of a portion of the town road called Goulds Corners Road (and which road portion commences at the intersection with New York State Route 342 at mile marker 0.00, thence runs northeasterly to the Town of LeRay corporation line at mile marker 0.24, for a total distance of 0.24 miles), to the County, and be it further

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

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

Seconded by Legislator: Anthony J. Doldo

All members present voted aye.

Resolution No. 120

Amending the 2014 County Budget to Re-Appropriate Project Lifesaver Grant for Sheriff's Department

By Legislator: Patrick R. Jareo

Whereas, By Resolution 57 of 2011, 95 of 2012 and 78 of 2013, This Board of Legislators accepted and subsequently re-appropriated unspent funds for a Project Lifesaver Grant from the Northern New York Community Foundation to the Sheriff's Department, and

Whereas, There remain unspent Project Lifesaver grant funds that must be re-appropriated for 2014.

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

Increase:

01-0599	Appropriated Fund Balance	\$ 887.86
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01-3110-3110.4585	Departmental Supplies	\$ 887.86
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Seconded by Legislator: Anthony J. Doldo

Roll Call Vote

Ayes: Peck, Montigelli, Thomas, Maxon, Reed, Jareo, Hirschey, Doldo, Docteur, Drake, Nabywaniec, Gray, Fitzpatrick

Absent: Ferris, Adsit

Resolution passed.

Resolution No. 121

Re-Appropriating State FY11 Law Enforcement Terrorism Prevention Program (LETTP) Grant Funds and Amending the 2014 County Budget in Relation Thereto

By Legislator: Anthony J. Doldo

Whereas, Pursuant to Resolutions 76 of 2011 and 180 of 2013, This Board of Legislators recognized a FY11 LETTP (CFDA 97.067) grant, and

Whereas, Grant funds remain unspent and the 2014 County Budget must be amended to re-appropriate them.

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

Increase:

01-0599	Appropriated Fund Balance	\$ 66,248
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Expenditures:

01-3110-3114.2300	Technical Equipment	\$ 28,000
01-3110-3114.2302	Radios	\$ 4,975
01-3110-3114.4114.001	Equipment Maintenance	\$ 33,005
01-3110-3114.4585	Operating Supplies	\$ 268

Seconded by Legislator: Jonathan L. Hirschey

Roll Call Vote

Ayes: Drake, Montigelli, Thomas, Maxon, Reed, Nabywaniec, Doldo, Docteur, Peck, Gray, Jareo, Hirschey, Fitzpatrick

Absent: Ferris, Adsit

Resolution passed.

Resolution No. 122

**Re-Appropriating FY 2011 Operation Stonegarden Grant Funds and
Amending the 2014 County Budget in Relation Thereto**

By Legislator: Jonathan L. Hirschey

Whereas, Pursuant to Resolutions 25 and 123 of 2013, This Board of Legislators recognized a FY 2011 Operation Stonegarden (CFDA 97.067) grant, and

Whereas, Grant funds remain unspent and the 2014 County Budget must be amended to re-appropriate them.

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

Increase:

01-0599	Appropriated Fund Balance	\$ 7,994.25
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Expenditures:

01-3110-3114.2300	Technical Equipment	\$ 7,994.25
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Seconded by Legislator: Anthony J. Doldo

Roll Call Vote

Ayes: Thomas, Gray, Drake, Reed, Nabywaniec, Hirschey, Docteur, Peck, Montigelli, Doldo, Jareo, Fitzpatrick

Nays: Maxon

Absent: Ferris, Adsit

Resolution passed.

Resolution No. 123

Delegating Authority to Contract on behalf of the County of Jefferson for Airport and Fixed Base Operations Business

By Legislator: Jonathan L. Hirschey

Whereas, The County of Jefferson owns and operates the Watertown International Airport and previously delegated to the Highway Department and its Superintendent the authority contained herein pursuant to Resolution Number 139 of 2012, and

Whereas, By Local Law Number 1 of 2013 this Board created the Airport Department and position of Airport Manager to administer the functions of the Airport and Fixed Base Operator (“FBO”), and

Whereas, Operation of the Airport and FBO is an ongoing business enterprise operating seven days a week and requiring on site management with authority to bind the parent municipal entity to agreements for both revenue and expenditures without the necessity of legislative action to approve or ratify such action, and

Whereas, This Board desires to provide the greatest autonomy to the management of the Airport Department by delegating reasonable and limited fiscal authority to the Airport Manager and his designee to enter into contracts and other obligations on behalf of Jefferson County.

Now, Therefore, Be it Resolved, That the Airport Manager and his designee may enter into contracts, agreements, obligations, and other commitments on behalf of the County of Jefferson in regard to operations of the Watertown International Airport, the Fixed Base Operator, and all business transactions associated therewith, provided the financial obligation assumed against or revenue yielded to the County of Jefferson thereunder does not exceed \$25,000.00 per year, and be it further

Resolved, That for the specific purpose of ordering, requisitioning and contracting for the purchase of aviation fuel, the aforementioned financial limitation shall not exceed \$75,000.00, and be it further

Resolved, That the designee of the Airport Manager shall be named by him in writing and filed with the Clerk of the Board and any change in that designee shall only be effective upon receipt of written notification by the Clerk of the Board from the Airport Manager, and be it further,

Resolved, That the agreements, contracts and other obligation documents entered into on behalf of the County as part of the Airport or FBO activities remain subject to the review of the County Attorney as to form and content. All transactions entered into at the Airport and FBO shall be subject to audit and review in the same manner as all other County of Jefferson transactions.

Resolved, the Resolution 139 of 2012 be and hereby is rescinded and superseded in all respects.

Seconded by Legislator: Patrick R. Jareo

All members present voted aye.

Resolution No. 124

Authorizing Agreements for Provision of Mental Hygiene Services

By Legislator: Allen T. Drake

Whereas, New York State Mental Hygiene Law provides that the Jefferson County Community Services Board may contract for the provision of various mental hygiene services to the public with the approval of the Board of Legislators.

Now, Therefore, Be It Resolved, That, pursuant to Section 41.13 of the Mental Hygiene Law, this Board does hereby grant its approval for the Community Services Board to enter into agreements with the following not-for-profit organizations for provision of the referenced mental hygiene services during calendar year 2014 for consideration as reflected herein:

<u>Agency</u>	<u>Consideration to be Received from the County</u>	<u>State Aid</u>	<u>County Aid</u>
Carthage Area Hospital			
Behavioral Health Clinic	\$102,088	\$102,088	\$ 0
NYSOASAS SBIRT Grant	\$ 60,000	\$ 60,000	\$ 0
Credo Community Center for the Treatment of Addictions			
Men's Halfway House	\$140,869	\$140,869	\$ 0
Chemical Dependence Clinic	\$620,567	\$565,871	\$ 54,696
Women's Drug Free Residential	\$305,129	\$305,129	\$ 0
Case Mgmt/Supportive Housing	\$ 82,700	\$ 82,700	\$ 0
Vocational/Education Program	\$116,741	\$116,741	\$ 0
Community Res. (Aftercare)	\$129,060	\$ 90,060	\$ 39,000
Res. Rehab. Svcs. For Youth	\$ 0	\$ 0	\$ 0
Alcohol/Substance Abuse Council			
Prevention Services & Stop DWI	\$774,131	\$679,131	\$ 50,000

			DWI	\$ 45,000
Children's Home of Jefferson County				
Family Respite	\$ 44,243	\$ 38,139	\$	6,104
Prevention Program	\$ 28,110	\$ 24,232	\$	3,878
Case Management	\$263,188	\$263,188	\$	0
Forensic Jail Program	\$133,852	\$ 132,968	\$	884
Jefferson Rehabilitation Center				
Ongoing Integrated Employment	\$ 76,604	\$ 76,604	\$	0
Family Support Svcs.	\$ 5,000	\$ 0	\$	5,000
Mental Health Assn.				
Psychosocial/Drop-In Program	\$255,427	\$236,681	\$	18,746
Adult Respite Program	\$ 38,754	\$ 33,406	\$	5,348
Northern Regional Center for Independent Living				
Family Support Services	\$235,854	\$215,772	\$	20,082
Mental Health Advocacy	\$ 39,232	\$ 39,232	\$	0
North Country Family Health Center				
Mental Health Advocacy	\$ 25,000	\$ 0	\$	25,000
NYSOASAS SBIRT Grant	\$ 60,000	\$ 60,000	\$	0
North Country Transitional Living Services DBA				
Transitional Living Services of NNY				
Supported Housing	\$269,700	\$260,256	\$	9,444
Homeless MICA/Case Mgmt.	\$106,165	\$106,165	\$	0
			DWI	\$ 16,180
Samaritan Medical Center				
NYSOASAS SBIRT Grant	\$150,000	\$150,000	\$	0

and be it further

Resolved, That this Board further grants approval for the Community Services Board to enter into such agreements with the State of New York as may be required to obtain the State Aid funding outlined herein.

Seconded by Legislator: Michael J. Docteur

All members present voted aye.

Resolution No. 125

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 2013 State Budgets, Public Health has received \$2,015,729 through December 2013 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, 2012 through December 30, 2013.

Now, Therefore, Be It Resolved, That Jefferson County enter into amended supplemental home health care service reimbursement agreements to reflect the award of NYSDOH Workforce Development funding, with \$12,380 to be paid out of 2013 accruals as follows:

CareGivers, AKA Homemakers	\$8,975
Family Home Care	\$1,560
Sibley Personnel	\$1,845

Seconded by Legislator: Michael J. Docteur

All members present voted aye.

Legislator Peck mentioned that with the passage of the New York State Budget, the Governor's ridiculous solution to the tax woes in the state also passed. He said agriculture fared well with a \$27-\$28 million allocation, however he felt it outrageous that \$26 million was allocated to the implementation of the SAFE Act, because a portion of the Act already has been thrown out by the Courts.

Legislator Gray asked for clarification regarding whether it was a decision of the Board or the Sheriff to ask for home rule legislation to allow for pre-arraigned detainees arrested by the City of Watertown police to be housed at the Jefferson County Jail. He understood that the long standing past practice of housing those individuals at the Jail is apparently illegal and one solution would be to ask for sponsorship of home rule legislation to allow for those instances. Attorney Paulsen confirmed that a decision to ask for home rule legislation would be that of the Board, not the Sheriff. He said special legislation is how these issues have been dealt with on an individual basis in a number of counties in the last ten years and is the mechanism that has been used to deal with these kinds of problems. He was not prepared to offer an educated opinion as to how to go about it or what the best solution was because he was just beginning to do research.

Legislator Gray said the State is telling municipalities to consolidate and share services so our residents can receive refunds, but where we are sharing services, they tell us we can't because doing so is illegal.

Undersheriff Paul Trudeau advised that in meetings with the Commissioner of Corrections, as early as January, it was mentioned that the practice of housing pre-arraigned suspects was illegal under Corrections Law. He said the Department is cognizant of the contract with the City of Watertown and so is the City, and they have been working with the City since that time to come up with a solution to the problem. He said the Commissioner called a couple weeks ago to ask about movement on the issue, which may have prompted the Sheriff to send the letter to the City, but that does not mean that the Department and the City are not going to work to resolve the issue.

Legislator Maxon stated that a recent article said the Sheriff could ask the State legislature for home rule legislation to allow for the practice and the Sheriff was quoted as saying they don't have the staff to do that. Mr. Trudeau could not speak to what the Sheriff meant, but said the home rule legislation dictates that a portion/pod of the Jail be sectioned off just for these suspects because they can not have direct contact with the County inmates, you then have to find somewhere to put the inmates that were in that space/pod and the Department does not have the staff to address those needs. If the Board decides to ask for home rule legislation, he did not believe the Sheriff meant that he would not accept it, but the Board needs to realize what that legislation would mean in terms of staffing. To his knowledge, no one has sat down and gone over all the options available and they were willing to do that to resolve the issue.

In response to questions the Undersheriff explained that the three holding cells used by the City for suspects, and the corrections cells fall under two different sections of Corrections Law and have different rules and regulations. He could not determine the percentage of individuals in the Jail that are pre-arraigned because it varies on a daily basis. County Attorney Paulsen understood that the Commission was telling the Sheriff's Department that there are certain requirements of the Commission as far as segregating the cells for the pre-arraignment detainees from the remainder of the facility and he is trying to determine the accuracy of that information at this point because it will make a big difference in what the possibilities are.

Undersheriff Trudeau confirmed that County Administration was part of the meetings in January when this issue was brought up, but also pointed out that at that time the Commission only said this is a violation of Correction Law, not that it had to be fixed right away or by a certain date.

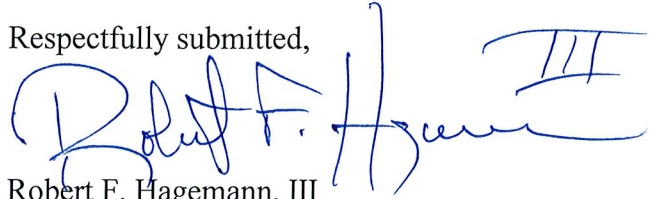
Legislator Reed encouraged everyone to come to the table to find a solution if home rule legislation is going to be requested as there is a very short window for it to go through the process and be acted upon by the State legislature.

Undersheriff Trudeau explained that certain municipalities (the City) have the ability to set bail on individuals depending upon what they are arrested for, or they can take the individual directly to a judge to be arraigned, but that is not always convenient depending on when during

the day/week the individual is arrested; the City tends to go the bail route and the officer can go back out on the road. When suspects are arrested out in the towns and villages they are either given an appearance ticket or are taken before a judge to be arraigned before they are brought to the public safety building, however certain times of day/week/year it is difficult to find a judge. Legislator Gray understood that part of what the City is looking at in terms of a solution is trying to get the suspects arraigned quicker. With discussion concluded Chairwoman Fitzpatrick stated that housing the pre-arraigned prisoners at the Jail will continue to be looked at until the best a solution can be found.

There being no further business of the Board, on a motion by Legislator Maxon seconded by Legislator Peck and unanimously carried, the meeting was adjourned at 8:00 p.m.

Respectfully submitted,

A handwritten signature in blue ink, reading "Robert F. Hagemann, III". The signature is stylized with a large "R" and "H", and the "III" is written as three distinct vertical strokes.

Robert F. Hagemann, III
Clerk of the Board