

REGULAR SESSION

TUESDAY, MAY 7, 2013

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

ROLL CALL OF MEMBERS

All members present except Legislator Drake.

PRIVILEGE OF THE FLOOR

Cindy Grant, Clayton, NY addressed the Board regarding industrial wind development in her town relating that the Town Supervisor was not being forthcoming with information to the public concerning wind development. She said a current wind project in a neighboring town will affect residents in the Town of Clayton because it is within a mile of their homes. She obtained information through the Freedom of Information Law process and from the Public Service Commission concerning the projects and advised that the Public Service Commission is a good resource if legislators have questions. She asked that the Board not approve any payment in lieu of taxes agreements with the developers for these projects as it does not justify jobs and will negatively affect property values.

Kevin Jordan, Executive Director, Cornell Cooperative Extension, 223 N. Hamilton Street, Watertown, NY advised that his Board of Directors makes a day trip to Cornell University every year and extended an invitation for legislators to join them. The trip will be on June 6, 2013 leaving Watertown at 7:00 - 7:30 a.m. and returning just before dinner, with Cooperative Extension taking care of transportation and lunch. He said the agenda will likely include a tour of the new dairy processing facility, a tour of the plantation, possibly a visit to the vet school, the Nano Technology Center, and the 4-H Stem Program as well as other possibilities. Anyone interested in attending can contact him directly.

Chairwoman Fitzpatrick proclaimed May "Older Americans Month" in Jefferson County.

Chairwoman Fitzpatrick presented a proclamation to Jefferson County EMS Director Charlie Brenon recognizing May 19-25 as Emergency Medical Services Week in Jefferson County.

PETITIONS, NOTICES AND COMMUNICATIONS

An invitation was received for legislators to attend events commemorating the 200th Anniversary of the Second Battle of Sackets Harbor, ceremonies to be held on Wednesday, May 29th.

A notice was received from the Town of Clayton for a public hearing on proposed Amendment - No. 36 to the Town of Clayton Zoning Ordinance to be held on May 8th in the

Town Board Meeting Room, 405 Riverside Drive, Clayton.

REPORTS OF STANDING COMMITTEES

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

REPORTS OF COUNTY OFFICERS AND OTHERS

The County Treasurer reported on Interest Allocation by Fund and a Summary of Cash in Banks as of March 31, 2013.

The County Administrator reported on budget transfers for year end 2012 and the month of April, 2013.

Chairwoman Fitzpatrick entertained a motion to go into executive session for the purpose of discussing matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person. The Board entered executive session at 7:15 p.m. on a motion by Legislator Montigelli seconded by Legislator Thomas and unanimously carried by the Board. The Board returned to open session at 8:15 p.m. on a motion by Legislator Peck seconded by Legislator Montigelli and unanimously carried by the Board.

LOCAL LAWS, RESOLUTIONS AND MOTIONS

Resolution No. 114

Approving Mortgage Tax Report

By Legislator: Allen T. Drake

Whereas, This Board is in receipt of the semi-annual Mortgage Tax Report showing the amount to be credited to each tax district in the County of the money collected during the preceding six months ended March 31, 2013.

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

Seconded by Legislator: Michael J. Docteur

All members present voted aye.

Resolution No. 115

Designation of Depository for 2013

By Legislator: Michael A. Montigelli

Whereas, By Resolution 2 of 2013, this Board of Legislators designated institutions as depositories of monies received by the County Treasurer, and

Whereas, Chase Manhattan Bank is now JPMorgan Chase Bank, N. A., and the County Treasurer desires to increase the maximum amount which may be kept on deposit.

Now, Therefore, Be It Resolved, That pursuant to County Law Section 212 and General Municipal Law Section 10, Resolution 2 of 2013 is amended to change the following institution which is hereby designated as a depository of monies received by the County Treasurer, and be it further

Resolved, That the maximum amount which may be kept on deposit at any one time in each depository shall not exceed that listed as follows:

<u>Name of Institution</u>	<u>Maximum Amount</u>
JPMorgan Chase Bank, N. A.	\$30,000,000

and be it further

Resolved, That this resolution shall take effect upon adoption.

Seconded by Legislator: Barry M. Ormsby

All members present voted aye.

Resolution No. 116

Amending the 2013 Budget in Relation to Fort Drum Mountain Community Homes Community Development Agreement

By Legislator: Michael J. Docteur

Whereas, In connection with the development of housing on Fort Drum by Fort Drum Mountain Community Homes through the Residential Community Initiative (“RCI”) to support the expansion of the 10th Mountain Division, the County received certain payments in lieu of taxes, and

Whereas, By Resolutions 201 of 2005 and 62 of 2009, this Board of Legislators determined to place its share of the funds due to the JCIDA in satisfaction of Fort Drum Mountain Community Homes’ real property tax obligation into a specific capital account to support the growth and

development of the Watertown International Airport and its environs, and

Whereas, In the County Budget for years 2006- 2011, said funds were budgeted as PILOT revenue in the General Fund and transferred into and recognized in the Capital Fund account, and

Whereas, Although the final payment of these funds was budgeted in the 2012 County Budget as revenue, it was not transferred into the Capital Fund, and

Whereas, The 2013 Budget must be amended to appropriate these funds to the Property Acquisition/Improvement Capital account.

Now, Therefore, Be It Resolved, That the 2013 County Budget is hereby amended as follows:

Increase:

01-0599	Appropriated Fund Balance	\$344,928
(Transfers)		
01-8992-9950.9006	Transfer to Capital Projects	344,928
20-9006-999.95031	Transfer from General Fund	344,928
(Expenditure)		
20-9006-6989.2064	Property Acquisition/Improvement	344,928

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: Ormsby, Nabywaniec, Peck, Ferris, Reed, Gray, Docteur, Adsit, Montigelli, Behling, Doldo, Thomas, Astafan, Fitzpatrick

Absent: Drake

Resolution passed.

Resolution No. 117

**Authorizing Payment in Lieu of Taxes Agreement
Relative to SunCap Watertown, LLC**

By Legislator: Allen T. Drake

Whereas, The Jefferson County Industrial Development Agency (the “Agency”) was created by Chapter 369 of the Laws of 1971 of the State of New York pursuant to Title 1 of Article 18-A of the General Municipal Law of the State of New York (collectively, the “Act”), and

Whereas, The Agency has agreed to acquire from SunCap Watertown, LLC (the “Company”), an interest in certain property located on County Route 200, in the Town of Watertown, Jefferson County, New York (Tax Parcel No. 73.20-1-2.14), consisting of 11.49 acres of land as more particularly described in the payment in lieu of taxes agreement (the “PILOT Agreement”), and

Whereas, The Agency has agreed to lease the property to the Company pursuant to a Lease Agreement by and between the Agency and the Company the Company intends to construct, equip and lease a 63,000 +/- square foot, new FedEx Ground small package distribution facility and parking areas (the “Project”), and

Whereas, Pursuant to Section 874(1) of the Act, and Section 412(A) of the Real Property Tax Law of the State of New York, the Agency is exempt from the payment of taxes and assessments imposed upon real property and improvements owned by it other than special ad valorem levies, special assessments and services charges against real property located in Jefferson County which are or may be imposed for special improvements or special district improvements, and

Whereas, Jefferson County deems it appropriate for the Agency to enter into a Payment in Lieu of Taxes Agreement making provision for payments in lieu of taxes by the Company to the Agency for the benefit of the respective taxing jurisdictions within which the property is located.

Now, Therefore, Be It Resolved, That Jefferson County hereby consents to the Agency entering into a Payment in Lieu of Taxes Agreement with SunCap Watertown, LLC in substantially the same form as presented at this meeting, and be it further

Resolved, That the Chairman of the Board of Legislators be and is hereby authorized and directed to execute the consent to said Agreement on behalf of Jefferson County subject to the approval of the County Attorney as to form and content and distribution thereof by the Agency as provided on the attached Schedule.

Seconded by Legislator: Barry M. Ormsby

All members present voted aye.

Resolution No. 118

**Resolution of the Jefferson County (The “County”) Authorizing the Scheduling and Holding of a Public Hearing Pursuant to Section 147(f) of the Internal Revenue Code and Section 1411(d) of the Not-for-Profit Corporation Law in Connection with
(i) The Issuance by the Jefferson County Civic Facility Development Corporation (The “Issuer”) of up to \$25,000,000 Tax-Exempt Revenue Bonds, (Jefferson FSA Auxiliary, LLC Project), Series 2013 In Furtherance of a Certain Project (As**

**Described Below) to be Undertaken by Jefferson FSA Auxiliary, LLC (The
“Company”); and (ii) The Proposed Disposition of Certain Lands Owned by the
County to the Issuer in Furtherance of the Undertaking of the Project by the Company**

By Legislator: Michael J. Docteur

Whereas, Pursuant to a Certificate of Incorporation (the “Certificate”) filed with the New York Secretary of State on the 25th day of April, 2011, the Jefferson County Civil Facility Development Corporation (the “Issuer”) was duly formed under the New York Not-for-Profit Corporation Law (“N-PCL”) as a not-for-profit local development corporation for the purpose of conducting activities that will relieve and reduce unemployment in Jefferson County, New York (the “County”); promote and provide for additional and maximum employment in the County; better and maintain job opportunities in the County; instruct or train individuals in the County to improve or develop their capabilities for such jobs; carry on scientific research for the purpose of aiding the County by attracting new industry to the County; or by encouraging the development of, or retention of, industry in the County; and lessening the burdens of government and acting in the public interest; and

Whereas, Pursuant to a resolution adopted April 5, 2011 (the “County Authorizing Resolution”), the Board of Legislators of the County authorized, among other things, the establishment of the Issuer pursuant to N-PCL Section 1411 to, among other things, (i) perform essential governmental functions including activities associated with job creation and the promotion of community and economic development activities within and around the County, and (ii) issue certain bonds on behalf of the County; and

Whereas, Jefferson FSA Auxiliary, LLC (the “Company”), a limited liability company disregarded for federal income tax purposes and wholly controlled by the Faculty-Student Association of Jefferson Community College, Inc. a not-for-profit corporation and 501(c)(3) organization described under the Internal Revenue Code, has submitted an application (the “Application”) to the Issuer, a copy of which application is on file at the office of the Issuer, which application requested that the Issuer consider the issuance of its Tax-Exempt Revenue Bonds (Jefferson FSA Auxiliary, LLC Project) under §145 of the Internal Revenue Code of 1986, as amended, (the “Code”) in the principal amount not to exceed \$25,000,000 (or such other amount as advised by the Company) (the “Bonds”) for the purposes of undertaking a certain project (the “Project”) consisting of the following: (A)(1) the acquisition of a fee title, leasehold or other interest in a parcel or parcels of land located at 1220 Coffeen Street, Watertown, New York, comprising in the aggregate approximately six (6) acres (the “Land”, being described and depicted within Exhibit A, hereto); (2) the acquisition, construction, and equipping on the Land of a four-story, approximately 290-bed, 96,000-square foot student housing facility and related improvements (including, but not limited to, parking and common areas) to provide housing and related services to students attending the Institution (collectively the “Improvements”); and (3) the acquisition and installation in and around the Improvements of certain items of machinery, equipment and other tangible personal property (the “Equipment:”, and together with the Improvements, the “Facility”); (B) the paying of all or a portion of the costs incidental to the issuance of the Bonds, including issuance costs of the bonds, capitalized interest and any reserve

funds as may be necessary to secure the Bonds; and (C) the granting of certain other financial assistance with respect to the foregoing, including potential exemptions from mortgage recording taxes (collectively with the Bonds, the “Financial Assistance”); and

Whereas, In furtherance of the Project, the County desires to schedule and conduct a public hearing (the “Public Hearing”) pursuant to Section 1411(d) of the Not-for-Profit Corporation Law (“N-PCL”) in connection with the proposed transfer of the Land to the Issuer to be included within and made a part of the Project to be undertaken by the Company; and

Whereas, At the request of the Issuer, the County further desires to schedule and conduct the Public Hearing pursuant to and in accordance with Section 147(f) of the Internal Revenue Code (the “Code”) in furtherance of qualifying the Bonds as tax-exempt under the Code.

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

Section 1. The County hereby authorizes the scheduling and holding of a Public Hearing pursuant to N-PCL Section 1411(d) in connection with the proposed transfer of the Land, as described and depicted within **Schedule A**, hereto, to the Issuer to be included within and made a part of the Project to be undertaken by the Company. A second Public Hearing shall be further scheduled and conducted pursuant to and in accordance with Section 147(f) of the Code for purposes of qualifying the Bonds as tax-exempt under the Code.

Section 2. The County hereby authorizes the County Administrator and County Attorney, in consultation with the Issuer and Issuer’s counsel, to issue and publish a Notice of Public Hearing in compliance with N-PCL Section 1411(d) and the Code, Such Public Hearings to be held before the Board of Legislators of the County on June 4, 2013 at 7:05 p.m. and immediately following conclusion of that public hearing the second will be conducted.

Section 3. This Resolution shall take effect immediately,

Seconded by Legislator Allen T. Drake

All members present voted aye.

Resolution No. 119

Authorizing Amendment to Lease Agreement for Parking Rights at Lower Department of Social Services Lot

By Legislator: Barry M. Ormsby

Whereas, The County of Jefferson entered into a Lease Agreement with the Watertown Industrial Center Local Development Corporation (“WICLDC”), dated August 9, 2002, for lease of certain parking spaces at the lower Department of Social Services parking lot to be used by Stream International, and

Whereas, The original 2002 lease agreement stated it was to begin upon completion of the renovations to the former Woolworth Department store and run for period of (10) ten years subject to a (5) year option to renew and it is desired by the parties that the date of expiration/renewal be established as September 30, 2013, and

Whereas, Said amended lease agreement will end on September 30, 2013, subject to a (5) five year option to extend and it is understood and agreed that said option has been excised and the new termination date of the amended agreement will be September 30, 2018.

Now, Therefore, Be It Resolved, That the Chairwoman of this Board of Legislators be and hereby is authorized and directed to execute the amended Agreement on behalf of Jefferson County subject to approval of the County Attorney as to form and content.

Seconded by Legislator: Jennie M. Adsit

All members present voted aye.

Resolution No. 120

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

By Legislator: Barry M. Ormsby

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 42 of 2009 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 breech 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 though a third party lender, as a result of the interest mortgaged to the County, and

Whereas, An application having been made by Housing Improvement Program participant Matthew and Amy Parker requesting that the County execute a Subordination Agreement, subordinating the County's existing mortgage (File No. 2010-9456) to a mortgage about to be executed and recorded to AmeriCU FCU.

Now, Therefore, Be it Resolved, that the Chairwoman of the Board is hereby authorized to execute the 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: Jennie M. Adsit

All members present voted aye.

Resolution No. 121

Authorizing An Application to the New York State Department of Agriculture and Markets to Secure Funding for an Update to the Jefferson County Agriculture and Farmland Protection Plan

By Legislator: Barry M. Ormsby

Whereas, Jefferson County's Agricultural and Farmland Protection Plan was completed under the guidance of the County's Agricultural and Farmland Protection Board (AFPB) in 2002, and subsequently certified by the New York State Commissioner of Agriculture and Markets in 2003, and

Whereas, the State Department of Agriculture and Markets authorizes updates to certified local and County Agricultural and Farmland Protection Plans every ten years, and provides the opportunity for plan sponsors to apply for matching funds to complete such updates, and

Whereas, an update to the local plan by the County's AFPB will allow revisions to the Plan's farmland protection strategies and initiatives, based on changing agricultural trends and underlying conditions, in order to promote and improve the viability of the agricultural sector in Jefferson County, and

Whereas, the County's AFPB desires that the County submit a ten year update application in the amount of \$45,000 to the NYS Department of Agriculture and Markets, to be matched by \$7,500 reserved in the 2013 County Budget for this purpose and by \$30,000 in in-kind services contributed by the County Planning Department, County Agricultural Coordinator, and Cornell Cooperative Extension of Jefferson County,

Now, Therefore, Be It Resolved, that the Jefferson County Board of Legislators authorizes submission of the above-referenced application to the NYS Department of Agriculture and Markets, and

Be It Further Resolved, that the Chair of the Board of Legislators is authorized to sign all necessary documents and award contracts, should the application be approved.

By Legislator: Michael J. Docteur

Legislator Peck who has served on the Agriculture & Farmland Protection Board for several years expressed his appreciation to the Board for addressing this resolution in a timely manner so they can make application to the State for these funds. He said it is important for the Plan to be updated as the nature of agriculture and the economy changes, most recently as more acreage has been going into agriculture because of commodity prices. Those changes need to be reflected in the Plan and he appreciated the Board's support for this resolution.

All members present voted aye.

Resolution No. 96

Approving Jefferson County Administrative Policies and Procedures for Information Technology

By Legislator: Michael J. Docteur

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

Whereas, It is the desire of the Board of Legislators to authorize the promulgation of administrative policies and procedures for information technology, which will replace policies and procedures earlier adopted for computers.

Now, Therefore, Be It Resolved, That the Administrative Policy Sections 8.01-8.13, **Information Technology**, are hereby approved and by reference incorporated herein, and their promulgation and implementation by the County Administrator is authorized, effective immediately upon promulgation, and be it further

Resolved, That the previously approved and promulgated (by Resolution 203 of 1999), Administrative Policy Sections 8.01-8.04, **Computers**, are hereby rescinded.

Seconded by Legislator: Jennie M. Adsit

**Policies are included as an Addendum to minutes

All members present voted aye.

Resolution No. 122

Amending the 2013 County Budget to Recognize Insurance Recovery and Allocating Same in Buildings and Grounds Department Budget

By Legislator: Michael F. Astafan

Whereas, The Buildings and Grounds Department has received an insurance settlement check in the amount of \$918.80 for damage to a vehicle in their fleet, 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 2013 County Budget is hereby amended as follows:

Increase:

01-1620-1620.4310.002	External Fleet Expense	\$ 918.80
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01-1620-999.92680	Insurance Recoveries	\$ 918.80
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Seconded by Legislator: Scott A. Gray

Roll Call Vote

Ayes: Behling, Thomas, Gray, Reed, Ormsby, Montigelli, Ferris, Peck, Adsit, Astafan, Doldo, Docteur, Nabywaniec, Fitzpatrick

Absent: Drake

Resolution passed.

Resolution No. 123

**Authorizing FY 2011 Operation Stonegarden Grant Agreement and
Amending the 2013 County Budget in Relation Thereto**

By Legislator: Jennie M. Adsit

Whereas, By Resolution 15 of 2013, This Board of Legislators authorized a FY 2011 Operation Stonegarden (CFDA 97.067) grant agreement in the amount of \$186,186 and appropriated said funds to the 2013 County Budget, and

Whereas, The State of New York erroneously included in its grant agreement funds for equipment to be provided to others agencies, and both the authorization for the agreement and the amendment to the 2013 County Budget must be amended to correct this error, and

Whereas, The actual grant amount for Jefferson County is \$137,886.

Now, Therefore, Be It Resolved, That this Board of Legislators enter into an agreement with the New York State Office of Homeland Security to accept the grant as described above, as well as any other agreements with involved police agencies necessary for the grant's programs and that the Chairman of the Board be and is hereby authorized and directed to execute said agreements on behalf of Jefferson County, subject to the review and approval of the County Attorney, and be

it further

Resolved, that the 2013 County Budget is hereby amended as follows:

Decrease:

(Revenue)		
01-3110-999.94320	Federal Aid Other Public Safety	\$ 48,300.00

(Expenditures)		
01-3110-3114.2300	Operation Stonegarden Technical Equipment	48,300.00

Seconded by Legislator: Anthony J. Doldo

Roll Call Vote

Ayes: Ferris, Behling, Nabywaniec, Astafan, Gray, Adsit, Docteur, Thomas, Doldo, Peck, Reed, Montigelli, Ormsby, Fitzpatrick

Absent: Drake

Resolution passed.

Resolution No. 124

Authorizing Agreement and Amending the 2013 County Budget with Respect to Sheriff's Department Byrne Grant from the New York State Department of Criminal Justice Services

By Legislator: Michael F. Astafan

Whereas, The Sheriff's Department has been awarded a \$25,000 New York State Department of Criminal Justice Services (DCJS) Byrne (CDFA #16.738) grant for the period of 01/01/2013 - 12/31/2013 to purchase a rapid assault tool, a portable generator, laser sights for rifles and a canine, and

Whereas, It is necessary to enter into an agreement with DCJS and amend the 2013 County Budget to recognize the revenue and 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 with the New York State Department of Criminal Justice Services on behalf of Jefferson County, subject to the review and approval of the County Attorney, and be it further

Resolved, That the 2013 County Budget is hereby amended as follows:

Increase:		
(Revenue)		
01-3110.999.94320	Federal Aid Criminal Justice	\$ 25,000
(Expenditures)		
01-3110-3110.2309	Canine	\$11,966
01-3110-3110.2300	Technical Equipment	6,656
01-3110-3110.2500	Buildings & Grounds Equipment	3,628
01-3110-3110.4585	Departmental Supplies	2,750

Seconded by Legislator: Michael W. Behling

Chairwoman Fitzpatrick entertained a motion and second to amend the resolution to increase to total grant funds to \$25,000; add Canine line \$11,966, change Technical Equipment line to \$6,656, and Buildings & Grounds Equipment to \$3,628. Such motion to amend was made by Legislator Ferris seconded by Legislator Ormsby and unanimously carried by the Board. Mr. Hagemann added that the canine referenced will replace an existing one in the Department so the canine strength will remain at 3.

Roll Call Vote on Resolution No. 124, as amended

Ayes: Ormsby, Astafan, Behling, Adsit, Nabywaniec, Gray, Montigelli, Reed, Ferris,
 Docteur, Doldo, Peck, Thomas, Fitzpatrick

Absent: Drake

Resolution passed.

Resolution No. 125

Amending the 2013 County Budget in Relation to the Fixed Base Operator at the Watertown International Airport

By Legislator: Anthony J. Doldo

Whereas, By recommendation of the Treasurer's Office, it is necessary to amend the 2013 County Budget to transfer funds used for fuel truck leases from the Cost of Fuel & Oil Sales account to a new Refuelers Truck Lease account.

Now, Therefore, Be It Resolved, That the 2013 County Budget is amended as follows:

Increase:

01-5610.5611.4312	Refueler Trucks Lease	\$36,600
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Decrease:

01-5610-5611.4575	Cost of Fuel & Oil Sales	\$36,600
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Seconded by Legislator: Jennie M. Adsit

All members present voted aye.

**LOCAL LAW
(INTRODUCTORY NO. I OF 2013)
COUNTY OF JEFFERSON**

A LOCAL LAW ESTABLISHING AN AIRPORT DEPARTMENT

By Legislator: Michael F. Astafan

BE IT ENACTED by the Board of Legislators of the County of Jefferson, as follows:

SECTION I. AIRPORT DEPARTMENT

There is hereby created in and for the County of Jefferson a civil department which shall be known as the "Airport Department."

SECTION II. AIRPORT MANAGER: APPOINTMENT AND TERM OF OFFICE

There is hereby created in and for the County of Jefferson the office of Airport Manager (hereinafter referred to as "Manager") who shall be the administrative head of the Airport Department. The Manager shall be appointed by the Board of Legislators for the term of the Board.

SECTION III. AIRPORT MANAGER: POWERS AND DUTIES

The Airport Manager shall be responsible for planning, supervising, coordinating and directing the operations of the airport and its fixed base operator, and coordinating with federal and state agencies involved with said operations, as well as commercial air carriers operating out of the airport. The Manager will have duties and responsibilities which are incidental to fulfill the office, including the appointment of employees in the Department and the expenditure of appropriated funds, and shall perform such additional duties as may be prescribed and directed by the Board of Legislators.

SECTION IV. EFFECTIVE DATE

This local law shall take effect immediately upon filing with the Secretary of State.

Seconded by Legislator: Anthony J. Doldo

On a motion by Legislator Ferris seconded by Legislator Nabywaniec and unanimously carried by the Board, the Local Law was laid on the table pending a public hearing.

Resolution No. 126

Setting Time and Place for Public Hearing on Local Law Intro. I of 2013

By Legislator: Michael F. Astafan

Resolved, That this Board of Legislators shall hold a public hearing on a proposed local law entitled "A Local Law Establishing an Airport Department" on Tuesday, June 4, 2013 at 7:00 P.M. in the Chambers of the Board of Legislators, County Office Building, 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 W. Behling

All members present voted aye.

Resolution No. 127

Appointing Members to the Jefferson County Long Term Care Advisory Council

By Legislator: Michael J. Docteur

Whereas, Pursuant to Resolution No. 308 of 2006, this Board of Legislators authorized an agreement with the New York State Office for the Aging for funding to establish a Point of Entry for long term care services, as required by law, and

Whereas, Said agreement required Jefferson County to create a Long Term Care Advisory Council (the "Council"), which will study and monitor the long term care system in the County and make recommendations for changes as necessary, and

Whereas, Said Council may have between 15 and 20 members and the Director of the Office for the Aging is recommending the appointment of 3 new members bringing the total membership to 18.

Now, Therefore, Be It Resolved, That the following are appointed and reappointed to the Long Term Care Advisory Council for three (3) year terms to expire as follows:

Name	Affiliation	Term to Expire
Re-Appointments Marie Hess	Jefferson Community College	12/31/2015

Kim Smith	No. Reg'l Ctr. Independ. Living	12/31/2015
Marlea Dempster	Consumer	12/31/2015
Peter Fazio	OFA Director	12/31/2014
Anthony Joseph	Samaritan - Summit Village	12/31/2015
Linda Queior	Country Manor	12/31/2015

New Appointments

Leesa Harvey Dowdle	Cerebral Palsy Assoc. of NNY	12/31/2015
Donna McPherson	Ives Hill Retirement Community	12/31/2015
Joseph Millard	Meadowbrook Terrace	12/31/2015

Seconded by Legislator: Michael F. Astafan

All members present voted aye.

Resolution No. 128

Appointing and Re-Appointing Members to the Community Services Board

By Legislator: Michael F. Astafan

Resolved, That pursuant to Section 41.11 of the Mental Hygiene Law the following individuals are hereby re-appointed as members of the Jefferson County Community Services Board and the designated sub-committee thereof for terms to expire as indicated below:

<u>Member</u>	<u>Sub-Committee</u>	<u>Term to Expire</u>
Erika Flint	Alcohol & Substance Abuse	12/31/2013
Ted Stiles	Alcohol & Substance Abuse	12/31/2015
Jennifer Lachenauer*	Mental Health	12/31/2016
Christina O'Neil	Mental Health	12/31/2015
Laura Cerow	Mental Health (Subcommittee Only)	12/31/2015
Sandy Petrillos	Mental Health (Subcommittee Only)	12/31/2014
Elizabeth Stevens	People with Developmental Disabilities	12/31/2013

* New Appointment

Seconded by Legislator: Michael A. Montigelli

All members present voted aye.

Resolution No. 129

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

By Legislator: Michael J. Docteur

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

<u>Members</u>	<u>Term to Expire</u>
Jill M. Laureano-Surber, D.O.	12/31/14
Matthew D. Maynard, D.O.	12/31/14

Seconded by Legislator: John D. Peck

All members present voted aye.

Resolution No. 130

Re-establishing the Position of Director of Veterans Services and Amending the 2013 County Budget in Relation Thereto

By Legislator: Anthony J. Doldo

Whereas, By Resolution 150 of 2011, This Board of Legislators, as part of its ongoing efforts to maintain governmental efficiency, appointed Peter J. Fazio Director of the Office for the Aging, while he also served as the County's Director of Veterans Services, and

Whereas, In accordance with Section 6652.5 of Title 9 of the Official Compilation of New York State Codes, Rules and Regulations and Section 357 of the Executive Law, Peter J. Fazio was reappointed as both Director of the Office for the Aging and Director of Veterans Services by Resolutions 2 and 18 of 2012, respectively, and

Whereas, Because of this consolidation, the 2013 County Budget eliminated the position of Director of Veterans Services in the Veterans Service Agency departmental budget, while fully funding the consolidated position in the Office for the Aging budget, under the title of Director of the Office of the Aging, and

Whereas, Since the New York State Division of Veterans Affairs requires that there be a Director of Veterans Services, notwithstanding that the position has been consolidated with the position of Director of the Office for the Aging, and

Whereas, The 2013 County Budget must be amended to re-establish this position and provide for a minimal salary for it, which will be transferred from the budgeted salary of the Director of the Office for the Aging.

Now, Therefore, Be It Resolved, That the 2013 County Budget is amended as follows:

Increase:

01-6510-6510-1100	Personal Services	\$5,000
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Decrease:

01-6772-6772.1100	Personal Services	\$5,000
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and be it further

Resolved, That The position of Director of Veterans Services is hereby re-established as position 1 of the Veterans Service Agency, and that the position of Veterans Service Counselor is hereby renumbered to position 4.

Seconded by Legislator: Michael F. Astafan

All members present voted aye.

Resolution No. 131

**Authorizing 2013 Comprehensive Planning Resource Allocation
Agreement with the NYS Office of Children and Family Services,
Authorizing Contractual Youth Program Agreements**

By Legislator: Robert J. Thomas

Whereas, The Jefferson County Youth Advisory Board has endorsed the allocation of State Aid funding for 2013 Youth Service, Youth Recreation, Youth Development/Delinquency Prevention (YD/DP) and Special Delinquency Prevention Program (SDPP) to be operated and administered by various municipalities and other eligible agencies in Jefferson County, and

Whereas, The following constitutes the list of endorsed State Aid allocations for 2013 Municipal Youth Service and Youth Recreation Programs:

Municipal Youth Service

<u>Municipality</u>	<u>State Aid Allocation</u>
City of Watertown	\$ 3,316
Town of Alexandria	Shown with Contract YD/DP

Municipal Recreation

<u>Municipality</u>	<u>State Aid Allocation</u>
Town of Adams	\$ 565
Village of Adams	271
Town of Alexandria	Shown with Contract YD/DP
Village of Alexandria Bay	143

Village of Antwerp	145
Village of Brownville	163
Village of Carthage	674
Town of Champion	379
Town of Clayton	547
Village of Clayton	263
Village of Deferiet	51
Village of Dexter	867
Town of Ellisburg	610
Village of Evans Mills	93
Town of Henderson	241
Town of Hounsfield	347
Town of LeRay	4,066
Town of Lorraine	179
Town of Lyme	496
Town of Orleans	425
Town of Philadelphia	118
Village of Philadelphia	341
Town of Rodman	228
Town of Rutland	431
Village of Sackets Harbor	172
Town of Theresa	311
City of Watertown	4,528
Town of Wilna	374

Whereas, The following constitutes the list of endorsed State Aid allocations for 2013 Youth Development/Delinquency Prevention (YD/DP) and Special Delinquency Prevention Program (SDPP) which require an agreement between the County and the respective agency or municipality and provision for pass-through funding:

Youth Development/Delinquency Prevention (YD/DP)

<u>Agency/Program</u>	<u>State Aid Allocation</u>
Watertown Family YMCA/Youth Empowerment Program	10,688
Watertown Family YMCA/School Age Child Care Scholarships	8,882
Town of Alexandria/Hearts for Youth	13,893
Resolution Center of Jefferson & Lewis Counties/Youth Court	9,618

Special Delinquency Prevention Programs (SDPP)

<u>Agency/Program</u>	<u>State Aid Allocation</u>
North Country Children's Clinic/School-based Mental Health	\$ 6,702
Resolution Center of Jefferson & Lewis Counties/CASA	6,000

Children's Home of Jefferson County/Life Skills	6,703
Jefferson County Youth Bureau/Recreation Scholarships	4,500

Now, Therefore, Be It Resolved, That Jefferson County enter into a Comprehensive Planning Resource Allocation Agreement with the NYS Office of Children & Family Services for the year 2013 which contains applications for State Aid funding for County Youth Bureau Administration and for the above listed Youth Recreation and Youth Service programs, and be it further

Resolved, That upon final approval and execution of said Comprehensive Planning Resource Allocation Agreement by the appropriate State officials, Jefferson County enter into agreements with the above Contractual Agencies/Municipalities for provision of Youth Service and Youth Recreation Programs for the youth of Jefferson County during 2013, and be it further

Resolved, That, the Chairman of the Board of Legislators be and is hereby authorized and directed to execute the Comprehensive Planning Resource Allocation Agreement and the various contractual Agency/Municipality Agreements on behalf of Jefferson County.

Seconded by Legislator: John D. Peck

All members present voted aye.

Resolution No. 132

Authorizing Appointments and Re-Appointments to the Jefferson-Lewis Workforce Investment Board

By Legislator: Michael W. Behling

Whereas, The Workforce Investment Act of 1998, Public Law 105-200, requires that there be established a local Workforce Investment Board (WIB) to oversee local job training services and activities, and

Whereas, Chapter 2, Section 117(a)(b) of the Workforce Investment Act authorizes the establishment, membership, and composition of the local Workforce Investment Board, and

Whereas, Chapter 2, Section 117(c) of the Workforce Investment Act authorizes the appointment and certification for local Workforce Investment Board membership, and

Whereas, Article V of the Workforce Investment Board By-Laws indicate the procedures for membership on the Board, and

Whereas, The Counties of Jefferson and Lewis seek to appoint individuals to the local Workforce Investment Board who have interest and experience in the delivery of local workforce development services, and

Now, Therefore Be It Resolved, That the Board of Legislators hereby authorizes the Chairman of the Board to appoint the following individuals to serve as members of the Jefferson-Lewis Workforce Investment Board for the terms indicated.

Tracey Yarina, Plant Controller at Fibermark, to fill a business sector position on the Board, replacing Jim Hummer, said term to commence May 7, 2013 and expire June 30, 2015.

Matt Cooper, Principal at Bernier Carr & Associates, to fill a business sector position on the Board, replacing John Tabolt, said term to commence May 7, 2013 and expire June 30, 2014.

Re-appointment of the following individuals to three year terms, said terms to commence July 1, 2013 and expire June 30, 2016:

Jack Boak	Jefferson-Lewis BOCES
Cliff Donaldson	New York State Department of Labor
Rich McNulty	Kinney Drugs
Lynn Murray	Murcrest Farms
Jill Pippin	Jefferson Community College
Audrey Sargent	Hi-Lite Markings, Inc.
Joseph Todora	Lewis County General Hospital

Seconded by Legislator: Philip N. Reed, Sr.

All members present voted aye.

Resolution No. 133

Authorizing an Agreement with the Thousand Islands Regional Tourism Development Corporation for the Provision of Public Benefits Services for Promotion and Publicity and Amending the 2013 County Budget in Relation Thereto

By Legislator: Robert D. Ferris

Resolved, That, pursuant to Sections 224 and 225 of County Law, the County shall enter into a contract with Thousand Islands Regional Tourism Development Corporation under the following terms and conditions:

1. In addition to those services provided to the County pursuant to Resolution 15 of 2013, the Corporation shall provide the County with the following special services in 2013 in accordance with a proposal provided by it dated April 4, 2013:
 - A. It will promote the Jefferson County Wine Trail at a cost of \$25,000;
 - B. It will obtain high definition video and photography of County tourism highlights at a cost of \$25,000;
 - C. It will provide additional promotion of County fishing resources at a cost of \$40,000

- D. leveraging an additional \$60,000 in State funds;
 - E. It will promote County historic sites at a cost of \$10,000, leveraging an additional \$100,000 in State funds; and
 - E. It will facilitate marketing outreach to business and leisure air travelers in Eastern Ontario and the border region to broaden the awareness and utilization of the Watertown International Airport at a cost of \$50,000.
2. The amount to be paid from County funds shall not exceed One Hundred Fifty Thousand Dollars (\$150,000) for the term of this agreement.
 3. Payment shall be made by the County Treasurer in the sum of \$150,000 on or about July 1, 2013, said payment contingent upon receipt of a Memorandum of Receipt duly executed by the principal officer and disbursing officer of the Corporation in which they, on behalf of the Corporation, agree to comply with the terms of this resolution.
 4. The term of this Agreement shall be from May 1, 2013 through December 31, 2013.
 5. Within thirty (30) days of the termination of this Agreement, the Corporation shall provide and render to the County a verified account of the disbursements of such organization with verified or certified vouchers therefor attached. The County Auditor, in her sole discretion, may request such verified accounting be rendered to the County each quarter during the term of this Agreement.
 6. The Corporation shall refund to the County at the termination of this Agreement, any monies paid by the County remaining unobligated.
 7. On or before the 1st day of January 2014, and at any other time as the Board of Legislators may request, the Directors of the Corporation shall report in writing to this body a detailed statement of work and transactions for the preceding year, and for any other period which this body may request, in such form as it may direct.
 8. Such other terms and conditions as the parties may agree to in writing, and be it further

Resolved, That upon execution of the Memorandum of Receipt, as specified in the statutes, this Resolution, the Memorandum of Receipt and such other addenda as may be agreed to by the parties, shall comprise the contract between the County and the Corporation, and be it further

Resolved, That the 2013 County Budget is hereby amended as follows:

Increase:

(Expenditure)		
50-9023.6410-4654	TI Council	\$150,000

(Revenue)

50-9023-999.91113 Tax on Room Occupancy \$150,000

Seconded by Legislator: Allen T. Drake

Roll Call Vote

Ayes: Gray, Reed, Astafan, Thomas, Adsit, Montigelli, Ferris, Behling, Docteur, Ormsby, Nabywaniec, Doldo, Peck, Fitzpatrick

Absent: Drake

Resolution passed.

Resolution No. 134

Supporting Amendments to the New York State General Municipal Law to Permit IDA's to Provide Technical and Financial Assistance for Agricultural Projects

By Legislator: John D. Peck

Whereas, Current State law does not authorize local Industrial Development Agencies to provide technical and financial assistance to agricultural businesses which directly grow and or harvest agricultural products, and

Whereas, The State Senate recently passed Senate bill S00497, which was co-sponsored by Senator Patty Ritchie, to amend General Municipal Law to permit such assistance, and

Whereas, Identical State Assembly bill A05501 has been introduced in the Assembly, and

Whereas, Jefferson County supports the passage of this bill in the Assembly to allow agriculture to benefit from the same assistance now provided by IDA's to other commercial and industrial ventures statewide, and

Whereas, Said assistance is very important to Jefferson County in particular, as agriculture is a major economic force here, and

Whereas, Said amendments would simply recognize that agricultural projects are as important as other economic development projects within the State and County.

Now, Therefore, Be It Resolved, That Jefferson County supports the passage of A05501 in the Assembly and its subsequent signing into law by the Governor, and be it further

Resolved, That copies of this resolution be provided to the County's elected State representatives.

Seconded by Legislator: Michael W. Behling

All members present voted aye.

Resolution No. 135

Appointing Member to the Regional Fish and Wildlife Management Board

By Legislator: Robert D. Ferris

Pursuant to Section 11-0501 of the Environmental Conservation Law, this Board hereby approves the following appointment by the Chairman of the Board of Legislators to the Regional Fish and Wildlife Management Board:

<u>Name</u>	<u>Term to Expire</u>
Linda Sicley, Landowner Representative	12/31/14

Seconded by Legislator: Robert J. Thomas

All members present voted aye.

Chairwoman Fitzpatrick entertained a motion and second to waive the Standing Rules to permit the introduction of two additional resolutions for consideration. Such motion was made by Legislator Ferris seconded by Legislator Nabywaniec and unanimously carried by the Board.

Resolution No. 136

Supporting the Continued Operation of the St. Lawrence Psychiatric Center

By Legislator: Barry M. Ormsby

Whereas, The New York State Office of Mental Health is proposing a reduction in the number of inpatient psychiatric hospital beds and the plan would include designating certain hospitals for closure, and

Whereas, The St. Lawrence Psychiatric Center, located in Ogdensburg, New York provides a comprehensive range of residential programs including Children/Youth Services, Adult Services and a Sex Offender Treatment Program, and

Whereas, The St. Lawrence Psychiatric Center has a distinguished history of providing services to those in need from the North Country and throughout New York State for over 100 years, and

Whereas, The St. Lawrence Psychiatric Center is the only such facility in this part of the State, and provides high quality care for residents of this region for whom travel and access to other facilities outside of this region would be a hardship, and

Whereas, The St. Lawrence Psychiatric Center employs approximately 500 people and these employees reside in the North Country, make purchases here, and support our local businesses, thereby contributing to the local economy and making our region a better place to live and raise a family, and

Whereas, The loss of jobs and payroll at the St. Lawrence Psychiatric Center would create an economic climate that will contribute even further to the need for the services that would be taken out of this area by the Center's closure or reduction of services, and

Whereas, The current condition of over 500,000 square feet of vacant and deteriorating buildings that were formerly used by the Psychiatric Center is a clear indication that there is no market or reasonable expectation for the adaptive reuse of any additional buildings currently being used by the St. Lawrence Psychiatric Center should they be closed.

Now, Therefore, Be It Resolved, That the Board of Legislators urges our regional elected representatives to oppose any plan that would involve the closure or reduction in services of the St. Lawrence Psychiatric Center, and be it further

Resolved, That copies of this resolution be sent to Governor Cuomo, U.S. Senator Charles Schumer, U.S. Senator Kirsten Gillibrand, U.S. Congressman Bill Owens, Senator Patty Ritchie, Senator Joseph Griffio, Senator Elizabeth O'C Little, Assemblyman Kenneth Blankenbush, Assemblywoman Addie Russell, Assemblyman Marc Butler and Assemblywoman Janet Duprey.

Seconded by Legislator: James A. Nabywaniec

All members present voted aye.

Resolution No. 137

Authorizing Certain Property Transactions in Connection with the Jefferson Community College Dormitory Project

By Legislator: Anthony J. Doldo

Whereas, The County of Jefferson owns certain real property adjacent to the Jefferson Community College Campus on which a proposed dormitory project is being proposed for construction, and

Whereas, Said property will have to be conveyed to a third party for purposes of financing and construction of the dormitory project, and

Whereas, Certain issues of title have become known and require curative action prior to conveyance of the property to a third party project developer/owner, and

Whereas, Said issues of title derive from the existence of a duly filed 1893 subdivision plat describing streets and lots across a 109 acre parcel which have no physical existence as of this

date, and

Whereas, In order to extinguish any interest in the City of Watertown in the subdivisions paper streets it is necessary for the County of Jefferson to purchase from the City, for \$1.00 good and valuable consideration, any interest the City may have in said streets, by quit claim deed , and

Whereas, In order to eliminate the individual subdivision lots, now described in the deeds and assessment rolls, a re-conveyance from the County to itself is required in order to alter the description of the parcel.

Now, Therefore, Be It Resolved, That the Chairwoman is hereby authorized and directed to: a) accept deeds from the City of Watertown for the paper streets known as Hycliff Drive North and Kendall Ave. North and execute any documents necessary to record said deeds and, b) execute a deed on behalf of the County of Jefferson re-conveying a 109 acre parcel to the County for the purpose of altering the description thereof, subject to the approval of the County Attorney as to form and content, and it is further

Resolved, That the Chairwoman of this Board of Legislators be and hereby is authorized and directed to execute the consent to said Agreement on behalf of Jefferson County subject to approval of the County Attorney as to Form and content and distribution thereof by the Agency as provided on the attached schedule.

Seconded by Legislator: John D. Peck

Legislator Ferris questioned the location of the 109 acre parcel. County Attorney Paulsen advised that it is a large parcel that currently has a subdivision plat laid over it and he had not seen an actual tax map of it but only a small portion will be carved out for the dormitory project. He said the resolution will allow for the County to get rid of the tiny little approximately one acre parcels that are in that area and have a meets and bounds description of the 109 acres. The map for the earlier resolution only shows the six acre parcel the dormitory will sit on, not the 109 acres.

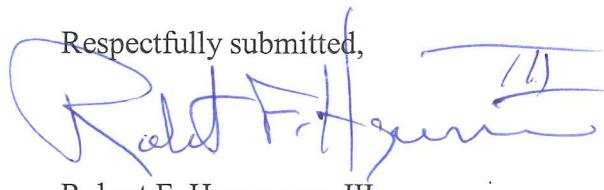
Mr. Hagemann advised that the reason for coming forward with this resolution now is to keep on schedule with construction. He said construction will start in early June, with the idea that the dorms will be ready for occupation in the Fall, 2014 school year.

In response to questions from Legislator Behling County Attorney Paulsen advised that the property is a wooded section that falls to the South of Rand Drive. He said the City of Watertown's interest is only limited to the paper streets, and because the subdivision map was filed with the County Clerk there was a theoretical dedication of the streets to the City therefore the County has asked the City to quitclaim those streets back to us as the streets were never built.

All members present voted aye.

There being no further business of the Board, on a motion by Legislator Doldo seconded by Legislator Ferris and unanimously carried, the meeting was adjourned at 8:33 pm.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Robert F. Hagemann III".

Robert F. Hagemann, III
Clerk of the Board