

REGULAR SESSION

TUESDAY, MARCH 5, 2013

Chairwoman Fitzpatrick called the meeting to order at 7:00 p.m. and welcomed the students present from the Cornell Cooperative Extension Association's Student Government Program.

ROLL CALL OF MEMBERS

All members present except Legislators Ferris and Gray.

PRIVILEGE OF THE FLOOR

Ron Deeley, 23862 NYS Route 126, Watertown, NY provided Board Members with a folder containing information relative to the New York Sustainable Development Plan. He stated that the cleaner greener concept for a sustainable environment sounds reasonable, but the underlying message to the Plan proposed by Governor Cuomo is for regional planning that essentially takes away local control as the State government makes all the decisions. He asked legislators to reject any plan that would take away local control and urged legislators to take a look at the information he provided and attend a presentation on the topic on Thursday, March 28, 2013 at 6:30 p.m. in the Brownville Catholic Church Pastoral Center.

Bart Bonner, Brookside Drive, Watertown, a lifelong resident and businessman in this area expressed strong opposition to the SAFE Act adopted by Governor Cuomo and the New York State Legislature. He attended a demonstration against the SAFE Act held in Albany last week sponsored by the New York State Rifle & Pistol Association and the National Rifle Association. He said the SAFE Act infringes not only upon his rights to keep and bear arms under the Constitution of the State of New York but on his 2nd Amendment rights under the U.S. Constitution. He added that the SAFE Act will most like stand because the vast majority of the population in the State are from metropolitan areas and are in favor of the law, but he felt it was important for Jefferson County to take a stand against the SAFE Act and for our fundamental rights. He suggested that if deficit spending and our economy are not controlled and basic fundamental rights are not reinforced future generations will not live in a free society.

Steven Glick, Philadelphia, NY expressed support for Resolution No. 82 which opposes the NYS SAFE Act and believed the Board had the support of a large portion of County residents in that regard. He said he signed on to a lawsuit filed on February 28, 2013 by "We The People of NY" challenging the constitutionality of the SAFE Act, 200 other people from Jefferson County have also signed, and there are a total of over 1200 Plaintiffs. He thanked the Board for what they are doing this evening and urged them to support Resolution No. 82.

Stanley Buzzell, 36640 State Route 126, Carthage, NY, Town of Champion, a retired lifelong County resident said he went down to Albany last week to demonstrate against the SAFE Act, and has also signed on with the lawsuit brought by "We the People of the State of NY". He thanked Legislator Peck and whomever else was responsible for putting the resolution

opposing the SAFE Act together and urged legislators to support it. He said the SAFE Act does not address any of the mental health problems that are at issue, it only hurts responsible citizens. He said the Constitution has worked since 1776 and it can work for another 200+ years.

Chuck Ruggerio, 1016 Keyes Avenue, Watertown, stated he was here as an individual not representing any agency or organization to which he belongs, and thanked the Board for the transparent process in which citizens could come in and redress grievances they have with the State. He asked that legislators look to what is best for the community and not at political expediency, political opportunity or popularity as the SAFE Act is an issue that has long lasting consequences. He suggested that in the State's haste to adopt this law they redefined what a machine gun is within the definition of Article 265 subsection 20 of the Penal Law to exclude actual machine guns; belt fed fully automatic machine guns do not appear in the law. He is a former Coordinates Specialist for the US Army for 13 years, who inspected firearms for the 10th Mountain Division. He asked that legislators take their time and render a decision in a logical, forthright manner without political influence or undue pressure by non-supporters of the law or people in government at higher levels.

Charles Kingsley, Three Mile Bay/Pillar Point, NY thanked legislators for bringing a resolution forward opposing the SAFE Act. He felt that the adoption of the SAFE Act was the tip of the iceberg as many citizens are frustrated with the way government is headed, citing other like issues with 32 oz. sodas in New York City being banned, and small children who fashion a piece of paper or a cookie into something that looks like a firearm being suspended from school. He also expressed concern with the way the news media is reporting these issues as they portray an individual shooting weapons at a range when those weapons are, and have been banned for some time by a prior law. He said it comes down to personal responsibility and encouraged everyone in attendance to be personally responsible for what they do and not rely on society.

David Benware, Adams Center, NY encouraged legislators to oppose the SAFE Act. He said he is an engineer by trade and still had a difficult time reading the Law as there were many changes and corrections throughout. He took issue with the law not making exceptions for police agencies in terms of the number of rounds in a magazine and other definitions that appear to be too specific as to various pieces and parts of a gun. He felt its passage was a knee jerk reaction, it has no sense in reality and encouraged legislators to oppose the SAFE Act.

Jim Blankmen, Watertown, NY felt compelled to speak out against the SAFE Act despite currently having serious health issues. He suggested the government was trying to act as god and quoted from Thomas Jefferson's rough draft of the Declaration of Independence speaking to our inherent and inalienable rights. He likened the tactics of recent actions of the New York State government to entries in his father's diaries while he was in Berlin in the 1930's. He is not and has never been a hunter but he now owns a gun and is a member of the NRA. He suggested everyone concerned about the government restricting gun use needs to get involved, relating that Adolf Hitler said you can subdue citizens if you take away their guns. He suggested the SAFE Act may be the first step in doing just that but hoped it would not come to that. He said there are a few radicals out there that are creating the problem, but innocent people are being punished to make up for those few. He admired the resolution on the agenda tonight and urged Board members to support it.

READING OF MINUTES OF LAST SESSION, IF REQUESTED

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

PETITIONS, NOTICES AND COMMUNICATIONS

None.

REPORTS OF STANDING COMMITTEES

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

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

REPORTS OF COUNTY OFFICERS AND OTHERS

The Treasurer provided a report on interest allocated by fund and summary of cash in banks as of 1/31/2013.

The County Administrator provided a report on budget transfers for the month of February, 2013.

The County Auditor provided a report on erroneous assessments for the month of February.

LOCAL LAWS, RESOLUTIONS AND MOTIONS

Resolution No. 66

Payment of Legislators' Expenses

By Legislator: Barry M. Ormsby

Whereas, This Committee to whom claims of the members of the Board were referred, has examined and audited such claims and finds the total to be \$2,773.01 we have allowed:

Legislator Expense:	\$2,773.01
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Now, Therefore, Be It Resolved, That the County Treasurer be and is hereby directed to draw checks payable to the claimants as audited.

Seconded by Legislator: Allen T. Drake

All members present voted aye.

Resolution No. 67

**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 2013 County Budget to Re-Appropriate
Remaining Funds**

By Legislator: Jennie M. Adsit

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, and Resolution 83 of 2012, this Board subsequently amended the 2008, 2009, 2010, 2011, and 2012 County Budgets to re-appropriate unspent funds from these grants, and

Whereas, Said grant still has unspent funds and grant extensions must be executed and the 2013 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, 2013 through March 31, 2014 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 2013 County Budget is hereby amended as follows:

Increase:

01-0599	Appropriated Fund Balance	\$40,941.55
Expenditures		
01-1450-1451.4110	Office Expenses	\$10,235.39
01-1450-1451.4116	Postage	10,235.39
01-1450-1451.4117	Printing	10,235.39
01-1450-1451.4415	Advertising	10,235.38

Seconded by Legislator: James A. Nabywaniec

Roll Call Vote

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

Absent: Ferris, Gray

Resolution passed.

Resolution No. 68

Authorizing Agreement with Davis Vision, Inc.

By Legislator: Allen T. Drake

Whereas, Jefferson County has negotiated the provision, through Davis Vision, Inc., of vision benefits with its various unions, and

Whereas, Said benefits were previously administratively provided by GHI, the County's prior health plan third party administrator, and

Whereas, Jefferson County now uses POMCO Group as its third party administrator, and

Whereas, Davis Vision now requires a direct agreement with Jefferson County for the negotiated services.

Now, Therefore, Be It Resolved, That Jefferson County enter into a two-year agreement with Davis Vision, Inc., effective 11/1/2012, and continuing for successive two-year terms unless cancelled by either party, to provide such benefits as negotiated between the County and its employees, in addition to management and management-confidential employees, and be it further

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

Seconded by Legislator: Barry M. Ormsby

All members present voted aye.

Resolution No. 69

**Approving Jefferson County Administrative
Policies and Procedures for Non-Discrimination / Anti-Harassment**

By Legislator: James A. Nabywaniec

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 non-discrimination / anti-harassment, which will replace policies and procedures earlier adopted for sexual harassment.

Now, Therefore, Be It Resolved, That the Administrative Policy Section 3.06, **Non-Discrimination / Anti-Harassment**, are hereby approved and by reference incorporated herein, and their promulgation and implementation by the County Administrator is authorized, effective March 1, 2013, and be it further

Resolved, That the previously approved and promulgated (by Resolution 133 of 2000), Administrative Policy Section 3.06, **Sexual Harassment**, are hereby rescinded.

Seconded by Legislator: Michael A. Montigelli

**ADMINISTRATIVE MEMORANDUM
POLICIES AND PROCEDURES**

County of Jefferson

Board of Legislators

Office of the County Administrator

Section: HUMAN RESOURCES

Issued: 5/00

Subsection: 3.06

Subsection: Non-Discrimination/Anti-Harrasment

Revised: 3/13

Policy Statement:

Jefferson County is committed to a working environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits discriminatory practices, including harassment. Therefore, Jefferson County expects that all decisions and relationships among employees will be free of unlawful bias, prejudice and harassment.

Illegal discrimination includes any type of action or behavior based on a person's sex, sexual orientation, predisposing genetic characteristics, race, color, national origin, age, religion, creed, marital status, military status, or disability, including pregnancy, or is otherwise a violation of any provisions of the Civil Rights Act of 1964, including Title VII; the Age Discrimination Act of 1975; The Americans with Disabilities Act of 1990; and the New York State Division of Human Rights Laws.

Applicability:

This policy applies to all elected officials and employees of Jefferson County, individuals doing business with the County and any person utilizing County Facilities.

The County's Response:

The County will actively work to prevent and eliminate discrimination and harassment and will respond promptly to deal with any incidents. This response may include, but is not limited to: training, counseling and/or disciplinary action in accordance with the appropriate collective

bargaining agreement.

Examples of Discriminatory or Harassing Conduct:

- Discrimination in the provision of employment opportunities, benefits or privileges.
- Verbal or physical conduct designed to threaten, intimidate, or coerce. This may include verbal taunting (including racial and ethnic slurs or negative stereotyping) or physical actions which impairs the employee's ability to perform his or her job or interferes with the employee's work performance.
- Distribution, display or discussion of any written or graphic material that ridicules, denigrates, insults, belittles, or shows hostility or aversion toward an individual or group because of protected status.

Sexual Harassment is a type of harassment and falls into the following categories:

1. **"Quid pro quo"** harassment, where submission to harassment is used as a basis for employment decisions or advancement. (Wherein promotions, raises, better working hours, grades, special accommodations, etc., are linked to compliance with sexual advances.) Therefore, only someone in a supervisory capacity or authority to grant such benefits can engage in "quid pro quo" harassment.
2. **"Hostile work environment,"** where the harassment creates an offensive and unpleasant working environment, inclusive of anyone affected by the offensive conduct.

Examples of Sexual Harassment are:

- Vulgar or lewd comments or jokes
- Unwelcome, repeated demands or requests for dates
- Promise or provision of promotions, raises, better working hours, special accommodations based on compliance with sexual advances or harassment.
- Unwanted and unwelcome touching

The law and this policy prohibit men harassing women, women harassing men, women harassing women, and men harassing men. The harasser can be the victim's supervisor, an agent of the employer, a supervisor in another area, a co-worker, or a non-employee.

Procedures:

1. Department Heads and Supervisors play a critical role in prevention and correction. All supervisory personnel are responsible for:
 - ✓ Discouraging discrimination and harassment
 - ✓ Ensuring compliance with this policy
 - ✓ Properly responding and reporting discrimination and harassment

complaints

2. All employees of Jefferson County are responsible to notify their supervisor, Department Head, or the Director of Human Resources immediately regarding incidents of discrimination or harassment.
3. Supervisory personnel may seek to resolve complaints through an informal process. The ability to resolve the complaint informally depends on the circumstances and the severity of the situation.
4. If the employee believes that informal resolution of the matter is not appropriate or believes that an attempt at informal resolution was ineffective, the employee shall make a formal written complaint to:

Director of Human Resources
Jefferson County Office Building, 2nd floor
175 Arsenal Street
Watertown, NY 13601

The Director of Human Resources will investigate all formal written complaints and forward the findings along with a recommendation to the Department Head. The Department Head will take the appropriate action, including discipline if necessary, in accordance with the appropriate collective bargaining agreement.

Confidentiality:

All inquiries, complaints, and investigations are treated with sensitivity, seriousness, and confidentiality except as is reasonably necessary to investigate and remedy the matter.

Retaliation:

Threats or other forms of intimidation and retaliation against a complainant or any other party reporting or acting pursuant to this policy are violations of the policy and constitutes grounds for disciplinary action. Knowingly making a false report impedes the effectiveness of this policy and constitutes grounds for disciplinary action.

REFERENCES:

1. Jefferson County Board of Legislators' Resolution No. 133, 2000.
2. Title VII Civil Rights Act of 1964.
3. Civil Rights Act of 1991.
4. New York State Executive Law §290 et seq.

Legislator Doldo asked that a time frame for taking care of a complaint be identified, and asked if disciplinary actions are based on the normal course of business with a union contract. Mr. Hagemann confirmed that disciplinary actions are progressive and based on the contract.

All members present voted aye.

Resolution No. 70

Authorizing Payment in Lieu of Taxes Agreement Relative to the Mill Creek Housing Project (Lawler Realty LLC) in Sackets Harbor

By Legislator: Jennie M. Adsit

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 Lawler Realty LLC (the “Company”), property consisting of 22.40 acres located at Madison Barracks, Sackets Harbor, New York, with an address of 85 Worth Road, in the Town of Hounsfield, more particularly described in 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, 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 service charges against real property located in Jefferson County which are or may be imposed for special improvements or special district improvements, and

Whereas, By Resolution 137 of 2012 this Board previously authorized and approved on behalf of Jefferson County the execution of a PILOT agreement between the same parties in regard to the same project and real property and subsequent to that time, the staging of the project has been altered resulting in an alteration of the estimated PILOT revenues which were attached to the original resolution, 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 Lawler Realty LLC, in substantially the same form as presented at this meeting, 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: James A. Nabywaniec

(Schedule referred to in resolution is attached as an Addendum to the Minutes)

All members present voted aye.

Resolution No. 71

Authorizing the Execution of an Amendment to a Payment in Lieu of Taxes Agreement with New York Air Brake Corporation/Knorr Brake Holding Corporation.

By Legislator: Barry M. Ormsby

Whereas, By Resolution Nos. 47 and 48 of 1995 this Board authorized and directed the execution of a Payment in Lieu of Taxes Agreement with New York Airbrake/Knorr Brake Holding Corporation (the "Company") and the Jefferson County Industrial Development (the "Agency"), and

Whereas, Said PILOT Agreement is now sought to be amended to change the definitions in Paragraph 1 and to change the formula and method of determining the PILOT payments in Paragraph 2 of the PILOT Agreement, and

Whereas, Said amendments are intended to further the purpose and intent of the original agreement, and

Whereas, The County of Jefferson deems it appropriate for the Agency and Company to enter into an amended Payment in Lieu of Taxes Agreement making provision for the amendments specified

Now, Therefore, Be It Resolved, That the Chairwoman of the Board of Legislators is hereby authorized and directed to directed to execute the Amendment Number One to the Payment in Lieu of Taxes Agreement between the Agency and the Company, subject to the approval of the County Attorney as to form and content, in substantially the same form as is attached herewith.

Seconded by Legislator: Michael A. Montigelli

AMENDMENT NUMBER ONE TO PAYMENT IN LIEU OF TAXES AGREEMENT (THE "PILOT AGREEMENT")

This Amendment Number One is to a Payment in Lieu of Taxes Agreement by and among the

NEW YORK AIR BRAKE CORPORATION, KNORR BRAKE HOLDING CORPORATION, U.S., JEFFERSON COUNTY INDUSTRIAL DEVELOPMENT AGENCY, COUNTY OF JEFFERSON, CITY OF WATERTOWN and GREATER WATERTOWN SCHOOL DISTRICT dated as of the last signature to the PILOT Agreement, September 21, 1995.

This Amendment Number One to the PILOT Agreement is made and effective as of January 1, 2013 by and among the parties above referenced and in their capacity as defined in the Pilot Agreement.

The purpose of this Amendment is to change the definitions in Paragraph 1 and to change the formula and method of determining the PILOT payments in Paragraph 2 of the PILOT Agreement.

Now therefore the parties hereto agree as follows:

1. **Definitions.** Terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the PILOT Agreement as amended.
2. All of the definitions in Paragraph 1 of the PILOT Agreement except Facility are hereby deleted. Facility is now changed and shall mean the following:

“Facility” means for the purpose of this Amendment, all of the Land and Improvements thereon as described in the Lease Agreement and currently assessed at an assessed value of Two Million Eight Hundred Seventy Six Thousand and No/100 Dollars (\$2,876,000.00) by the City”.

3. Paragraph 2 of the PILOT Agreement is hereby deleted and the following added in its place:

“Commencing with the tax year beginning January 1, 2013 and for as long as the Facility is owned by the Agency and leased to the Company, the Payment Obligor agrees to pay to the Agency on behalf of the Taxing Jurisdictions in lieu of all taxes and assessments which would be levied upon the Facility during such tax years as if it were owned by the Company and not by the Agency, the amounts determined according to the following formula:

$$\text{PILOT} = \text{AV} \times \text{ATR} \times \text{PR}$$

PILOT = WHERE
Amount of payment in lieu of taxes due to the Taxing Jurisdictions for the applicable tax year.

AV = Assessed Value of the Facility which shall be determined from time to time by the City and which is

now assessed at _____ Dollars (\$
).

ATR = Actual Tax Rate for the respective Taxing Jurisdictions for the applicable year.

PR = Payment Ratio which for the purpose of this Amendment is 1.00 for the applicable tax year.

4. The last sentence in Paragraph 3 of the PILOT Agreement is hereby deleted.
5. Paragraph 4 of the PILOT Agreement is amended to add the following language:

“Should the Facility or the Additions be conveyed to the Company and thus become taxable pursuant to New York RPTL Section 520, any payments payable under this Agreement as payments required in Lieu of Taxes shall be reduced by the amount of any taxes which are required to be paid under RPTL Section 520 for any such current tax year or portion thereof, and should such payment in lieu of taxes already have been made, the Taxing Jurisdictions shall refund any such amounts owing to the Company”.

6. The parties hereby ratify and confirm all of the other terms, covenants and conditions of the PILOT Agreement except as herein specifically modified.

7. This Amendment Number One has been ratified and confirmed by all of the parties hereto and each party has the authority to execute and deliver this Amendment Number One. It shall be binding on the parties hereto and their respective successors and assigns.

8. This Amendment may be executed in any number of counterparts, each of which shall deem to be an original for all purposes and all of which will constitute collectively a single Agreement. In making proof of this Amendment, it shall not be necessary to produce or account for more than one such counterpart.

9. This Amendment Number One shall become effective in respect to each of the parties hereto when signed by such party.

IN WITNESS WHEREOF, the parties hereto have executed and delivered this Amendment Number One as of the date as set forth above.

SIGNATURE:
NEW YORK AIR BRAKE COMPANY

By: _____
Michael J. Hawthorne, President

JEFFERSON COUNTY INDUSTRIAL
DEVELOPMENT AGENCY

By: _____
Donald C. Alexander, CEO

CITY OF WATERTOWN

By: _____
Jeffrey E. Graham, Mayor

COUNTY OF JEFFERSON

By: _____
Carolyn D. Fitzpatrick, Chairperson

WATERTOWN CENTRAL SCHOOL DISTRICT
formerly known as GREATER WATERTOWN
SCHOOL DISTRICT

By: _____
Michael R. Flick, Board President

KNORR BRAKE HOLDING CORPORATION,
U.S.

By: _____
J. Paul Morgan, Vice President

All members present voted aye, except Legislator Reed who abstained because he is employed by New York Air Brake/Knorr Brake Holding Corporation.

Resolution No. 72

**Amending the 2013 County Budget to Recognize Insurance Recovery
and Allocating Same in District Attorney's Budget**

By Legislator: Allen T. Drake

Whereas, The District Attorney's Office has received an insurance settlement check in the amount of \$2,337.72 for damage to a county vehicle, and has requested that the settlement be placed in the automobile equipment expense line to pay for needed repairs, and the evidence line.

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

Increase:

(Expenditure)

01-1165-1165.4612	Evidence & Information	\$1,337.72
01-1165-1169.4310.002	External Fleet Expense	1,000.00

(Revenue)

01-1165-999.92680	Insurance Recoveries	\$2,337.72
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Seconded by Legislator: Michael A. Montigelli

Roll Call Vote

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

Absent: Gray, Ferris

Resolution passed.

Resolution No. 73

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 two insurance settlement checks in the amount of \$750 and \$7,923 for a total of \$8,673 for damage to county vehicles, and has requested that the settlement be used to supplement the automobile equipment expense line to pay for needed repairs.

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

Increase:

(Expenditure)

01-1620-1620.2401	Automobile Equipment	\$ 8,673
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(Revenue)
01-1620-999.92680 Insurance Recoveries \$ 8,673

Seconded by Legislator: Anthony J. Doldo

Roll Call Vote

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

Absent: Ferris, Gray

Resolution passed.

Resolution No. 74

Resolution in Support of a Local Government Efficiency Grant Application for a Feasibility Study Application for Shared Public Safety Communication Center Services and Authorizing Inter-municipal Agreement

By Legislator: Robert D. Ferris

Whereas, Funds are available through the New York State Department of State's Local Government Efficiency Grant (LGE) Program for planning and/or implementation assistance for consolidations, mergers, dissolutions, cooperative agreements, and shared services between two or more local government entities, and

Whereas, Onondaga County has proposed to prepare a grant application for planning funding assistance to study the feasibility of shared Public Safety Communication Center Services with Oswego, Madison, Cayuga, Lewis and Jefferson Counties, and

Whereas, Each participating County will be required to contribute no more than \$2,500 toward the study, and

Whereas, The Director of Fire & Emergency Services supports this regional effort.

Now, Therefore, Be it Resolved, That the Board of Legislators does hereby support this application to the LGE program for funds to conduct a planning study to examine opportunities for shared Public Safety Communication Center services, partnerships, and efficiencies, and be it further

Resolved, That Jefferson County will provide such documentation and/or information required as a co-applicant for this project, and be it further

Resolved, That the County authorizes the lead applicant to execute all financial and/or administrative processes relating to the implementation of the planning grant program, and be it

further

Resolved, That the Chairman of the Board of Legislators be and is hereby authorized to execute any agreements necessary for the completion of this project.

Seconded by Legislator: Michael F. Astafan

All members present voted aye.

Resolution No. 75

Authorizing Agreement with the Town of Pamela to Transfer Ownership and Jurisdiction of Plaza Drive, Murrock Circle and Teal Drive from said Town to the County 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 that Jefferson County assume ownership of Plaza Drive, Murrock Circle and Teal Drive, all of which roads are 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 Plaza Drive (and which road commences at the City of Watertown corporation line at mile marker 0.00, thence runs northerly to the intersection with U.S. Route 11 at mile marker 1.2, for a total distance of 1.2 miles), to the County, and be it further

Resolved, That said agreement also transfer ownership of Murrock Circle (and which road commences at the intersection with NYS Route 12 at mile marker 0.00, thence runs in a loop easterly, thence northerly, thence westerly to the intersection of NYS Route 12 at mile marker 0.92, for a total distance of 0.92 miles), to the County, and be it further

Resolved, That said agreement also transfer ownership of Teal Drive (and which road commences at the intersection with County Road 281 at mile marker 0.00, thence runs westerly, thence southerly to a dead end at mile marker 0.20, for a total distance of 0.20 miles), to the

County, and be it further

Resolved, That upon conveyance of Plaza Drive, Murrock Circle, and Teal Drive to the County, they 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: Scott A. Gray

All members present voted aye.

Resolution No. 76

Amending the 2013 County Budget and Capital Plan Relative to the CR 69 over Sandy Creek (Lisk Bridge) Project

By Legislator: Jennie M. Adsit

Whereas, By Resolutions 220 of 2009 and 75 of 2010, this Board authorized the acceptance of federal American Recovery and Reinvestment Act (Stimulus) funds for 100% of the construction phase costs of the CR 69 over Sandy Creek (Lisk Bridge) project and amended the 2009 County Budget and Capital Plan accordingly, and

Whereas, Said project had previously been funded under the then-current federal share highway program and the stimulus funding had to remain separate, so a second capital account remained on the books for this project, and

Whereas, Resolution 75 of 2010 stated that the new stimulus funding would ultimately change the federal, state and local shares of the project already budgeted by the County, and the accounts would be reconciled at the conclusion of the project, and

Whereas, The project is complete and the 2013 County Budget and Capital Plan must be amended to reduce the revenues and expenditures originally budgeted for this project prior to the stimulus funding, and

Whereas, The original County share of this expense will be transferred to fund a local bridge project that was requested but unfunded during the 2013 County Budget process.

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

Decrease:

(Expenditures):

20-9006-5113.2856	CR 69, Sandy Creek	\$2,440,610.39
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(Revenues)

20-9006-999.94592	Fed Aid Bridges	\$1,952,488.31
20-9006-999.93592	State Aid Bridges	366,091.56

Increase:

(Expenditures)

20-9006-5113-2900	B1, CR13	\$ 122,030.52
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and be it further

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

Seconded by Legislator: Anthony J. Doldo

Roll Call Vote

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

Absent: Ferris, Gray

Resolution passed.

Resolution No. 77

**Amending the 2013 County Budget to Re-Appropriate FY 2010
Operation Stonegarden Grant**

By Legislator: Michael W. Behling

Whereas, By Resolution 177 of 2011 and 98 of 2012, This Board of Legislators accepted a FY 2010 Operation Stonegarden grant (CFDA 97.067) and subsequently re-appropriated unspent funds from the New York State Office of Homeland Security (NYSOHS) to the Sheriff's Department for the purpose of increasing security at the border, and

Whereas, This grant remains unspent and the grant funds must be re-appropriated for 2013.

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

Increase:

01-0599	Appropriated Fund Balance	\$ 72,511.87
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(Expenditures)

01-3110-3114.1300	Operation Stonegarden Overtime	\$ 51,146.79
01-3110-3114.2300	Operation Stonegarden Technical Equipment	3,836.65
01-3110-3114.4111.002	Operation Stonegarden Comm. Equipment	400.00

01-3110-3114.4310.001	Operation Stonegarden Internal Fleet Repair	6,613.06
01-3110-3114.4311	Operation Stonegarden Gas & Oil	3,306.03
01-3110-3114.8010	Operation Stonegarden Retirement	3,423.72
01-3110-3114.8030	Operation Stonegarden Social Security	2,866.43
01-3110-3114.8040	Operation Stonegarden Workers Comp.	919.19

Seconded by Legislator: Jennie M. Adsit

Roll Call Vote

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

Absent: Ferris, Gray

Resolution passed.

Resolution No. 78

**Amending the 2013 County Budget to
Re-Appropriate Project Lifesaver Grant for Sheriff's Department**

By Legislator: Scott A. Gray

Whereas, By Resolution 57 of 2011 and 95 of 2012, 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 2013.

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

Increase:

01-0599	Appropriated Fund Balance	\$ 955.18
01-3110-3110.4585	Departmental Supplies	\$ 955.18

Seconded by Legislator: Anthony J. Doldo

Roll Call Vote

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

Absent: Ferris, Gray

Resolution passed.

Resolution No. 79

**Amending the 2013 County Budget in Relation to the State
FY10 Law Enforcement Terrorism Prevention Program (LETPP) Grant**

By Legislator: Michael F. Astafan

Whereas, Pursuant to Resolutions 76 of 2011 and 97 of 2012, This Board of Legislators accepted \$71,729 and subsequently re-appropriated unspent funds from the New York State Office of Homeland Security's FY10 Law Enforcement Terrorism Prevention Program (LETPP)(CDFA 97.067) , and

Whereas, Funds from this grant remain unspent and must be re-appropriated to the 2013 County Budget.

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

Increase:

01-0599	Appropriated Fund Balance	\$ 71,729
01-3110-3414.2300	Technical Equipment	\$ 46,729
01-3110-3414.4428	Public Safety Services - Other Govt	\$ 25,000

Seconded by Legislator: Anthony J. Doldo

Roll Call Vote

Ayes: Thomas, Docteur, Drake, Montigelli, Adsit, Doldo, Ormsby, Reed, Nabwyaniec, Peck, Astafan, Behling, Fitzpatrick

Absent: Ferris, Gray

Resolution passed.

Resolution No. 80

**Amending the 2013 County Budget to Recognize Insurance Recovery
and Allocating Same in Sheriff's Department Budget**

By Legislator: Michael F. Astafan

Whereas, The Sheriff's Department has received an insurance settlement check in the amount of \$1,407.86 for damage to a patrol unit, 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:

01-3110-3110.4310.002	External Fleet Expense	\$ 1,407.86
01-3110-999.92680	Insurance Recoveries	\$ 1,407.86

Seconded by Legislator: Robert D. Ferris

Roll Call Vote

Ayes: Ormsby, Adsit, Drake, Montigelli, Nabwyaniec, Doldo, Thomas, Reed, Docteur, Peck, Behling, Astafan, Fitzpatrick

Absent: Gray, Ferris

Resolution passed.

Resolution No. 81

**Authorizing Agreement with the NYS Unified Court System
for Cleaning and Maintenance of Court Facilities**

By Legislator: Jennie M. Adsit

Whereas, Counties are required by law to furnish and maintain adequate court facilities for use by State Courts, and

Whereas, Pursuant to Chapter 686 of the Laws of 1996, New York State was designated with fiscal responsibility for managing interior cleaning and minor repairs within court facilities, and required to contract with counties for such maintenance, and

Whereas, Pursuant to Resolution 284 of 2008, Jefferson County entered into an agreement with the NYS Unified Court System for the provision of cleaning and maintenance services to the local courts during the period April 1, 2008 through March 31, 2013 in consideration of reimbursement by the NYS Unified Court System to the County for actual costs for cleaning and maintenance, and

Whereas, The Unified Court System has established a renewal period in the five-year term of this agreement commencing on April 1, 2012 and terminating on March 31, 2013, the maximum compensation for the 2012-2013 period shall be \$181,349.

Now, Therefore, Be It Resolved, That Jefferson County enter into an agreement with the NYS Unified Court System for the provision of cleaning and maintenance services to the local courts for the period April 1, 2012 through March 31, 2013 in consideration of reimbursement by the NYS Unified Court System to the County for actual costs for cleaning and maintenance in the amount of \$181,349, and be it further

Resolved, That the Chairman of the Board of Legislators be and is hereby authorized and directed to execute such agreement on behalf of Jefferson County, subject to approval by the County Attorney as to form and content.

Seconded by Legislator: Anthony J. Doldo

All members present voted aye.

Resolution No. 82

Opposing the New York State Secure Ammunition and Firearms Enforcement (SAFE) Act of 2013

By Legislator: Robert D. Ferris

Whereas, The right to bear arms is guaranteed by the Second Amendment of the United States Constitution and by Article 2 of the New York State Civil Rights Law, and

Whereas, Members of the Jefferson County Legislature, and of the New York State Senate and Assembly, and the Governor of the State of New York, are all sworn to uphold the Constitutions of the United States and of the State of New York, and

Whereas, The New York Secure Ammunition and Firearms Enforcement Act of 2013 (NY SAFE Act) infringes on the right of the citizens of New York State to bear arms, in contravention of the Second Amendment of the U.S. Constitution and Article 2 of the New York Civil Rights Law, and

Whereas, This Board of Legislators notes and acknowledges that several of its elected State representatives, Senator Patty Ritchie, and Assemblymen Ken Blankenbush and William Barclay, voted against this legislation, and

Whereas, Jefferson County being a predominantly rural county in upstate New York, and the lawful ownership of firearms is and has been a valued tradition enjoyed by many of our citizens, the legislation effectively turns countless law-abiding gun owners into criminals with no increase in public safety, and

Whereas, The Governor, using the authority of Article III, Section 14 of the New York State Constitution, issued a message of necessity to waive the statutorily required three calendar day waiting period for all legislation for the passage of the NY SAFE Act, and

Whereas, Said authority was abused, as there was no legitimate necessity in waiving said waiting period for the NY SAFE Act, and

Whereas, Regardless of the constitutionality of said legislation, it is poorly crafted and will be ineffective in accomplishing the purpose of the bill which states, in part, that it will “ Protect New Yorkers...by deterring the criminal use of firearms”, and

Whereas, Said legislation requires law-abiding gun owners to verify ownership of certain types of firearms every five years, in addition to registering them on their pistol permits, which now also must be renewed every five years, which is unnecessarily burdensome to gun owners, and

Whereas, Said legislation also limits the number of rounds that a magazine may hold to seven, which is an arbitrary and capricious number, and unfairly and unnecessarily burdens law-abiding gun owners and gun manufacturers, and

Whereas, Said legislation requires documentation and additional fees for all sales of ammunition in the State, which creates a significant burden on local businesses, as well as on gun owners, and

Whereas, Classifying firearms as assault weapons because of one arbitrary feature (such as pistol grips in the case of semi-automatic pistols), effectively deprives people the right to possess firearms which have never before been designated as assault weapons and that only law abiding gun owners will be affected by these new provisions, and

Whereas, Police officers will be called upon to confiscate the previously lawfully owned property of an American citizen without just compensation, and

Whereas, Said legislation creates additional burdens of uncertain magnitude on local community services departments, and possibly on county clerks and sheriff’s departments, without any remuneration from the State, thus placing yet more unfunded mandates onto the State’s counties, and

Whereas, This legislation, while denying the rights of law abiding citizens, fails to address the problem of acts of violence perpetrated by criminals and those who are dangerously mentally ill, and

Whereas, Said legislation fails to offer any meaningful solutions to gun violence and places increased burdens where they do not belong - squarely on the backs of law-abiding gun owners and local tax payers in this State, and

Whereas, This Board of Legislators objects to the method in which the NY SAFE Act was passed, believes it is unconstitutional and unlawful, and does not believe it will accomplish the purposes which are described within it.

Now, Therefore, Be It Resolved, That this Board of Legislators seeks the repeal of the NY SAFE Act in its entirety, but if that is not accomplished, it then seeks the law’s amendment and the

elimination of those sections that are in contravention to the United States Constitution and the New York State Civil Rights Law, and which add unfunded mandates onto the counties, and which do not serve to provide effective protections to the people of this State, and be it further

Resolved, That copies of this resolution be provided to the Jefferson County's State and Federal Representatives and to the Governor of the State of New York.

Seconded by Legislator: Anthony J. Doldo

Legislator Thomas was interested in receiving statistics on the number of crimes committed by pistol permit holders vs. the number of crimes committed by those that don't have a permit as no one in Albany could give him that information.

Legislator Astafan thanked the citizens for coming out tonight as input from the public is what makes government work properly. He stated that he has faith in the people that they will show support for a just cause that they believe in, and feels strongly that we need to stand up for our rights in this matter as do many Board members.

Legislator Docteur thanked citizens for coming out in support of this resolution tonight. He said it is a great opportunity for the students present to see members of the public voicing their concerns. He did not agree with Mark's Law being included in the SAFE Act as it politicized the act that took Mr. Davis' life, and said Mark's Law deserved the respect to move through the New York State Assembly standing on its own. He pointed out that Mark Davis was shot with a weapon that was not included in the SAFE Act, and the SAFE Act would not have prevented his death.

Legislator Adsit thanked the audience members for being here and expressing their feelings.

Legislator Reed thanked those present for coming out to express their opinion during Privilege of the Floor which is their right in this country. He said people in higher governments are just waiting for and counting on the excitement surrounding opposition to the SAFE Act to die down and go away. While the Board resolution is not binding, he encouraged the public to take it to their State officials and continue with their efforts in opposing the SAFE Act.

Legislator Doldo thanked members of the public for coming tonight, congratulated Legislators Ferris and Peck in their belief in this cause and getting it through the Board and said he is more than happy to support it.

Legislator Peck thanked his fellow legislators for their input, comments and support on this, and Deputy Administrator Kaskan for his assistance in refining the resolution to its present form. He said the point in adopting the resolution is that we need to be mindful of our liberties and rights as citizens and we have a responsibility to exercise and protect them. He stated that the Constitution gives citizens rights that can not be taken away by government and allows citizens to keep those accountable at all levels of government in order to have a good democracy. He strongly expressed a willingness to stand up for those rights in this particular instance. He said

the law itself becomes very problematic for many County departments to implement, especially without appropriate State funding. He thanked NYS Senator Patty Ritchie, Assemblyman Blankenbush and Assemblyman Barclay for voting against the SAFE Act and Legislators Ferris, Reed and Chairwoman Fitzpatrick for their support in getting the resolution to the Board.

Chairwoman Fitzpatrick related that every county above Westchester County in New York State with the exception of Albany, Schenectady, and Tompkins counties have either voted to oppose the SAFE Act or have the proposal to oppose it on their table. She said it is difficult to compete with the millions in the cities throughout the State and hoped that the Governor listens to everyone and the vote tonight doesn't become a ceremonial one but that it makes a difference.

Legislator Ormsby appreciated everyone's participation tonight and those that took the time to go to Albany last week. He said it is important to question the constitutionality, or lack thereof of the SAFE Act, and believed that the petition questioning that is where the action to overturn the law will come from. He did not feel any of the comments made by the public tonight were radical, rather they were right on the money.

Roll Call Vote

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

Absent: Ferris, Gray

Resolution passed.

Resolution No. 83

Amending the 2013 County Budget Relative to Mental Hygiene/Community Services Program and Authorizing Amended Agreements in Relation Thereto

By Legislator: Anthony J. Doldo

Whereas, The New York State Office of Mental Health (NYS OMH) approved funds in the amount of \$15,351 for 2 new housing units effective 10/1/2012 for high needs seriously mentally ill individuals needing more service intensive housing options and the funding needs to be annualized, and

Whereas, The New York State Office of Mental Health (NYS OMH) approved additional funding totalling \$38,376 for five new supported housing beds (at \$7,675 each) annually under the MRT initiative effective January 1, 2013, and

Whereas, This funding is allocated to Transitional Living Services of NNY for their Supported Housing program.

Now, Therefore, Be It Resolved, That the 2013 County Budget be and is hereby amended as

follows:

Increase:

Revenue

01-4310-999.93490	State Aid - Mental Health Services	\$53,727
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Expenditure

01-4310-4320.4714	Transitional Living Services of NNY	\$53,727
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and be it further

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

Seconded by Legislator: John D. Peck

Roll Call Vote

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

Absent: Gray, Ferris

Resolution passed.

Resolution No. 84

Amending the 2013 County Budget Relative to Community Services

By Legislator: Robert J. Thomas

Whereas, By Resolutions 238 and 273 of 2012 Jefferson County accepted funds from the New York State Office of Mental Health (NYS OMH) for the PFC Joseph Dwyer Peer to Peer Support Program (for veterans experiencing symptoms of post traumatic stress disorder), for the period of 10/1/2012 - 12/31/2014, and modified the 2012 County Budget to appropriate and allocate said funds, and authorized agreements with the Jefferson County Mental Health Association the NYS OMH, and

Whereas, Unspent funds from this program must be re-appropriated into the 2013 County Budget.

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

Increase:

(Fund Balance)

01-0599	Appropriated Fund Balance	\$100,000
(Expenditure)		
014310-4320.4735	Veterans Peer Support	\$100,000

Seconded by Legislator: Michael A. Montigelli

Roll Call Vote

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

Absent: Ferris, Gray

Resolution passed.

Resolution No. 85

Authorizing Agreements for Provision of Mental Hygiene Services

By Legislator: Anthony J. Doldo

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 2013 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
Cerebral Palsy			
Home Services	\$ 9,000	\$ 0	\$ 9,000
Cornell Cooperative Extension			
Mental Health Educator	\$ 25,000	\$ 0	\$ 25,000

Credo Community Center for the Treatment of Addictions

Men's Halfway House	\$120,869	\$120,869	\$ 0
Chemical Dependence Clinic	\$466,750	\$412,054	\$ 54,696
Women's Drug Free Residential	\$299,409	\$299,409	\$ 0
Case Mgmt/Supportive Housing	\$ 82,700	\$ 82,700	\$ 0
Vocational/Education Program	\$116,741	\$116,741	\$ 0
Community Res. (Aftercare)	\$113,060	\$ 74,060	\$ 39,000
Res. Rehab. Svcs. For Youth	\$ 0	\$ 0	\$ 0
Alcohol/Substance Abuse Council			
Prevention Services	\$774,131	\$679,131	\$ 50,000
Stop DWI			\$ 45,000
NYSOASAS SBIRT Grant	\$ 60,000	\$ 60,000	\$ 0
Children's Home of Jefferson County			
Family Respite	\$ 44,243	\$ 38,139	\$ 6,104
Aggression Replacement	\$ 31,860	\$ 27,464	\$ 4,396
Prevention Program	\$ 28,110	\$ 24,232	\$ 3,878
Case Management	\$263,188	\$263,188	\$ 0
Community Outpatient Clinic	\$178,744	\$ 31,424	\$ 147,320
Records Management	\$ 30,000	\$ 0	\$ 30,000
Forensic Jail Program	\$111,164	\$ 110,280	\$ 884
Mental Health Assn.			
Drop-in/Psychosocial 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
Jefferson Rehabilitation Center			
Employment Programs	\$ 85,942	\$ 76,068	\$ 9,874
Family Support Svcs.	\$ 5,000	\$ 0	\$ 5,000
Ongoing Integrated Employment	\$ 76,604	\$ 76,604	\$ 0
Affirmative Business Program	\$226,388	\$226,388	\$ 0
North Country Transitional Living Services DBA Transitional Living Services of NNY			
Supported Housing	\$269,700	\$260,256	\$ 9,444
Mobile Crisis Outreach	\$141,044	\$121,780	\$ 19,264
Homeless MICA/Case Mgmt.	\$106,165	\$106,165	\$ 0
DWI			\$ 16,180
Samaritan Medical Center			
NYSOASAS SBIRT Grant	\$150,000	\$150,000	\$ 0

Dr. Jeffrey S. Aronowitz: Professional Services \$300 per hour

Dr. Knudsen: Professional Services \$200 per hour

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: John D. Peck

All members present voted aye.

Resolution No. 86

Authorizing Agreement with New York State Department of Health In Relation to Rabies Control Reimbursement Program

By Legislator: Robert J. Thomas

Whereas, For a number of years the State Budget has included an appropriation to reimburse local governments for specified costs in the control of rabies, and

Whereas, The Public Health Service has received a renewal contract from the NYS Department of Health in anticipation of Jefferson County continued participation in the State reimbursement program for expenses of animal specimen submissions, uncompensated human post-exposure prophylaxis and animal vaccination clinics.

Now, Therefore, Be It Resolved, That the Chairman of the Board of Legislators be and is hereby authorized to execute said agreement with the NYS Department of Health covering the period April 1, 2013 through March 31, 2017, subject to approval by the County Attorney as to form and content.

Seconded by Legislator: Michael J. Docteur

All members present voted aye.

Resolution No. 87

Authorizing Agreements with Area Veterinarians for Preparation of Specimens for Rabies Testing

By Legislator: Robert J. Thomas

Whereas, NYS Department of Health (NYSDOH) regulations and the Jefferson County Rabies

Control Plan require the preparation and submission of animal specimens to the New York State Rabies Lab to determine the presence of the rabies virus, and

Whereas, Public Health is reimbursed by the NYSDOH for costs associated with animal specimen preparation and submissions for rabies testing, and

Whereas, At the recommendation of the NYSDOH, agreements were executed and need to be renewed with area veterinary practices for the preparation and submission of animals.

Now, Therefore, Be It Resolved, That the Chairman of the Board of Legislators be and is hereby authorized to execute agreements with interested area veterinarians capable of providing such services at rates as established by the NYSDOH and followed by the Public Health Service for the period April 1, 2013 through March 31, 2017.

Seconded by Legislator: Michael A. Montigelli

All members present voted aye.

Resolution No. 88

Accepting Donation on Behalf of the Department of Social Services and Amending the 2013 County Budget

By Legislator: Anthony J. Doldo

Whereas, the Jefferson County Department of Social Services has received a donation from the Heather A Freeman Foundation to be used for the Foster Care Program, and

Whereas, The 2013 County Budget must be amended to recognize said donation.

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 2013 County Budget is amended as follows:

Increase:

Revenue:

01-6010-999.92705	Donations	\$100.00
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Expenditure:

01-6010-6010.4624	Client Incidentals	\$100.00
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Seconded by Legislator: John D. Peck

Roll Call Vote

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

Absent: Ferris, Gray

Resolution passed.

Resolution No. 89

Recognizing Additional Revenue from the New York State Snowmobile Trails Grant-In-Aid Program and Amending the 2013 Budget in Relation Thereto

By Legislator: Philip N. Reed, Sr.

Whereas, By Resolution 34 of 2013, Jefferson County authorized an agreement with the New York State Office of Parks, Recreation, and Historic Preservation (OPRHP) to receive \$53,135 for the Snowmobile Trails Grant-In-Aid Program for the 2012-13 season, and

Whereas, The resolution also authorized agreements between the County and the Winona Forest Recreation Association, Barnes Corners Sno-Pals, Thousand Islands, and Missing Link Snowmobile Clubs for snowmobile trail development and maintenance consistent with the grant application and grant program requirements, and

Whereas, The OPRHP has notified the County of an increase in the rates per mile calculation of the original 2012-2013 award amount and the County is therefore eligible for an additional \$1,895 in grant funds, for a total award amount of \$55,030.

Now, Therefore, Be It Resolved, That Jefferson County does hereby accept the additional \$1,895 in Snowmobile Trails Grant-in-Aid funding, and be it further

Resolved, That the 2013 County Budget be amended as follows:

Increase:

Expenditures:

01-8020-7989.4600	Snowmobile Trail Maint\Dev	\$ 1,895.00
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Revenues:

01-8020-999.93889	Snowmobile Trail Maint\Dev	\$ 1,895.00
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Seconded by Legislator: John D. Peck

Roll Call Vote

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

Absent: Ferris, Gray

Resolution passed.

Resolution No. 90

Approving a Memorandum of Understanding in Relation to a 2011-12 NYS Local Government Efficiency (LGE) Grant Application and Award to Conduct an Evaluation of Service Delivery Efficiencies for Geographic Information Systems (GIS) Technology

By Legislator: Robert D. Ferris

Whereas, By Resolutions 111 and 131 of 2012, Jefferson County authorized joint participation with the Development Authority of the North Country, Lewis County, St. Lawrence County, City of Watertown, and the Tug Hill Commission on submission of a NYS Local Government Efficiency (LGE) Grant application to the NYS Department of State to fund evaluation of potential partnerships and efficiencies related to these organizations' deployment of Geographic Information System (GIS) mapping technology, and

Whereas, The NYS Department of State has approved the joint application to complete this assessment, and requires a Memorandum of Understanding among the project partners to guide the administration of the grant, operation of a steering committee, and the issuance of a Request for Proposals to solicit GIS professional services to aid in the completion of the assessment.

Now, Therefore, Be It Resolved, That the Chair of the Board of Legislators, is authorized to execute a Memorandum of Understanding with the other above named partners, consistent with NYS Department of State requirements and subject to the approval of the County Attorney, as necessary for initiation and administration of this planning study.

Seconded by Legislator: Michael W. Behling

All members present voted aye.

Resolution No. 91

Authorizing Agreement with Essex County as Lead County for the New York State Energy Research and Development Authority (NYSERDA) Regional Cleaner Greener Sustainability Plan and Amending the 2013 County Budget in Relation Thereto

By Legislator: Philip N. Reed, Sr.

Whereas, Essex County has agreed to oversee and administer a grant relative to the Cleaner, Greener Communities Regional Sustainability Plan Program and has entered into an agreement dated January 11, 2012 with the New York State Energy Research and Development Authority (NYSERDA) to prepare the Northern Region Sustainability Plan, and

Whereas, Essex County has further agreed to oversee the administration of the grant funds and the grant project on behalf of a consortium consisting of Clinton County, St. Lawrence County, Lewis County, Essex County, Franklin County, Hamilton County, and Jefferson County, (“Counties”) with all Counties being equal stakeholders in the receipt and administration of said grant, and

Whereas, Each County will receive up to \$8,000 for services provided through the Cleaner, Greener Regional Sustainability grant award to the North Country region.

Now, Therefore, Be It Resolved, That The Chair of the Board of Legislators is authorized to execute an agreement with Essex County for County services requested and associated with this project.

Be It Further Resolved, that the 2013 Budget be amended as follows:

Increase:

Expenditures:

01-8020-8020.4119	Computer Software	\$ 2,600
01-8020-8020.4111.001	Audio Visual Equipment	300

Revenue:

01-8020-999.93089	State Aid Other	\$ 8,000
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Decrease:

01-0599	Appropriated Fund Balance	\$ 5,100
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Seconded by Legislator: Robert J. Thomas

Roll Call Vote

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

Absent: Gray, Ferris

Resolution passed.

Resolution No. 92

Authorizing 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.

Christine Rolfe, Human Resources Manager and Staff Accountant at WPBS, to fill a business sector position on the Board, replacing Leslie O'Hara-DiStefano, said term to expire June 30, 2014.

Lynn Murray, Owner of Murcrest Farms, is hereby appointed to fill the unexpired term of the late Douglas Murray, said term to expire June 30, 2013.

Seconded by Legislator: Philip N. Reed, Sr.

All members present voted aye.

Chairwoman Fitzpatrick entertained a motion to move the April Board Session from April 2nd to April 9th, 2013 at 7:00 p.m. explaining that the April 2nd date falls within the school Spring Break and there are five Tuesdays in April to accommodate other meetings. Such motion was made by Legislator Thomas seconded by Legislator Reed and unanimously carried by the Board.

Following brief discussion, Chairman Fitzpatrick advised that with the agreement of both General Services Committee Chairman Reed and Planning & Development Committee Chairman Ormsby, those two committee meetings originally scheduled for April 9th will be moved to April 16th. All members present consented to that change.

County Attorney David Paulsen reported that following the adoption of Resolution No. 35 on January 22, 2013 he sent a letter to Attorney General Schneiderman in Albany with a copy to the Public Integrity Bureau Chief William Shaefer in New York City asking that they undertake an investigation of the Jefferson County Sheriff's Office with regard to an incident with a deputy. He received confirmation that both letters were received, and on February 11, 2013 he sent a

follow up letter to both offering to forward additional information in his possession to help them with their review. He had not received a reply or acknowledgment by the end of February so Chairwoman Fitzpatrick made some phone calls to the Attorney General's Office. Mr. Paulsen received a phone call from Mr. Shaefer on March 1, 2013 saying that the complaint was not being handled by his Bureau but was being handled by the Regional Office in Watertown. Mr. Shaefer stated that as a courtesy his Bureau would be assisting the Regional Office in reviewing the policies and procedures in the Sheriff's Department; as far as any investigation, only the District Attorney could request the Attorney General to become involved in a criminal investigation; and the Attorney General preferred to avoid becoming involved in disputes between local officials. Yesterday, Mr. Paulsen received a hand delivered letter from Deanna Nelson of the Watertown Regional Office which summarized some of what Mr. Shaefer said and added that there had been attempts by the Regional Office as early as February 21st to meet with the Sheriff and an appointment is set up for tomorrow with him, without any notice to Mr. Paulsen or to anyone else at the County level.

Chairwoman Fitzpatrick chronicled her many phone calls to various offices within the Attorney General's Office as well as the New York City Office of Public Integrity in an attempt to check on the status of our letter. After having to leave voice mail messages at many of the offices, she was finally able to reach a young lady in Public Communications of the Attorney General's Office who looked up Jefferson County's letter and said it was in correspondence. Chairwoman Fitzpatrick detailed the complaint procedure relating that a letter of acknowledgment referencing a complaint number should have been received, and the complaint should have undergone a careful review process in which attorneys will evaluate whether significant basis exists for actions by the Attorney General. She said Jefferson County was not afforded any of these in response to our complaint.

Chairwoman Fitzpatrick advised that following her calls she received a phone call from the Watertown Regional Office and was advised that the Board would be receiving a letter by March 8th as that is when the Board meeting is scheduled. Chairwoman Fitzpatrick clarified that the meeting is March 5th and she was then informed that the Board would receive a letter of acknowledgment by that date. She pointed out to Board members that while she made calls on February 26th and was lead to believe the letter was in correspondence, the letter in hand from Ms. Nelson says that as early as February 21st a meeting was scheduled with the Sheriff. That meeting was subsequently rescheduled to March 6th at the request of the Sheriff and that is where we stand. While the Board submitted a request for assistance, the outreach by the Attorney General's Office was to the Sheriff with no consideration for the Board and no invitation to attend the meeting. She was going to make a phone call and see if the County Attorney should be included in the March 6th meeting, not for a hindrance or negative purpose but so that everyone is working together. She did not believe the County was treated fairly with regard to this matter.

County Attorney Paulsen said that the initial hope when the letter was sent out was that they would look at all facets of the matter, but what they are willing to do is to look at the facet of it in terms of policies and recommendations insofar as the Sheriff's Department is concerned. To what extent the Attorney General's Office is willing to do that seems unclear but to the extent that this Board wants a review of the Sheriff's Departments actions in the context of potential criminal activity, that would not happen through the Attorney General's Office according to the response

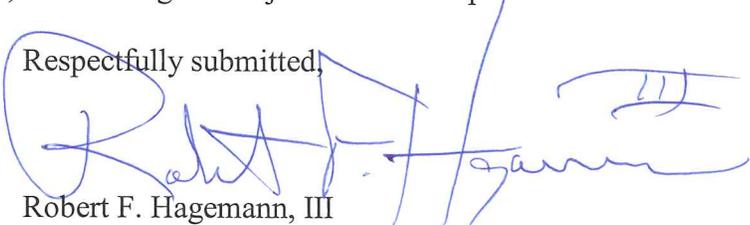
we received. He said it appears the Board's only choice appears to be referring the matter to the District Attorney and most likely through a special prosecutor at this point.

Chairwoman Fitzpatrick stated that while other possible options have been discussed, she felt one more letter is warranted to the Attorney General to clarify what our expectations were in comparison to their response. She assured legislators that the matter would not stop here and she would be in communication with them in that regard, but cautioned that whatever the next direction is, it needs to be right.

Legislator Astafan questioned the need for the AG Office to meet with the Sheriff if they were only going to look at policies and not going to address the situation that the Board requested them to. If the Sheriff wanted a meeting he did not object but said it seems to be a waste of everyone's time. Chairwoman Fitzpatrick said it is up to the Sheriff whether he meets with them or not, but if he is giving them his time she and the County Attorney would not mind giving them some of their time also as they would be interested in what that Office has to say.

There being no further business of the Board, on a motion by Legislator Docteur seconded by Legislator Ormsby and unanimously carried, the meeting was adjourned at 8:35 p.m.

Respectfully submitted,



Robert F. Hagemann, III
Clerk of the Board