

REGULAR SESSION

TUESDAY, APRIL 3, 2012

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

ROLL CALL OF MEMBERS

All members present except Legislators Adsit, Nabywaniec and Drake who were absent.

PRIVILEGE OF THE FLOOR

Norman Hunneyman, 119 Millcreek Lane, Sackets Harbor, NY, asked the Board to consider proclaiming April as Parkinson's Awareness Month. He shared that he is afflicted with the disease, he felt educating the public and raising awareness about the disease is important and read a letter to the Board he had prepared in that regard.

Jennifer Caddick, Executive Director, Save the River related her support for Resolution No. 129 concerning Plan Bv7 to regulate the outflows of Lake Ontario and the management of the levels of Lake Ontario and the St. Lawrence River. She appreciated the Board's willingness to get out in front on issues concerning the Lake and River as water level regulation has proven to be extremely important in preserving the environmental and economic integrity of those waterways.

Anita Siefried-Brown, Alcohol & Substance Abuse Council said they have a synthetic marijuana work group and asked the Board to support the efforts of New York State in making synthetic marijuana (K-2, spice, legal funk) illegal. She said just because it is legal does not make it safe, the effects of the synthetic vs. real marijuana are very different and very dangerous and have resulted in numerous hospitalizations in our community and statewide. She said on the package is written "not for human consumption" but people do not heed the warning/label. She said a petition to declare the substance illegal has been passed around and so far: 208 people have physically signed it, 156 have signed online, and it has 2481 likes on Facebook. She gave the petition to Chairwoman Fitzpatrick and urged the legislators to fully support any efforts to make these products illegal in Jefferson County.

Steve Brown, 910 Myrtle Avenue, Watertown said he has heard horror stories from his wife Anita and has personally witnessed the affects of panic/anxiety attacks and depression that people suffer after they have taken the synthetic drug. He said people end up being hospitalized and can lose years of their lives trying to recover. He added that he has even heard that heroin addicts are warning each other against it.

Chairwoman Fitzpatrick stated that the Board is aware of what the State is trying to do to ban the synthetic drug (K-2, spice, killer buz) statewide because it is causing a lot of sad injuries to people including brain damage, violence, and paralysis as some young people don't respect the drug as incense and try to smoke it or swallow it with severe consequences.

Terry Roche, Village of Carthage, said he is not, nor has he ever been employed by New York State so he has no vested interest in what he is speaking to the Board about tonight. He expressed support for Resolution No. 124 as he understood that it is the beginning of a process to overturn a decision made by the State Comptrollers Office (OSC) to withhold retirement benefits for 11 Jefferson County Industrial Development Agency employees. He said these are honest, hardworking, very competent people who have accomplished a lot for the citizens of the County. He said to his knowledge none of these employees has done anything wrong, they were offered in good faith and accepted in good faith jobs with pensions and it is unthinkable to change that now when some of them have up to 15 years of service. He said even if the decision does not get overturned these employees should be grand fathered in so they can finish their career. He encouraged legislators to vote for Resolution No. 124 and do whatever they can along the way to make sure the OSC decision gets overturned.

Andrew Neff, Undersheriff, Jefferson County Sheriff's Office understood there were some questions concerning Resolution No. 127 regarding a boat for the Sheriff's Dept., particularly with regard to ownership. He explained that the New York State Parks, Recreation & Historic Preservation Department (NYSPRHP) is giving the Sheriff's Office lifetime use of a new boat, new trailer and a 200hp engine, but ownership will remain with the State. The Sheriff's Office will be responsible for registration, insurance, routine maintenance and manning the boat; it will be used on calmer days in the lake and river; it is smaller and more fuel efficient than the current boat and will use about half the fuel. He said the Sheriff's Office will not be asking for more people in order to man the boat.

Chairwoman Fitzpatrick stated that normally there is not interaction with a speaker during privilege of the floor but in this instance she would allow it. In response to questions from legislators Mr. Neff advised that the boat will have a sticker that says it is the property of the NYSPRHP but the dominant lettering will be the Sheriff's Office, and the boat is currently sitting on the trailer in the Public Safety Building parking lot. He said that while the County Attorney has not reviewed and approved the agreement for the boat, it will be almost exactly the same as the current arrangement with the jet skis that the Sheriff's Office uses and he will get a copy of that agreement to legislators when he receives it. As in the past the State has reimbursed the County 50% for all the man hours the boat is on the water, and he has not seen to this point the dilution of road patrol in order to man the current boat; they do not plan to increase the hours on the water from the current practice which is 12 hours a day on Friday, Saturday and Sunday. He said the boat will be primarily used in Lake Ontario and they do not plan to have both boats out at the same time except on special occasions when additional coverage and/or coverage on the St. Lawrence River is warranted. Occasionally they will have Sackets Harbor Police Department or Coast Guard (CG) personnel ride with them as it eases their constraints on Maritime Law and they can more easily get aboard boats they might not otherwise been able to board. He was aware of the Coast Guard and the Border Patrol having boats/patrols on the River but was not sure if the Park Police will have a boat patrol on the River this year. Undersheriff Neff was not aware of any time frame within which the boat/contract needed to be accepted. He stated that it was a programs through NYSPRHP that they purchase boats with revenue from fines and distribute them to counties along Lake Ontario who are in need. The current boat may have high maintenance costs, but it is fitted with adequate safety equipment to operate during high winds and high seas, and is a good solid boat in case of emergency.

Bill Stowell, Lorraine, Agriculture Teacher at South Jefferson spoke in support of Resolution No. 124 regarding the 11 employees of the JCIDA that have experienced issues regarding their retirement. He specifically spoke in support of his friends Jay Matteson who has been instrumental in helping the agriculture industry in this area thrive and Dave Zembiec who have both been affected by this decision. He said it is something that was done to these individuals that was wrong and the Board should make it right.

Sharon Rossiter, Dairy Farmer, Ellisburg voiced support for Resolution No. 124 saying that agriculture would not be as far along today if it weren't for people like Jay Matteson who give it a strong voice in the community. She said you could not ask for a better representative for the agriculture and wine industry and Jefferson County than him.

Chairwoman Fitzpatrick declared April Fair Housing Month in Jefferson County and presented Lance Evans, Director of the Jefferson Lewis Realtor Board with a copy of the Proclamation.

Chairwoman Fitzpatrick reported that a letter was received from Larry Pitts, NYS Office of Temporary & Disability Assistance commending the Jefferson County Department of Social Services, Fraud Unit investigative staff for its efforts in achieving a cost avoidance of over \$5 million through program integrity initiatives such as the Front End Detection System and others. He also commended them for working together with the eligibility staff to provide this savings to the County, State and federal government. Chairwoman Fitzpatrick presented Certificates of Appreciation to the following Jefferson County Department of Social Services employees:

Laura Cerow, Commissioner
Jim Schell, Director of Income Maintenance
Jennifer Constance, Child Support Coordinator
Lisa Spear, Principal Social Welfare Examiner
Robin Pickett, Social Welfare Examiner
Lisa Puffer, Social Welfare Examiner
Erica Thomas, Social Welfare Examiner
Kay Harrington, Social Welfare Examiner

READING OF MINUTES

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

PRESENTATION OF PETITIONS, NOTICES AND COMMUNICATIONS

Correspondence was received from Leslie Surprenant, Director, NYS DEC Office of Invasive Species Coordination in response to Resolution No. 113 "Supporting Tompkins County's Request for State Funding to Control and Eradicate the Invasive Aquatic Plant Hydrilla" adopted by the Board on March 6, 2012 and forwarded to NYSDEC Commissioner Joe Martens.

Correspondence was received from Douglas Stang, Assistant Director, NYS DEC

Division of Fish, Wildlife and Marine Resources regarding Resolution No. 114 “Supporting the New York State Conservation Fund Advisory Board’s Call for the Proper Use of the Fund’s Revenues” that was adopted by the Board on March 6, 2012 and forwarded to NYSDEC Commissioner Joe Martens.

Correspondence was received from Assemblyman Ken Blankenbush regarding Resolution Nos. 113 and 114 which were adopted by the Board on March 6, 2012 and forwarded to him.

Correspondence was received from Assemblyman Ken Blankenbush relative to Chairwoman Fitzpatrick sending him a letter supporting a freeze on local Medicaid costs at this year’s level and several other mandate relief proposals.

Essex County Board of Supervisors Resolution No. 73 “Resolution Calling on All Counties to Unite to Bring About Real and Meaningful Mandate Relief in New York State” adopted on March 5, 2012 was received.

St. Lawrence County Board of Legislators Resolution No. 79-2012 “Urging the New York State Department of Environmental Conservation to Undertake Efforts in St. Lawrence County to Assist Volunteers with the Control of the Cormorant Population on Black Lake” adopted on March 5, 2012 was received.

Community Action Planning Council’s Audit Report for the period of October 1, 2010 through September 30, 2011 was received.

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

The County Treasurer provided a report on investments and cash as of February 29, 2011.

The County Administrator provided a report on budget transfers for year-end 2011 and the month of February, 2012.

The County Auditor provided a report on erroneous assessments for the month of March, 2012.

LOCAL LAWS, RESOLUTIONS AND MOTIONS

Resolution No. 118

Payment of Legislators' Expenses

By Legislator: Scott A. Gray

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 \$83.25 we have allowed:

Legislator Expense: \$83.25

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: James A. Nabwyaniec

All members present voted aye.

Resolution No. 119

Abolishing Various Departmental Petty Cash Funds

By Legislator: Scott A. Gray

Whereas, Several County departments have revolving petty cash funds for various purposes as authorized by this Board pursuant to Section 371 of County Law, and

Whereas, The County Treasurer has recently conducted a review of these petty cash funds and has found four which are no longer used, and

Whereas, Said funds should be formally abolished, and

Whereas, The inactive petty cash funds are in the Sheriff's Department, established by Resolution 232 of 1989 for criminal investigations, the Highway Department, established by Resolution 110 of 1987 for miscellaneous easement expenses, the County Attorney's Office, established by Resolution 176 of 1986 for document filing services, and the Board of Elections, established by Resolution 9 of 1965 for miscellaneous expenses.

Now, Therefore Be It Resolved, That the petty cash funds established by this Board pursuant to Resolutions 232 of 1989, 110 of 1987, 176 of 1986, and 9 of 1965 are hereby abolished in accordance with Section 371 of County Law.

Seconded by Legislator: James A. Nabywaniec

All members present voted aye.

Resolution No. 120

**Authorizing Agreement with Empire State Development and
Amending the 2012 County Budget and Capital Plan with Respect to a
New Hanger/Business Center at the Watertown International Airport**

By Legislator: Scott A. Gray

Whereas, Empire State Development has awarded Jefferson County a grant of \$1,500,000 for the construction of a new 14,000 square foot hanger with office space at the Watertown International Airport, and

Whereas, The total cost of the project is not expected to exceed \$1,900,000, and

Whereas, It is necessary to authorize any required agreements from Empire State Development and to amend the 2012 County Budget to establish the capital account and recognize this State revenue.

Now, Therefore, Be It Resolved, That Jefferson County enter into any and all necessary agreements with Empire State Development related to this grant and that the Chairman of the Board of Legislators be and is hereby authorized and directed to execute said agreements on behalf of Jefferson County, subject to the review of the County Attorney as to content, and be further

Resolved, That the 2012 County Budget is amended as follows:

Increase:

(Expenditure)

20-9006-5610.2099.4	New Hanger	\$1,900,000
---------------------	------------	-------------

(Revenue)

20-9006-5610-999.93589	State Aid - Airport	1,500,000
------------------------	---------------------	-----------

Decrease:

(Expenditure)

20-9006-6989.2064	Property Acquisition/Improvement	\$ 400,000
-------------------	----------------------------------	------------

and be it further

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

Seconded by Legislator: James A. Nabywaniec

Roll Call Vote

Ayes: Doldo, Peck, Ferris, Harter, Reed, Behling, Ormsby, Gray, Docteur, Astafan,
Thomas, Fitzpatrick

Absent: Nabywaniec, Adsit, Drake

Resolution passed.

Resolution No. 121

Establishing Time and Place for Public Hearings Related to the 2012 Community Development Block Grant (CDBG) Process

By Legislator: Scott A. Gray

Whereas, Jefferson County is in the process of evaluating grant opportunities in anticipation of a 2012 Community Development Block Grant (CDBG) Program administered by the NYS Office of Community Renewal, and

Whereas, The CDBG application process requires applicants to hold two public hearings to obtain the views of the general public on community development needs,

Now, Therefore, Be It Resolved, Pursuant to Section 104(A)(2) of the Federal Housing and Community Development Act, as amended, CDBG public hearings shall be held on Wednesday, April 18, 2012 at 5:00 p.m. and Tuesday, May 8, 2012 at 6:00 p.m. in the Board Chambers, Historic Courthouse, 195 Arsenal Street, Watertown, NY, and be it further

Resolved, Notice of such public hearings shall be given in accordance with law, and be it further

Resolved, The Chairman of the Board is hereby authorized to execute all necessary CDBG application documents, and the Department of Planning is hereby authorized as the County's agent to act in connection with the submission of any authorized application and to provide any supplemental information that may be required by the NYS Office of Community Renewal.

Seconded by Legislators: James A. Nabwyaniec

All members present voted aye.

Resolution No. 122

Memorial for Nancy M. Atkinson

By Legislator: Scott A. Gray

Resolved, That a suitably inscribed memorial page be set apart in the 2012 Journal of Proceedings in memory of the late Nancy M. Atkinson who died March 14, 2012 at her home in Watertown, NY. Mrs. Atkinson served on the Board of Supervisors as the City of Watertown - Second Ward Supervisor filling out her husband's term in 1989 at the time of his passing and was elected for the 1990-1991 term.

Seconded by Legislator: James A. Nabywaniec

Chairwoman Fitzpatrick stated that Mrs. Atkinson was very active in the community and was a wonderful human being.

All members present voted aye.

Resolution No. 123

Memorial for Edward E. Cobb

By Legislator: Scott A. Gray

Resolved, That a suitably inscribed memorial page be set apart in the 2012 Journal of Proceedings in memory of the late Edward E. Cobb who died March 18, 2012 at his home in Sackets Harbor, NY. Mr. Cobb served on the Board of Supervisors as the Town of Hounsfield Supervisor from 1963 -1993.

Seconded by Legislator: James A. Nabywaniec

Legislator Ormsby stated that Mr. Cobb was Supervisor for the Town of Hounsfield for 30 years and served a term as Chairman of the Board of Supervisors, and was an advocate for the community. He provided leadership in the farming community and was a founding member of the Jefferson Bulk Co-Op, he was a very sharp person, contributed a lot to the community, and will be sincerely missed.

All members present voted aye.

Resolution No. 124

Resolution Requesting Legislation Pursuant to the Municipal Home Rule Law Relating to the Jefferson County Industrial Development Agency

By Legislator: Scott A. Gray

Whereas, The Jefferson County Industrial Development Agency (the "Agency") was established as a public benefit corporation pursuant to Section 892-e of the General Municipal Law ("GML") of the State, as enacted by Chapter 369 of the Laws of 1971, as amended by Chapter 378 of the Laws of 1974 and Chapter 157 of the Laws of 1983 (collectively, the "Agency Act"); and

Whereas, Pursuant to and in accordance with Title 1 of GML Article 18-A (the "IDA Act"), the Agency has since 1971 provided coordinated and effective economic development services for the benefit of the County and its citizens; and

Whereas, Consistent with the IDA Act and the Agency's mission, the Agency has over time

provided both County-wide and focused economic development services to communities throughout the County through coordinated programming with certain local development corporations, including the Jefferson County Job Development Corporation, Watertown Local Development Corporation, Jefferson County Agricultural Development Corporation, Carthage Industrial Development Corporation and the Economic Development Corporation of Carthage (collectively, the “Development Corporations”); and

Whereas, The Office of the State Comptroller of the State of New York (“OSC”) recently issued determination letters to twelve (12) Agency employees (the “Agency Employees”) stating that OSC intends to remove the Agency Employees from the New York State and Local Retirement System (“NYSLRS”) based upon a determination that the Agency Employees are employees of the Development Corporations; and

Whereas, The OSC determination is detrimental to the Agency’s ongoing operations and activities and to the livelihoods of the Agency Employees that serve the County and its citizens; and

Whereas, Pursuant to and in accordance with Section 40 of the Municipal Home Rule Law (“MHRL”), the County desires to request the enactment of a special law relating to the property, affairs and government of the County to support the Agency’s continued provision of economic development services through the Development Corporations to and for the benefit of the County; and

Whereas, In furtherance of the foregoing, and with the approval of the Chairperson of the Board of Legislators, the County requests herein that a special law be enacted to amend the Agency Act.

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

Section 1. Pursuant to and in accordance with Section 40 of the Municipal Home Rule Law (“MHRL”), the County hereby requests the enactment of a special law amending the Agency Act, such amendment to be substantially consistent with the proposed amendment attached hereto as **Exhibit A**. This request is made in furtherance of the property, affairs and government of the County to support the Agency’s continued provision of economic development services through the Development Corporations to and for the benefit of the County.

Section 2. This Resolution shall take effect immediately.

Seconded by Legislator: James A. Nabywaniec

EXHIBIT A

FORM OF AGREEMENT

GML§892-c. Jefferson county industrial development agency.

For the benefit of Jefferson county and the inhabitants thereof, an industrial development agency, to be known as the JEFFERSON COUNTY INDUSTRIAL DEVELOPMENT AGENCY, is hereby established for the accomplishment of any or all of the purposes specified in title one of the article eighteen-A of this chapter. It shall constitute a body corporate and politic, and be perpetual in duration. It shall have the powers and duties now or hereafter conferred by title one of article eighteen-A of this chapter upon industrial development agencies and provide that the exercise of the powers by such agency with respect to the acquisition of real property whether by purchase, condemnation or otherwise shall be limited to the corporate limits of Jefferson county, and such agency shall take into consideration the local zoning and planning regulations as well as the regional and local comprehensive land use plans. It shall be organized in a manner prescribed by and be subject to the provisions of title one of article eighteen-A of this chapter. Its members shall be appointed by the governing body of Jefferson county. The agency, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of title one of article eighteen-A of this chapter. Pursuant to the authorization provided for in subdivision twenty-four of section two hundred twenty-four of the county law, the agency may operate and maintain any foreign trade zone or zones established in such county. **Additionally, individuals that have heretofore acted or act under the direction and control of the officers and directors of the agency on or after April 1, 1985 shall be considered performing Government Services under Section 2(11) of the Retirement and Social Security Law, even where services have been provided by the individual to one or more local development corporations or not for profit corporations, provided the agency board has determined from time to time that said services are promoting the specific or general purposes of the agency.**

Clerk Hagemann advised that there was a draft resolution with suggested amendments noted on legislators' desks more clearly defines which organizations it represents and eliminates the attachment to the resolution. It asks our State representatives to move forward and make changes to the State laws to recover retirement contributions and retain retirement benefits for these individuals from when they began their employment with these agencies to the end of this year. He noted also that a roll call vote is needed for the resolution. Chairwoman Fitzpatrick entertained a motion to amend the resolution to make the changes noted on the draft amended resolution on their desks.

Resolution No. 124 (with changes noted)

**Resolution Requesting Legislation Pursuant to the Municipal Home Rule Law
Relating to the Jefferson County Industrial Development Agency**

By Legislator: Scott A. Gray

Whereas, The Jefferson County Industrial Development Agency (the "Agency") was established as a public benefit corporation pursuant to Section 892-e of the General Municipal Law ("GML") of the State, as enacted by Chapter 369 of the Laws of 1971, as amended by Chapter 378 of the Laws of 1974 and Chapter 157 of the Laws of 1983 (collectively, the "Agency Act"); and

Whereas, Pursuant to and in accordance with Title 1 of GML Article 18-A (the "IDA Act"), the Agency has since 1971 provided coordinated and effective economic development services for the benefit of the County and its citizens; and

Whereas, Consistent with the IDA Act and the Agency's mission, the Agency has over time provided both County-wide and focused economic development services to communities throughout the County through coordinated programming with certain local development corporations, including the Jefferson County Job Development Corporation, Jefferson County Local Development Corporation, Watertown Local Development Corporation, Watertown Industrial Center Local Development Corporation, Jefferson County Agricultural Development Corporation, Carthage Industrial Development Corporation and the Economic Development Corporation of the Village of Carthage, New York (collectively, the "Development Corporations"); and

Whereas, The Office of the State Comptroller of the State of New York ("OSC") recently issued determination letters to twelve (12) Agency employees (the "Agency Employees") stating that OSC intends to remove the Agency Employees from the New York State and Local Retirement System ("NYSLRS") based upon a determination that the Agency Employees are employees of the Development Corporations; and

Whereas, The OSC determination is detrimental to the Agency's ongoing operations and activities and to the livelihoods of the Agency Employees that serve the County and its citizens; and

Whereas, Pursuant to and in accordance with Section 40 of the Municipal Home Rule Law ("MHRL"), the County desires to request the enactment of a special law relating to the property, affairs and government of the County to support the Agency's past and continued provision of economic development services through the Development Corporations to and for the benefit of the County; and

Whereas, In furtherance of the foregoing, and with the approval of the Chairperson of the Board of Legislators, the County requests herein that a special law be enacted to either amend the Agency Act or otherwise protect the rights of the Agency Employees under the NYSLRS.

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

Section 1. Pursuant to and in accordance with Section 40 of the Municipal Home Rule Law (“MHRL”), the County hereby requests the enactment of a special law to amending the Agency Act ~~such amendment to be substantially consistent with the proposed amendment attached hereto as Exhibit A.~~ or otherwise protect the rights of the Agency Employees under the NYSLRS. This request is made in furtherance of the property, affairs and government of the County to support the Agency’s past and continued provision of economic development services through the Development Corporations to and for the benefit of the County.

Section 2. This Resolution shall take effect immediately.

Seconded by Legislator: James A. Nabywaniec

A motion to amend the resolution as noted was made by Legislator Docteur seconded by Legislator Ferris and unanimously carried by the Board.

Legislator Ormsby voiced strong support for the resolution and stated that since last week when the resolution went through Committee he has received a number of calls from the business and farm community in support of this resolution as well. He said they did not believe the agri business community in particular would have the footing that it does today if not for being under the IDA. He also did not feel it was fair to the employees to have the rug pulled out from under them after all this time.

Legislator Docteur said the resolution goes a long way to right a wrong. He said when the IDAs and LDCs hired people, some of them many years ago, retirement benefits were part of the contract/compensation package for them and their families. He strongly supported the resolution as it is the best way to handle the situation without litigation and he hoped it moved along quickly at the State level.

Roll Call Vote on Resolution No. 124, as amended

Ayes: Reed, Gray, Astafan, Harter, Behling, Ormsby, Peck, Doldo, Docteur, Thomas, Ferris, Fitzpatrick

Absent: Drake, Adsit, Nabywaniec

Resolution, as amended, passed.

Resolution No. 125

Authorizing Agreements in Relation to Juvenile Secure Detention and the Supervision & Treatment Services for Juveniles Program (STSJP)

By Legislator: Philip N. Reed, Sr.

Whereas, New York State Executive Law was amended to create the Supervision & Treatment Services for Juveniles Program (STSJP) in order to encourage the use of effective alternatives to detention, and

Whereas, Said law requires that a lead agency be designated in each County for administering secure and non-secure detention and STSJP programs, and

Whereas, Jefferson County has designated the Probation Department as its lead agency, and

Whereas, Available funding has been included in the 2012 County Budget and will be used to provide services and programs through the Jefferson County Children's Home and Resolution Center of Jefferson and Lewis Counties, and to provide for GPS monitoring and monitoring equipment for the Probation Department, as well as some overtime, and

Whereas, It is necessary to authorize agreements with the Jefferson County Children's Home (\$133,610 for a term ending 3/31/13) and the Resolution Center of Jefferson County and Lewis Counties (\$25,000 for a term ending 3/31/13), for the provision of STSJP services.

Now, Therefore, Be It Resolved, That the Chairman of the Board of Legislators be and is hereby authorized and directed to execute agreements with the Jefferson County Children's Home (\$133,610 for a term ending 3/31/13) and the Resolution Center of Jefferson County and Lewis Counties (\$25,000 for a term ending 3/31/13), to provide said services, subject to the approval of the County Attorney as to form and content.

Seconded by Legislator: Anthony J. Doldo

All members present voted aye.

Resolution No. 126

Amending the 2011 and 2012 County Budgets in Relation to the Solid Waste and Recycling Fund

By Legislator: Philip N. Reed, Sr.

Whereas, By Resolution 57 of 2010, This Board of Legislators provided funding in the amount of \$1,300,000 from the General Fund for a capital project at the County Solid Waste facility, which was to be paid back in the amount of \$100,000 per year by the Enterprise Fund, and

Whereas, The Treasurer had determined that the principal amounts do not need to be budgeted, but that the interest portion should be, which will be at a rate similar to that earned each year (0.4% for 2011 and 2012), by the County's General Fund investments, and

Whereas, The 2011 and 2012 County Budgets must be amended to reflect said determination.

Now, Therefore, Be It Resolved, That the 2011 County Budget is amended as follows:

Increase:

01-1040-999.92401.015	Interest - Recycling Loan	\$ 5,200
15-9101-9789.7049	Interest - General Fund Loan	5,200

Decrease:

01-8992-999.95031	Interfund Transfers	\$100,000
15-9101-9002.9003	Transfer to Debt Service	100,000

and be it further

Resolved, That the 2012 County Budget is amended as follows:

Increase:

15-9101-9789.7049	Interest - General Fund Loan	\$ 4,821
-------------------	------------------------------	----------

Decrease:

01-1040-999.92401.015	Interest - Recycling Loan	\$ 95,179
15-9101-8160.9003	Transfer to Debt Service	100,000

Seconded by Legislator: Anthony J. Doldo

Roll Call Vote

Ayes: Behling, Thomas, Reed, Docteur, Ormsby, Gray, Astafan, Doldo, Ferris, Peck, Harter, Fitzpatrick

Absent: Adsit, Nabywaniec, Drake

Resolution passed.

Resolution No. 127

Accepting Donation from New York State for Sheriff's Department

By Legislator: Philip N. Reed, Sr.

Whereas, The Sheriff's Department has received from New York State a donation of a 24 foot Boston Whaler boat called "Justice", two engines and a trailer.

Now, Therefore, Be It Resolved, That this Board of Legislators does hereby gratefully accept said donation.

Seconded by Legislator: Anthony J. Doldo

Clerk Hagemann advised that an amendment is needed to authorize the Chairwoman to sign an agreement with the State for use of the boat and copies were on legislator's desks. A motion to amend the resolution adding the needed language was made by Legislator Ferris seconded by Legislator Behling and unanimously carried by the Board.

Legislator Gray expressed a concern because the agreement has not gone through the proper channels and he encouraged legislators to let the legal review process take place as it is not a time sensitive issue.

Legislator Reed agreed that the proper paperwork should be reviewed prior to this being approved but did not have a problem with the efficiency of this boat vs. the other boat.

Legislator Ferris questioned if the resolution could be amended further to add a provision about the approvals that are needed.

Legislator Ormsby concurred with Legislators Gray and Reed saying that he is not against the concept but as it is not a time sensitive decision it should be looked at further before it is approved.

Legislator Thomas said crime does not wait and the County should give the Sheriff's Department the tools they need to work with.

Legislator Peck pointed out that the amended resolution does reference an approval of the County Attorney. County Attorney Paulsen stated that the language referenced is typically seen in any resolution authorizing agreements that need his approval however his concern was that the County is not retaining ownership of the boat and he was not certain how issues (insurance, etc) would work in that instance. Mr. Paulsen supported waiting another month for this approval by the Board so he could take a look at the legalities involved.

Legislator Docteur expressed support for waiting to approve this resolution to allow the County Attorney time to look at it. He said New York State (Office of Parks & Recreation) is providing a boat but not the manpower to do water patrols and pointed out that this may be another way the State is passing costs on to counties.

Legislator Peck stated that the Undersheriff said the patrol costs were 50% reimbursable.

Legislator Ferris stated that the Undersheriff also said that the jet skis maintained by the Sheriff's Department are under this same program. County Attorney Paulsen said he was not familiar with that arrangement and would certainly like to find out about that program and how the insurance and maintenance on the jet skis is maintained.

Legislator Reed stated that other counties must be participating in the program also and suggested that we see how they are handling it. He said the County has operated the program on a smaller scale with the jet skis and it should be a simple matter of handling the paperwork

correctly.

Chairwoman Fitzpatrick concurred that it is a great program to be given a boat but the paperwork need to be done right so it does not set a precedent for other like issues in the future. She said the Sheriff's Department does have one boat they can currently use if there is an emergency on the water, the paperwork can be reviewed in the meantime and the Board can approve the matter at the May meeting so the boat can be in the water the first part of May.

Legislator Gray made a motion to table Resolution No. 127 as amended, the motion was seconded by Legislator Ormsby and carried with Legislators Thomas and Ferris opposed.

Resolution No. 128

Authorizing Agreement and Amending the 2011 County Budget in Relation to the State FY08 Homeland Security and Emergency Services Grant

By Legislator: Philip N. Reed, Sr.

Whereas, The New York State Office of Homeland Security and Emergency Services provides grants to local governments to prepare for terrorist events through funding from the U.S. Department of Homeland Security's Office for Domestic Preparedness, and

Whereas, Jefferson County has been awarded \$2,891 from the office's FY08 grant funding (Spider Operations)(CFDA 97.067) to reimburse 2011 expenses, and

Whereas, The County must enter into an agreement with the New York State Office of Homeland Security to receive this grant and the 2011 County Budget must be amended to recognize the revenue.

Now, Therefore Be It Resolved, That the County of Jefferson agrees to accept the \$2,891 grant, and be it further

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

Resolved, That The 2011 County Budget is amended as follows:

Decrease:

01-0599	Appropriated Fund Balance	\$ 2,891
---------	---------------------------	----------

Increase:

01-3110.999.94389	Federal Aid Other Public Safety	2,891
-------------------	---------------------------------	-------

Seconded by Legislator: Anthony J. Doldo

Roll Call Vote

Ayes: Astafan, Thomas, Peck, Behling, Ferris, Harter, Docteur, Gray, Ormsby, Doldo, Reed, Fitzpatrick

Absent: Adsit, Drake, Nabywaniec

Resolution passed.

Resolution No. 129

Endorsing Plan Bv7 to Regulate the Outflows of Lake Ontario and the Management of the Levels of Lake Ontario and the St. Lawrence River

By Legislator: Philip N. Reed, Sr.

Whereas, The International Joint Commission (IJC) is a bi-national organization established by the Boundary Treaty of 1909 between the United States and Canada, and

Whereas, The IJC commissioned a \$20 million, five-year study to analyze the procedures and plans to regulate the outflows of Lake Ontario and the management of the levels of Lake Ontario and the St. Lawrence River (LOSL study), and

Whereas, The LOSL study has been compiled and new regulation plans are being considered which will each have a significant impact on Lake Ontario and the St. Lawrence River water levels for years to come, and

Whereas, Jefferson County's water resources are one of its most important assets and provide the basis for the County's tourism industry and quality of life depends on the continued quality of the area's fishing, boating and recreational resources, and

Whereas, The International Water Level Coalition, Inc. (IWLC) made a presentation explaining each of the Plans being considered by the IJC for implementation, and

Whereas Based on the foregoing, by Resolution 187 of 2005, this Board of Legislators endorsed Plan B as most closely following the natural rhythm of the flow of the water pre-St. Lawrence Seaway Project and offering the most positive influence on the overall environment and tourism when compared to the other plans under consideration, and

Whereas, Said Plan has now been revised and is called Plan Bv7, which has been endorsed by Save the River, the International Water Levels Coalition and the Lake Ontario Fisheries Coalition.

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

Plan Bv7 and urges the IJC to accept Plan Bv7 when making decisions concerning procedures and plans to regulate the outflows of Lake Ontario and the water levels of Lake Ontario and the St. Lawrence River, and be it further

Resolved, That a certified copy of this resolution be sent to the IJC.

Seconded by Legislator: Anthony J. Doldo

Legislator Reed thanked his colleagues on the Board for embracing river and lake issues. He said it comes down to having a healthy ecosystem and tourism dollars. He appreciated all the efforts of Jennifer Caddick in being outspoken on issues regarding the health of the treasure we call the Thousand Islands as she will soon be leaving her post as Save the River Executive Director. He said you can actually see the effects over the years to the River especially in terms of the disappearing wetlands that are essential to having a healthy fishery and therefore healthy economy in terms of tourism.

Chairwoman Fitzpatrick also thanked Jennifer Caddick for all that she has done for Jefferson County in her tenure as Executive Director of Save the River.

All members present voted aye.

Resolution No. 130

Adopting Revised Guidelines and Administrative Procedures in Relation to the County's Housing Improvement Program funded by NYS Community Development Block Grant (CDBG) Awards

By Legislator: Philip N. Reed, Sr.

Whereas, Jefferson County has received consecutive annual competitive Community Development Block Grant (CDBG) awards from 2007 through 2011 from the New York State Office of Community Renewal to implement and administer a county-wide Housing Improvement Program, and

Whereas, Local Guidelines and Administrative Procedures for implementation and local administration of the program were last adopted by the County Board of Legislators on December 7, 2010, and

Whereas, Guidelines and administrative forms are periodically updated to incorporate changes to meet program and regulatory requirements associated with all current and subsequent awards, and

Whereas, Updates to the Guidelines and Administrative Procedures must be adopted by the Board of Legislators.

Now, Therefore, Be it Resolved, That this Board of Legislators, having been provided with an

updated copy of the Guidelines and Administrative Procedures for Jefferson County, dated April 3, 2012, hereby adopts them and they shall become effective immediately for all County-sponsored housing rehabilitation activities conducted with Small Cities Community Development Block Grant funding.

Seconded by Legislator: Michael W. Behling

All members present voted aye.

Resolution No. 131

Resolution Acknowledging Additional Municipal Co-applicants for a 2011-12 Local Government Efficiency Planning Grant Application for North Country Shared Geographic Information Services (GIS)

By Legislator: Barry M. Ormsby

Whereas, The Board of Legislators, through Resolution No. 111 of 2012, expressed support for participating in a 2011-2012 Local Government Efficiency Grant (LGE) application to secure planning study funds for North Country Regional Shared Geographic Information System (GIS) services, and

Whereas, The Development Authority of the North Country has offered to act as lead applicant for the LGE project which, if funded, will study the feasibility of shared GIS services, partnerships, and service delivery efficiencies among governments that currently deploy GIS mapping technology in the region, and

Whereas, St. Lawrence County, Lewis County, the City of Watertown, and the Tug Hill Commission have now been identified as additional co-applicants for this project, and

Whereas, The Development Authority of the North Country has offered to pay the ten percent local share for the grant, which would be approximately \$7,000 based on an estimated project cost of \$70,000.

Now, Therefore Be It Resolved, That the Board of Legislators acknowledges the inclusion of the above additional co-applicants as required for the LGE application to be filed with the NYS Department of State by the Development Authority of the North Country as lead applicant.

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.

Seconded by Legislator: Michael W. Behling

All members present voted aye.

Resolution No. 132

**Supporting New York State Legislation to Permit the
Registration of ATV's Weighing up to 1500 Pounds**

By Legislator: Barry M. Ormsby

Whereas, New York State Vehicle and Traffic Law (NYS V&T law) Section 2281 defines All Terrain Vehicles and limits them to 1,000 pounds dry weight, and

Whereas, Several manufacturers of ATV's now produce vehicles that exceed this weight limit, and are generally made for the driver and passenger to ride side-by-side, and

Whereas, Said larger ATV's do not meet the current NYS V&T law definition and therefore cannot be registered or operated in New York State, and

Whereas, The State Senate has recently passed S3318, sponsored by Senator Pattie Ritchie, which would amend said law to include ATV's up to 1,500 pounds dry weight, and

Whereas, An identical bill, A7743, co-sponsored by Assemblyman Ken Blankenbush, is currently in the Assembly, and

Whereas, Objections to said bill are primarily related to concerns over the potential for increased environmental damage that may be caused by these larger machines, and

Whereas, Said objections have little grounding in fact, because the larger machines are manufactured for side-by-side seating, and both appeal to mature riders and are physically incapable of the kind of maneuvering that causes such damage, and

Whereas, Allowing for the registration and operation of said larger ATV's would increase tourism opportunities and encourage outdoor riding activity for a more mature population group.

Now, Therefore be It Resolved, That this Board of Legislators supports State legislation to permit the registration and operation of ATV's weighing up to 1,500 pounds dry weight in New York State, and be it further

Resolved, That copies of this resolution be provided to Jefferson County's New York State representatives.

Seconded by Legislator: Michael W. Behling

Legislator Ormsby did not want to be redundant with comments that were made at Committee but felt it important to point out the environmental impact of this action, or rather lack thereof, because these ATVs go half the speed of the regular ATV and a more senior population run these machines. He said it will create a revenue stream in New York that could be readily available and without any impact.

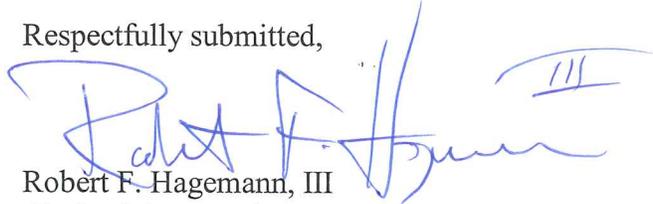
All members present voted aye.

Legislator Thomas said he agreed with Mr. Hunneyman who spoke at the beginning of the meeting and would like to see April proclaimed Parkinson's Awareness Month as he also has the disease and would like to raise awareness.

Chairwoman Fitzpatrick agreed to proclaim April as Parkinson's Awareness Month in Jefferson County and said the appropriate paperwork would be drawn up to do so.

There being no further business of the Board, on a motion by Legislator Peck seconded by Legislator Ormsby and unanimously carried, the meeting was adjourned at 8:15 p.m.

Respectfully submitted,



Robert F. Hagemann, III
Clerk of the Board