

## **REGULAR SESSION**

**TUESDAY, MARCH 7, 2012**

Chairwoman Fitzpatrick called the meeting to order at 7:02 p.m.

### **ROLL CALL OF MEMBERS**

All members present except Legislators Astafan, Thomas, and Gray who were absent.

### **PRIVILEGE OF THE FLOOR**

No one present wished to speak.

### **MINUTES OF LAST SESSION**

The minutes of the February 7, 2012 Board Session stand approved in the absence of objection or correction.

### **PRESENTATION OF PETITIONS, NOTICES AND COMMUNICATIONS**

The 2011 Audited Financial Statements were received from the Jefferson County Agricultural Development Corporation.

### **REPORTS OF STANDING COMMITTEES**

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

The Finance & Rules Committee reported favorably on legislators expenses.

### **REPORTS OF COUNTY OFFICERS AND OTHERS**

The County Treasurer provided a report on investments and cash on hand as of January 31, 2012.

The County Administrator provided a report on budget transfers for the month of January, 2012.

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

### **LOCAL LAWS, RESOLUTIONS AND MOTIONS**

**Resolution No. 81**

## **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 \$1,637.36 we have allowed:

Legislator Expense:	\$1,637.36
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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. 82**

### **Authorizing Agreement with the New York State Board of Elections and Amending the 2012 County Budget in Relation Thereto**

By Legislator: Scott A. Gray

Whereas, The New York State Board of Elections (NYSBOE) is distributing grant funds available from the federal Voting Access for Individuals with Disabilities (VOTE) grant program, part of the Help America Vote Act (HAVA), and

Whereas, Jefferson County's grant amount is \$4,249 and must be recognized and appropriated in the 2012 County Budget, and the County must enter into an agreement with the NYSBOE.

Now, Therefore, Be It Resolved, That Jefferson County enter into an agreement with the NYSBOE to accept said VOTE grant funds and that the Chairman of this Board be and is hereby authorized and directed to execute said agreement on behalf of Jefferson County, and be it further

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

#### **Increase:**

(Expenditure)

01-1450-1451.4211	Building/Property Maintenance	\$4,249
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(Revenue)

01-1450-999.94089	Federal Aid	\$4,249
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Seconded by Legislator: Allen T. Drake

Roll Call Vote

Ayes: Harter, Ferris, Ormsby, Doldo, Adsit, Reed, Drake, Behling, Peck, Docteur, Nabywaniec, Fitzpatrick

Absent: Gray, Thomas, Astafan

Resolution passed.

**Resolution No. 83**

**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 2012 County Budget to Re-Appropriate  
Remaining Funds**

By Legislator: Scott A. Gray

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, and Resolution 44 of 2011, this Board subsequently amended the 2008, 2009, 2010 and 2011 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 2012 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, 2012 through March 31, 2013 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 2012 County Budget is hereby amended as follows:

**Increase:**

01-0599	Appropriated Fund Balance	\$36,963.82
Expenditures		
01-1450-1451.4110	Office Expenses	\$ 9,240.96
01-1450-1451.4116	Postage	9,240.96
01-1450-1451.4117	Printing	9,240.96
01-145-1451.4415	Advertising	9,240.94

Seconded by Legislator: Allen T. Drake

Roll Call Vote

Ayes: Adsit, Harter, Ferris, Drake, Docteur, Nabywaniec, Peck, Reed, Ormsby, Doldo, Behling, Fitzpatrick

Absent: Astafan, Thomas, Gray

Resolution passed.

#### **Resolution No. 84**

##### **Authorizing Employment Agreement with the Educational Support Professionals Association of Jefferson Community College**

By Legislator: Scott A. Gray

Whereas, A tentative employment agreement between the County of Jefferson, the Trustees of Jefferson Community College, and the Educational Support Professionals Association of Jefferson Community College for the period September 1, 2011 through August 31, 2015, has been arrived at through collective negotiations between the Finance & Rules Committee, College Trustees, and the Educational Support Professionals Association.

Now, Therefore, Be It Resolved, That, pursuant to Article XIV of the NYS Civil Service Law, this Board does hereby ratify and approve said tentative agreement and authorizes the Chairman of this Board to execute said agreement on behalf of the County of Jefferson.

Seconded by Legislator: Allen T. Drake

All members present voted aye.

#### **Resolution No. 85**

##### **Amending the 2012 County Budget in Relation to the Debt Service Fund**

By Legislator: Scott A. Gray

Whereas, Pursuant to Resolution 185 of 2011, Jefferson County issued refunding bonds to refinance its 1998 Jefferson Community College bonds, Highway Facility bonds, and Court Complex bonds, and

Whereas, Such refinancing resulted in an overall savings for the County, but requires an amendment to the 2012 County Budget's Debt Service Fund to establish new accounts for the refunding bonds and to reduce the principle and interest accounts for the refunded bonds.

Now, Therefore, Be It Resolved, That the 2012 County Budget is amended as follows:

**Increase:**

55-9150-9710.6009	Public Improvement 2011 Refunding Bonds Principal	\$410,000
55-9150-9710.7009	Public Improvement 2011 Refunding Bonds Interest	263,852

**Decrease:**

01-8992-9902.9003	Transfer to Debt Service Fund	\$ 45,563
55-9150-999.95031.001	Transfer from General Fund	\$ 45,563
01-0599	Appropriated Fund Balance	\$ 45,563
55-9150-9710.6003	JCC Bond Principal	\$325,000
55-9150.9710.7003	JCC Bond Interest	27,735
55-9150.9710.7007	Highway Complex Interest	42,775
55-9150.9710.7006	Court Complex Interest	323,905

Seconded by Legislator: Allen T. Drake

Roll Call Vote

Ayes: Doldo, Nabywaniec, Ormsby, Drake, Peck, Adsit, Behling, Reed, Harter, Docteur, Ferris, Fitzpatrick

Absent: Thomas, Astafan, Gray

Resolution passed.

**Resolution No. 86**

**Authorizing the Purchase of Real Property From the City of Watertown**

By Legislator: Scott A. Gray

Whereas, The City of Watertown has acquired title to three parcels of real property by tax foreclosure in an undeveloped subdivision adjacent to Jefferson Community College and has offered to convey said parcels to the County, and

Whereas, The County currently holds in trust certain real property for Jefferson Community College in the vicinity of the parcels currently being made available and said additional property may be of benefit to the County and the College for long term planning purposes, and

Whereas, The City of Watertown is prepared and willing to convey title to parcels 8-34-220.000, 8-34-219.000 and 8-34-218.000 (otherwise known as 333-334 Kendall Avenue North and 335 Clover Street) for the nominal price of \$1.00 with the County to bear the cost of recording, and

Whereas, The County of Jefferson desires to accept conveyance of said parcels on the above terms.

Now, Therefore, Be it Resolved, that the Chairman of the Board is hereby authorized and directed to execute a contract of purchase and sale as well as any other necessary documents necessary to complete the conveyance on the above terms subject to the approval of the County Attorney as to form and content.

Seconded by Legislator: Allen T. Drake

All members present voted aye.

#### **Resolution No. 87**

##### **Appointing Representatives to Development Authority of the North Country**

By Legislator: Scott A. Gray

Whereas, Resolution 133 of 1985 ratified the County's membership in the Development Authority of the North Country, and

Whereas, The terms of appointment of Jefferson County's representatives on said Authority have expired.

Now, Therefore, Be It Resolved, that, pursuant to Article 8, Title 29 of the Public Authorities Law, Douglas Murray and Alfred Calligaris be and are hereby appointed as Jefferson County representatives on the Development Authority of the North Country for four year terms, said terms to expire December 31, 2015.

Seconded by Legislator: Allen T. Drake

All members present voted aye.

#### **Resolution No. 88**

##### **Authorizing the Negotiation and Execution of a Purchase Offer for Real Property Appurtenant to the Watertown International Airport.**

By Legislator: Scott A. Gray

Whereas, The County of Jefferson owns and operates the Watertown International Airport and is responsible for the maintenance, safety and development of aviation operations at said facility, and

Whereas, Expansion has been made to the length of runway 10-28 at the Watertown International Airport necessitating an increase in the runway protection zone for that runway,

and

Whereas, An FAA Grant having been made to the County for the purpose of securing real property adjacent to runway 10-28 to enhance the runway protection zone, and

Whereas, The real property and easements sought to be obtained is currently owned by William and Colleen Lawler and it is necessary to negotiate terms of purchase for the property necessary to comprise the runway protection zone and execution of said purchase documents may be necessary notwithstanding the ordinary meeting schedule of this Board.

Now, Therefore, Be it Resolved, that The Chairwoman of the Board is hereby authorized and directed to execute an option or purchase contract with William and Colleen Lawler for the purchase of real property or easements thereon adjacent to Watertown International Airport, subject to the approval of the County Attorney as to form and content, and be it further

Resolved, That upon execution the purchase contract shall be subject to the ratification of the Board of Legislators.

Seconded by Legislator: Allen T. Drake

All members present voted aye.

#### **Resolution No. 89**

#### **Amending the 2012 County Budget and Capital Plan to Re-Appropriate Local Enhanced Wireless 911 Funding**

By Legislator: Philip N. Reed, Sr.

Whereas, By Resolutions 262 of 2010 and 94 of 2011, This Board of Legislators accepted Local Enhanced Wireless 911 Grant Funding from New York State and subsequently amended the 2011 re-appropriate said funds, and

Whereas, There remain unspent Wireless 911 grant funds that must be re-appropriated for 2012.

Now, Therefore, Be It Resolved, That the 2012 County Budget is amended as follows:

#### **Increase:**

01-0599	Appropriated Fund Balance	\$ 29,104.24
(Expenditures)		
01-3410-3411.4114.003	Software Maintenance	\$ 5,922.75
01-3410-3411.4119	Computer Software	747.84
01-3410-3411.4111.003	Computer Equipment	9,174.56
01-3410-3411.4114.004	Communication Maintenance	13,350.25

01-3410-3411.4111.001	Audio/Visual Equipment	301.02
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(Transfers)

20-9006-9901.9000	Transfer to General	\$ 392.18
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01-8992-999.95031	Transfer from Capital	392.18
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**Decrease:**

20-9006-1680.2012	Computer Improvements	\$ 346.94
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20-9006-3150.2038	Public Safety Facility	45.24
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and be it further

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

Seconded by Legislator: Allen T. Drake

Roll Call Vote

Ayes: Behling, Peck, Reed, Ormsby, Doldo, Ferris, Drake, Harter, Adsit, Docteur, Nabywaniec, Fitzpatrick

Absent: Thomas, Gray, Astafan

Resolution passed.

**Resolution No. 90**

**Amending the 2012 County Budget and Capital Plan in Relation to the FY 2009 and 2010 State Homeland Security Program (SHSP) Grants**

By Legislator: Philip N. Reed, Sr.

Whereas, Pursuant to Resolutions 232 of 2010, and 73 and 130 of 2011, This Board of Legislators accepted FY 09 and FY10 and subsequently re-appropriated funds for FY09 State Homeland Security Program (SHSP) (CDFA 97.067) grants for the Department of Fire & Emergency Management, funded by the U.S. Department of Homeland Security's Office for Domestic Preparedness, and

Whereas, Grant funds remain unspent and must be re-appropriated to the 2012 County Budget, and funds must be transferred from the Capital Fund to the General Fund.

Now, Therefore, Be It Resolved, That the 2012 County Budget is amended as follows:

**Increase:**



(Fund Balance)		
01-0599	Appropriated Fund Balance	\$ 123,058.13

(Expenditures)		
01-3410-3414.2100	Office Equipment - SHSP	\$ 144.92
01-3410-3414.2300	Technical Equipment - SHSP	40,174.21
01-3410-3414.4416	Professional Fees - SHSP	86,239.00

(Transfers)

01-8992-999.95031	From Capital Fund	3,500.00
20-9006-9901.9000	To General Fund	3,500.00

**Decrease:**

20-9006-3020.2058	High Band Paging Improvements	\$ 3,500.00
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and be it further

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

Seconded by Legislator: Anthony J. Doldo

Chairwoman Fitzpatrick entertained a motion to amend the resolution to reflect \$41,239.00 in the 01-3410-3414.4416 Professional Fees - SHSP line and \$45,000.00 in the 01-3410-3414.2401 Automotive Equipment - SHSP. Such motion was made by Legislator Ferris and seconded by Legislator Ormsby. Mr. Hagemann advised that \$45,000 is needed to purchase a car as the time for using the 09 funds is running out and it was a planned purchase with the 2011 funds anyway. Following brief discussion, the amendment was unanimously carried by the Board.

Roll Call Vote on Resolution No. 90, as amended

Ayes: Docteur, Reed, Peck, Nabywaniec, Doldo, Drake, Behling, Ferris, Adsit, Ormsby, Harter, Fitzpatrick

Absent: Astafan, Thomas, Gray

Resolution passed.

**Resolution No. 91**

**Amending the 2012 County Budget to Re-Appropriate FY 2010 HazMat Grant Funding from the New York State Office of Homeland Security and Emergency Services**

By Legislator: Philip N. Reed, Sr.

Whereas, By Resolution 152 of 2011, This Board of Legislators accepted a FY 2010 HazMat Grant (CDFA 97.067) from New York State, and

Whereas, There remain unspent HazMat grant funds that must be re-appropriated for 2012.

Now, Therefore, Be It Resolved, That the 2012 County Budget is amended as follows:

**Increase:**

01-0599	Appropriated Fund Balance	\$ 124,400
01-3410-3414.2100	Office Equipment	\$ 3,500
01-3410-3414.2300	Technical Equipment	78,900
01-3410-3414.4485	Shared Municipal Services	41,000
01-3410-3414.4585	Operating Supplies	1,000

Seconded by Legislator: Anthony J. Doldo

Clerk Hagemann explained that Resolution Nos. 91 - 99 relate to re-appropriating grant funds relative to various programs and all require roll call votes and if the Board so chose, could be done as one roll call vote. Chairwoman Fitzpatrick entertained a motion to vote on Resolution Nos. 91 - 99 as one block roll call vote. Such motion was made by Legislator Docteur seconded by Legislator Reed and unanimously carried by the Board.

Roll Call Vote on Resolution Nos. 91 - 99

Ayes: Nabywaniec, Ferris, Harter, Doldo, Peck, Ormsby, Docteur, Reed, Behling, Drake, Adsit, Fitzpatrick

Absent: Thomas, Gray, Astafan

Resolutions passed.

**Resolution No. 92**

**Amending the 2012 County Budget in Relation to the State Alternatives to Incarceration (Pre-Trial Release) Program Funding**

By Legislator: Philip N. Reed, Sr.

Whereas, Pursuant to Resolution 174 of 2011, This Board of Legislators accepted \$9,114 from the New York State Division of Criminal Justice Services (DCJS) Alternatives to Incarceration (ATI) Program for the period January 1 through December 31, 2011, and

Whereas, DCJS is changing the term of this program to run from July 1 through June 30, and

Whereas, The current grant will be increased to \$13,670 and extended through June 30, 2012, and

Whereas, Said funds are already reflected in the 2012 County Budget.

Now, Therefore, Be It Resolved, That the Chairman of the Board be and is hereby authorized and directed to execute the grant extension agreement.

Seconded by Legislator: Anthony J. Doldo

All members present voted aye.

### **Resolution No. 93**

#### **Amending the 2012 County Budget to Re-Appropriate Byrne Grant from the New York State Department of Criminal Justice Services Grant for Sheriff's Department**

By Legislator: Philip N. Reed, Sr.

Whereas, By Resolution 92 of 2011, This Board of Legislators accepted a Byrne Grant (CDFA 16.738) from the New York State Department of Criminal Justice Services to the Sheriff's Department, and

Whereas, There remain unspent Byrne grant funds that must be re-appropriated for 2012.

Now, Therefore, Be It Resolved, That the 2012 County Budget is amended as follows:

#### **Increase:**

01-0599	Appropriated Fund Balance	\$ 21,755.51
01-3110-3110.1300	Overtime	\$ 7,000.00
01-3110-3110.2300	Technical Equipment	9,000.00
01-3110-3110.2309	Canine	2,000.00
01-3110-3110.4518	Canine Supplies	1,500.00
01-3110-3110.4585	Operating Supplies	2,255.51

Seconded by Legislator: Anthony J. Doldo

See Roll Call Vote after Resolution No. 91.

Resolution passed.

### **Resolution No. 94**

**Amending the 2012 County Budget to  
Re-Appropriate Edward Byrne/JAG Grant for Sheriff's Department**

By Legislator: Philip N. Reed, Sr.

Whereas, By Resolution 176 of 2011, This Board of Legislators accepted a U.S. Bureau of Justice Assistance Edward Byrne/JAG American Recovery and Reinvestment Act (ARRA) grant (CFDA 16.803) from the New York State Department of Criminal Justice Services to the Sheriff's Department for the purchase of video conferencing equipment to enable County jail inmates and corrections personnel to communicate with outside entities, and

Whereas, There remain unspent Edward Byrne/JAG grant funds that must be re-appropriated for 2012.

Now, Therefore, Be It Resolved, That the 2012 County Budget is amended as follows:

**Increase:**

01-0599	Appropriated Fund Balance	\$ 30,000
01-3110-3150.2300.S	Technical Equipment - Stimulus	\$ 30,000

Seconded by Legislator: Anthony J. Doldo

See Roll Call Vote following Resolution No. 91.

Resolution passed.

**Resolution No. 95**

**Amending the 2012 County Budget to  
Re-Appropriate Project Lifesaver Grant for Sheriff's Department**

By Legislator: Philip N. Reed, Sr.

Whereas, By Resolution 57 of 2011, This Board of Legislators accepted 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 2012.

Now, Therefore, Be It Resolved, That the 2012 County Budget is amended as follows:

**Increase:**

01-0599	Appropriated Fund Balance	\$ 1,209.53
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01-3110-3110.4585	Departmental Supplies	\$ 1,209.53
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Seconded by Legislator: Anthony J. Doldo

See Roll Call Vote following Resolution No. 91.

Resolution passed.

### **Resolution No. 96**

#### **Amending the 2012 County Budget in Relation to the State FY09 Law Enforcement Terrorism Prevention Program (LETPP) Grant**

By Legislator: Philip N. Reed, Sr.

Whereas, Pursuant to Resolutions 105 of 2010 and 58 of 2011, This Board of Legislators accepted \$61,500 and subsequently re-appropriated unspent funds from the New York State Office of Homeland Security's FY09 Law Enforcement Terrorism Prevention Program (LETPP)(CDFA 97.067), and

Whereas, Funds from this grant remain unspent and must be re-appropriated to the 2012 County Budget.

Now, Therefore, Be It Resolved that the 2012 County Budget is amended as follows:

#### **Increase:**

01-0599	Appropriated Fund Balance	\$ 3,625.96
01-3110-3110.2300	Technical Equipment	\$ 3,625.96

Seconded by Legislator: Anthony J. Doldo

See Roll Call Vote following Resolution No. 91.

Resolution passed.

### **Resolution No. 97**

#### **Amending the 2012 County Budget in Relation to the State FY10 Law Enforcement Terrorism Prevention Program (LETPP) Grant**

By Legislator: Philip N. Reed, Sr.

Whereas, Pursuant to Resolution 76 of 2011, This Board of Legislators accepted \$71,729 from the New York State Office of Homeland Security's FY10 Law Enforcement Terrorism

Prevention Program (LETTP)(CDFA 97.067) , and

Whereas, Funds from this grant remain unspent and must be re-appropriated to the 2012 County Budget.

Now, Therefore, Be It Resolved that the 2012 County Budget is amended as follows:

**Increase:**

01-0599	Appropriated Fund Balance	\$ 71,729
01-3110-3414.2300	Technical Equipment	\$ 48,329
01-3110-3414.4428	Public Safety Services - Other Govt	\$ 23,400

Seconded by Legislator: Anthony J. Doldo

See Roll Call Vote following Resolution No. 91.

Resolution passed.

**Resolution No. 98**

**Amending the 2012 County Budget to Re-Appropriate FY 2010  
Operation Stonegarden Grant**

By Legislator: Philip N. Reed, Sr.

Whereas, By Resolution 177 of 2011, This Board of Legislators accepted a FY 2010 \$145,416 Operation Stonegarden grant (CFDA 97.067) 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 2012.

Now, Therefore, Be It Resolved, That the 2012 County Budget is amended as follows:

**Increase:**

01-0599	Appropriated Fund Balance	\$145,416.00
(Expenditures)		
01-3110-3114.1300	Operation Stonegarden Overtime	\$ 71,355.00
01-3110-3114.2300	Operation Stonegarden Technical Equipment	46,400.00
01-3110-3114.2401	Operation Stonegarden Auto. Equipment	1,500.00
01-3110-3114.4111.002	Operation Stonegarden Comm. Equipment	400.00
01-3110-3114.4310.001	Operation Stonegarden Internal Fleet Repair	8,640.44

01-3110-3114.4311	Operation Stonegarden Gas & Oil	4,319.56
01-3110-3114.8010	Operation Stonegarden Retirement	6,071.52
01-3110-3114.8030	Operation Stonegarden Social Security	5,082.00
01-3110-3114.8040	Operation Stonegarden Workers Comp.	1,647.48

Seconded by Legislator: Anthony J. Doldo

See Roll Call Vote following Resolution No. 91.

Resolution passed.

### **Resolution No. 99**

#### **Amending the 2012 County Budget to Re-Appropriate FY 2008 and FY 2009 Operation Stonegarden Grant Funds**

By Legislator: Philip N. Reed, Sr.

Whereas, By Resolutions 120 of 2009, 104 and 96 of 2010, and 32 of 2011, This Board of Legislators accepted and subsequently re-appropriated unspent funds from the FY 2008 and FY 2009 (CFDA 97.067) Operation Stonegarden grants from the New York State Office of Homeland Security (NYSOHS), and

Whereas, There remain unspent FY 2008 and 2009 Stonegarden grant funds that must be re-appropriated for 2012.

Now, Therefore, Be It Resolved, That the 2012 County Budget is amended as follows:

#### **Increase:**

01-0599	Appropriated Fund Balance	\$ 58,319.27
(Expenditures)		
01-3110-3114.1300	Operation Stonegarden Overtime	\$ 17,932.24
01-3110-3114.4310.001	Operation Stonegarden Internal Fleet Repair	4,000.20
01-3110-3114.4311	Operation Stonegarden Gas & Oil	1,999.80
01-3110-3114.4514	Operation Stonegarden Uniforms & Clothing	5,000.00
01-3110-3114.4585	Operation Stonegarden Operating Supplies	24,224.33
01-3110-3114.8010	Operation Stonegarden Retirement	2,448.67
01-3110-3114.8030	Operation Stonegarden Social Security	2,049.60
01-3110-3114.8040	Operation Stonegarden Workers Comp.	664.43

Seconded by Legislator: Anthony J. Doldo

See Roll Call Vote following Resolution No. 91.

Resolution passed.

### **Resolution No. 100**

#### **Authorizing the Abandonment of Part of County Route 59 Frontage to Frederick and Ann Lanham**

By Legislator: Philip N. Reed, Sr.

Whereas, Frederick and Ann Lanham, property owners adjacent to County Route 59 in the Town of Brownville have expressed an interest in acquiring a portion of road frontage abutting their property, and

Whereas, That portion of highway property, in the opinion of the County Highway Superintendent, is unnecessary for county highway purposes due to the proximity of residential and other structures, and

Whereas, Pursuant to Highway Law § 118-a, this Board of Legislators may abandon, upon recommendation of the County Highway Superintendent, to the abutting owner, sections or parts of highway property which are of no further use for highway purposes.

Now, Therefore, Be it Resolved, that pursuant to section 118-a of the Highway Law, a portion of County Route 59 in the Town of Brownville, as said parcel is identified on the maps in the County Highway Department and described in the attached description and incorporated as part of this resolution by reference, is declared unnecessary for highway purposes, and be it further

Resolved, That the above referenced parcel shall be sold to Frederick and Ann Lanham, abutting property owners, for the sum of one dollar, (\$1.00) and the Chairwoman of the Board is hereby authorized and directed to execute a quit claim deed and other documents necessary to convey said parcel subject to the approval of the County Attorney as to form and content.

Seconded by Legislator: Anthony J. Doldo

#### **Description of Property**

Parcel of land to be conveyed by the County of Jefferson to Ann M. & Frederick H. Lanham.

ALL THAT TRACT OR PARCEL OF LAND situate on the north side of County Route 59 (also known as North Shore Road), in the Town of Brownville, County of Jefferson, State of New York and being further described as follows:

BEGINNING at a Railroad Spike set at the intersection of the southwest corner of a parcel of land that was conveyed to Ann & Frederick H. Lanham by deed dated August 20, 2010 (ID No. 2010-11921) and the southeast corner of a parcel of land that was conveyed to Cynthia John by



deed dated August 21, 2001 (Liber 1810, Page 134);

THENCE from said point of beginning, North 86 degrees 42 minutes 57 seconds East along the south line of Lanham, a distance of 86.21 feet to a point that marks the southeast corner thereof;

THENCE South 02 degrees 01 minutes 47 seconds West along the southerly extension of the east line of Lanham, a distance of 22.84 feet to a ½ inch iron pipe set;

THENCE South 88 degrees 18 minutes 17 seconds West parallel to and 5.0 feet north of the north side of a garage, a distance of 24.80 feet to a ½ inch iron pipe set;

THENCE South 01 degrees 36 minutes 49 seconds East parallel to and 5.0 feet west of the west side of said garage, a distance of 25.36 feet to a ½ inch iron pipe set;

THENCE North 89 degrees 02 minutes 36 seconds West parallel to and 27.8 feet north of the pavement centerline of County Route 59, a distance of 59.69 feet to a railroad spike set;

THENCE North 02 degrees 00 minutes West in line with the west line of the Lanham parcel of land, a distance of 43.00 feet to the point of beginning.

CONTAINING 0.075 acres of land more or less (3,275 square feet).

SUBJECT TO all rights or restrictions of record that an Abstract of Title may disclose.

AS SURVEYED BY Patsy A. Storino, Licensed Land Surveyor, on May 10, 2011 and being designated as Parcel B on a plat titled, "Survey Plat of a Parcel of Land Known as 22887 County Route 59 & Vicinity," dated April 22, 1991 and last revised on May 24, 2011.

ALL BEARINGS referenced to the bearing recited along the west line in the deed for the above referenced Lanham parcel of land.

INTENDING TO describe a parcel of land that was determined by previous survey (April 17, 1991) to be within the highway limits of County Route 59.

PATSY A. STORINO, L.S. #49013  
Licensed Land Surveyor

All members present voted aye.

### **Resolution No. 101**

### **Authorizing the Abandonment of Bridge/Culvert P-043 to Village of Philadelphia**

By Legislator: Philip N. Reed, Sr.

Whereas, The Village of Philadelphia has expressed an interest in acquiring from Jefferson County a footbridge traversing the Indian River in the Village of Philadelphia at the location of the former US Route 11 bridge crossing. Said location was abandoned by the State of New York to the County of Jefferson in 1986,

Whereas, That footbridge, identified as Culvert P-043, is a portion of the county highway system and in the opinion of the County Highway Superintendent is unnecessary for county highway purposes due its location within the Village and sole purpose as a pedestrian viaduct, and

Whereas, Pursuant to Highway Law § 118-a, this Board of Legislators may abandon, upon recommendation of the County Highway Superintendent, to the abutting owner, sections or parts of highway property which are of no further use for highway purposes.

Now, Therefore, Be it Resolved, that pursuant to section 118-a of the Highway Law, Culvert P-043 and its right-of-way/easement in the Town and Village of Philadelphia, as said parcel is identified on the maps in the County Highway Department and described therein, is declared unnecessary for highway purposes, and be it further

Resolved, That the above referenced parcel shall be sold to the Village of Philadelphia, abutting property owner, for the sum of one dollar, (\$1.00) and the Chairwoman of the Board is hereby authorized and directed to execute a quit claim deed and other documents necessary to convey said parcel 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. 102**

#### **Appointing Members to the Community Services Board**

By Legislator: James A. Nabywaniec

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

<u>Member</u>	<u>Sub-Committee</u>	<u>Term to Expire</u>
William Bowman	Alcohol & Substance Abuse	12/31/2014
Patricia Fralick	Alcohol & Substance Abuse	12/31/2014
Dr. Charles Moehs	Alcohol & Substance Abuse	12/31/2014
Deb Doss	Mental Health (Subcommittee Only)	12/31/2014
Bobbi Petranchuk	Mental Health (Subcommittee Only)	12/31/2014
Lynn Pietroski	Mental Health (Subcommittee Only)	12/31/2014

Michelle Appleby	People with Developmental Disabilities	12/31/2014
Jill Rupp	People with Developmental Disabilities	12/31/2014

Seconded by Legislator: Anthony J. Doldo

All members present voted aye.

### **Resolution No. 103**

#### **Authorizing Agreements for Provision of Mental Hygiene Services**

By Legislator: James A. Nabywaniec

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 2012 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>
Cornell Coop. Ext.: 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
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 Program	\$ 85,942	\$ 76,068	\$ 9,874
Family Support Svcs.	\$ 5,000	\$ 0	\$ 5,000
Ongoing Integrated Employment	\$ 74,116	\$ 74,116	\$ 0
Affirmative Business Program	\$226,388	\$226,388	\$ 0

North Country Transitional Living Services DBA  
Transitional Living Services of NNY

Supported Housing	\$215,973	\$206,529	\$ 9,444
Mobile Crisis Outreach	\$141,044	\$121,780	\$ 19,264
Homeless MICA/Case Mgmt.	\$122,345	\$106,165	\$ 16,180

Mental Health Assn.

Drop-in/Psychosocial Program	\$255,427	\$236,681	\$ 18,746
Adult Respite Program	\$ 38,754	\$ 33,406	\$ 5,348

Children's Home of Jefferson County

Family Respite	\$ 44,243	\$ 38,139	\$ 6,104
Aggression Replacement	\$ 31,860	\$ 27,464	\$ 4,396
Prevention Program	\$ 27,856	\$ 23,978	\$ 3,878
Case Management	\$255,533	\$255,533	\$ 0
Community Outpatient Clinic	\$ 78,744	\$ 31,424	\$ 47,320
Records Management	\$ 30,000	\$ 0	\$ 30,000
Forensic Jail Program	\$ 80,911	\$ 80,027	\$ 884

Carthage Area Hospital

Behavioral Health Clinic	\$102,088	\$102,088	\$ 0
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Dr. Jeffrey S. Aronowitz: Professional Services \$290 per hour

Dr. John E. Savino: 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: Anthony J. Doldo

All members present voted aye.

**Resolution No. 104**

**Appointing and Re-Appointing Members to Public Health Services Advisory Board**

By Legislator: James A. Nabywaniec

Resolved, That the following individuals be and are hereby appointed and reappointed as members of the Jefferson County Health Services Advisory Board for terms to expire as indicated below:

<u>Members</u>	<u>Term to Expire</u>
<u>New Appointments</u>	
Ben Moore, III	12/31/12
<u>Re-Appointments</u>	
Jack J. Boak	12/31/15
Thomas H. Carman	12/31/15
Jason F. White, M.D.	12/31/15

Seconded by Legislator: Anthony J. Doldo

All members present voted aye.

#### **Resolution No. 105**

#### **Appointing and Re-Appointing Members to Public Health Service Professional Advisory Committee**

By Legislator: James A. Nabywaniec

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

<u>Members</u>	<u>Term to Expire</u>
<u>New Appointments</u>	
Elena Y. Vega-Castro	12/31/15
Marla K. Clement	12/31/13
Kathleen E. Hunter	12/31/14
Stephen R. Joels	12/31/15
<u>Re-Appointments</u>	
Edward N. Doldo	12/31/12
Kim T. Monroe	12/31/15
Susan A. Naso	12/31/15
Heather M. Saski	12/31/12

Seconded by Legislator: Anthony J. Doldo

All members present voted aye.

**Resolution No. 106**

**Authorizing Agreement with the New York State Department of Health  
for a Rural Minority Health Program Grant and  
Amending the 2012 County Budget in Relation Thereto**

By Legislator: James A. Nabywaniec

Whereas, The Public Health Service has been notified by the New York State Department of Health Office of Health Disparities Prevention/Office of Minority Health of a Rural Minority Health Program grant award in the amount of \$23,000 for the period of 09/01/11 - 07/30/13, and

Whereas, The purpose of the award is to reduce barriers to health care services for racial, ethnic, and underserved populations in rural New York State by addressing disparities in health insurance coverage, health services utilization, and quality of care, and

Whereas, The project's goals and objectives are to conduct a needs and assets assessment, and based on findings implement and evaluate targeted interventions, and

Whereas, Said grant funding will partly offset a portion of currently budgeted salary and fringes expenditures.

Now, Therefore, Be It Resolved, That Jefferson County hereby accepts said grant funding and authorizes and directs the Chairman of the Board of Legislators to execute any and all required grant agreement documents with the New York State Department of Health for the provision of this funding, subject to approval of the County Attorney as to form and content, and be it further

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

**Increase:**

01-4050-999.94489	Federal Aid Other Health	\$ 12,000
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**Decrease:**

01-0599	Appropriated Fund Balance	\$ 12,000
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Seconded by Legislator: Anthony J. Doldo

Roll Call Vote

Ayes: Nabywaniec, Doldo, Reed, Behling, Docteur, Peck, Adsit, Harter, Drake, Ferris, Ormsby, Fitzpatrick

Absent: Astafan, Thomas, Gray

Resolution passed.

### **Resolution No. 107**

#### **Accepting Grant from Cornell Cooperative Extension Association and Amending the 2012 County Budget in Relation Thereto**

By Legislator: James A. Nabywaniec

Whereas, Cornell Cooperative Extension Association of Jefferson County, in partnership with Cornell University's Division of Nutritional Sciences, through funding provided by the Rural Health and Safety Education grant, offered mini-grants to foster policy and environmental changes in several areas, including expanding access to existing physical activity programs to increase utilization among low income participants, and

Whereas, The Youth Bureau has been awarded a mini-grant of \$1,800 to provide recreation scholarships for low income youth to participate in sports and other physical activities.

Now, Therefore, Be It Resolved, That the Board of Legislators hereby accepts this grant on behalf of the Youth Bureau and the 2012 County Budget is amended as follows:

#### **Increase:**

(Revenue)

01-7310-999.92710	Recreation Scholarship Donations	\$1,800
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(Expenditure)

01-7310-7311.4745	Recreation Scholarships	\$1,800
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Seconded by Legislator: Anthony J. Doldo

Roll Call Vote

Ayes: Peck, Doldo, Harter, Adsit, Ormsby, Docteur, Drake, Ferris, Nabywaniec, Reed, Behling, Fitzpatrick

Absent: Astafan, Gray, Thomas

Resolution passed.

## **Resolution No. 108**

### **Authorizing the Commencement of Litigation for the Purpose of Recoupment of Medicaid “Overburden Claims” from the NYS Department of Health on Behalf of Jefferson County**

By Legislator: James Nabywaniec

Whereas, Jefferson County became aware that the New York State Department of Health (DOH) has failed to reimburse numerous Counties for Medicaid expenditures duly billed through the NYS Department of Health’s Welfare Management System (WMS) due to unilateral and secretive manipulation of case coding protocol, and

Whereas, The County has retained a consultant and outside counsel, Nancy Rose Stormer, Esq, to review its billing records in order to determine whether DOH failed to properly reimburse the Jefferson County Department of Social Services and pursue legal action if necessary, and

Whereas, Upon initial review it has been determined that for the period prior to January 1, 2006, the DOH failed to reimburse the County of Jefferson in the amount of \$189,516.00 for Medicaid expenditures known as “overburden claims” relating to services for certain mentally disabled persons, and subsequent periods are still under review, and

Whereas, The above claim has been submitted to NYS for reimbursement and has been formally rejected by the Department of Health, and

Whereas, In order to pursue its rights, the County must commence and litigate a special proceeding promptly and anticipates additional denials on other similar submissions.

Now, Therefore, Be it Resolved, that the Board of Legislators hereby authorizes and directs the County Attorney, or his designee, to commence any action or litigation against the State of New York, its Departments or Agencies, necessary to obtain recovery of Medicaid reimbursement due the County of Jefferson, known at this time or determined upon full investigation.

Seconded by Legislator: Anthony J. Doldo

All members present voted aye.

## **Resolution No. 109**

### **Authorizing Preparation and Submission of HOME Applications to the U.S. Department of Housing and Urban Development in Federal Fiscal Years 2012, 2013, and 2014 and Authorizing an Agreement Related Thereto with the Development Authority of the North Country**

By Legislator: Barry M. Ormsby



Whereas, By Resolution 81 of 2011, This Board of Legislators re-authorized participation in the North Country HOME Consortium (NCHC) with the Counties of St. Lawrence and Lewis for the purpose of obtaining Home Investment Partnerships Program funds and establishing Jefferson County as Lead County, and

Whereas, On June 27, 2011 Jefferson County submitted qualifying documentation to the U.S. Department of Housing and Urban Development (HUD) for the purpose of requesting that the NCHC be reauthorized as a participating jurisdiction for the Home Investment Partnerships Program, and

Whereas, Jefferson County, as lead County, has been notified by HUD that the NCHC has been reauthorized to continue as a participating jurisdiction for the purposes of obtaining Home Investment Partnership Program Funds for Federal Fiscal Years (FFY) 2012, 2013, and 2014, and

Whereas, Jefferson County, as lead County, is expected to receive an annual HOME allocation for the NCHC in FFY 2012, 2013, and 2014 from HUD upon submission of required application materials.

Now, Therefore, Be It Resolved, That Jefferson County acting as lead County on behalf of the NCHC is hereby authorized to prepare and submit applications to HUD for HOME funding in FFY 2012, 2013, and 2014, and be it further

Resolved, That Jefferson County shall enter into an agreement with the Development Authority of the North Country (DANC) which provides that DANC shall be a subrecipient of the funds and will be responsible for working cooperatively with the Jefferson County Department of Planning in the administration of the HOME Program, and be it further

Resolved, That the Chairman of the Board of Legislators be and is hereby authorized to execute the above referenced agreement with the Development Authority of the North Country, all necessary application documents, and annual grant agreements with HUD on behalf of the County. The agreement with DANC and grant agreements with HUD shall be subject to approval by the County Attorney as to form and content.

Seconded by Legislator: Robert D. Ferris

All members present voted aye.

### **Resolution No. 110**

#### **Authorizing the Execution of a Memorandum of Understanding with Lewis and St. Lawrence Counties for Administrative Organization and Operational Plan for the North Country HOME Consortium**

By Legislator: Barry M. Ormsby

Whereas, The Jefferson County Board of Legislators adopted Resolution 81 of 2011 which re-authorized participation in the North Country HOME Consortium with the Counties of St. Lawrence and Lewis for the purpose of obtaining Home Investment Partnership Program funds, established Jefferson County as Lead County, and authorized a Cooperation Agreement with St. Lawrence and Lewis Counties, and

Whereas, Pursuant to the three - County Cooperation Agreement executed on June 21, 2011 the Counties agreed to develop a Memorandum of Understanding with terms and conditions for the administrative organization and operations of the NCHC, and

Whereas, The NCHC Administrative Board has developed terms and conditions of a Memorandum of Understanding outlining the manner in which the Consortium will be administered in order to carry out the intent of said Cooperation Agreement.

Now, Therefore, Be It Resolved, That Jefferson County enter into a Memorandum of Understanding with Lewis and St. Lawrence Counties in relation to the administration of the North Country HOME Consortium, and be it further

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

Seconded by Legislator: Robert D. Ferris

All members present voted aye.

### **Resolution No. 111**

#### **Resolution in Support of a 2011-2012 Local Government Efficiency Grant Application for a Planning Study Application for North Country Regional Shared Geographic Information Services (GIS)**

By Legislator: Barry M. Ormsby

Whereas, Funds are available through the New York State Department of State's 2011-2012 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, The Development Authority of the North Country has proposed to prepare a grant application for planning funding assistance to study the feasibility of shared GIS services, partnerships and efficiencies among governmental entities that are currently deploying GIS mapping technology in the region, and

Whereas, The Development Authority of the North Country has pledged to provide the program's required 10% local cash match of the total project cost.

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 GIS 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.

Seconded by Legislator: Robert D. Ferris

All members present voted aye.

### **Resolution No. 112**

#### **Approving Appointment to the Jefferson County Planning Board**

By Legislator: Barry M. Ormsby

Resolved, That pursuant to Section 239-c of the General Municipal Law, the following individual is hereby appointed to the Jefferson County Planning Board for term to expire December 31, 2014.

George Yarnall

Seconded by Legislator: Robert D. Ferris

All members present voted aye.

Chairwoman Fitzpatrick entertained a motion to waive the Standing Rules to permit the introduction of four additional resolutions for consideration. A motion was duly made by Legislator Doldo seconded by Legislator Adsit and unanimously carried by the Board.

### **Resolution No. 113**

#### **Supporting Tompkins County's Request for State Funding to Control and Eradicate the Invasive Aquatic Plant Hydrilla**

By Legislator: Robert D. Ferris

Whereas, The invasive aquatic plant Hydrilla was found for the first time in New York State in August of 2011 by Cornell University staff at Cayuga Lake Inlet, and

Whereas, Hydrilla is a very aggressive plant which grows rapidly, forming dense mats of vegetation near the surface of the water, which can block sunlight, disrupt boating, fishing and swimming and lead to reduced sportfish weight and to the reduction of waterfowl breeding and

fish spawning sites, as well as to reduced property values for areas near infestations, and

Whereas, Tompkins County wishes to treat this infestation as quickly and aggressively as possible to prevent its spread into the Finger Lakes and other areas of the state, including the Great Lakes, and

Whereas, Tompkins County believes the funds available from the State of New York for this treatment are inadequate, and is requesting support from other counties in its attempt to procure additional State funding.

Now, Therefore, Be It Resolved, That this Board of Legislators does hereby support the request by Tompkins County for funding from the State of New York in the amount of \$700,000 to \$1,000,000 per year for the next five to eight years for the eradication of the invasive aquatic weed Hydrilla from the Cayuga Lake area, and be it further

Resolved, That copies of this resolution be provided to Jefferson County's state representatives and to the Commissioner of the New York State Department of Environmental Conservation.

Seconded by Legislator: John D. Peck

Chairwoman Fitzpatrick advised that this invasive species is currently in the Finger Lakes and will move into other waterways if the State does not get control of it, and in order to get rid of it divers don't use chemicals but have to go into the water and pull the plant out by the roots which is a costly endeavor. Mr. Kaskan advised that the State has come up with \$200,000 - \$300,000 for next year but Tompkins County is looking for \$700,000 - \$1,000,000 per year for the next five years; the plant originates from Southeast Asia, came to the United States as a plant in aquariums, and has spread in the south as people threw it out into the waterways and is a big problem in Florida and some of the other southern U.S. states. He said Florida spends an enormous amount of money to control it as eradicating it is too expensive, but if money is spent now in New York it can be eradicated and we will not have to spend money over time trying to control it.

Legislator Peck expressed a frustration with DEC as they seem unwilling to aggressively do anything about invasive species whether it is coming through the Great Lakes in ballasts or this situation and hoped that other counties in the State would support this and put pressure on DEC to do more as invasive species needs to be addressed immediately. Chairwoman Fitzpatrick felt it was important for Jefferson County to express its support as we are a border county for Lake Ontario and may need similar support in the future. There being no further discussion, all members present voted aye.

#### **Resolution No. 114**

#### **Supporting the New York State Conservation Fund Advisory Board's Call for the Proper Use of the Fund's Revenues**

By Legislator: Barry M. Ormsby

Whereas, The New York State Conservation Fund is primarily funded through sportsmen license fees, and

Whereas, Said fees were raised in the State's 2009 Budget with the support of the Conservation Fund's Advisory Board as well as various sportsman organizations, with the understanding that said increase would allow the State to maintain services through the New York State Department of Environmental Conservation's Division of Fish, Wildlife, and Marine Resources (DFWMR), and

Whereas, Contrary to said understanding, the State has reduced its DFWMR staff by 63 positions, while increasing the number of DEC positions paid by the Fund by 56 positions, thereby reducing services and increasing the burden on the Fund to reduce General Fund costs, and

Whereas, The Governor's Budget for the upcoming fiscal year proposes a transfer of yet another 65 positions from the General Fund to the Conservation Fund without any guarantee that the DFWMR vacancies will be filled, and

Whereas, The NYS Conservation Fund Advisory Board, which purpose is to advise the State regarding the use of the Fund, has strongly objected to the Governors' proposal, as well as the State's refusal to fill the needed position in the DFWMR, and

Whereas, The Regional Fish & Wildlife Management Board has voiced its support of the Conservation Fund Advisory Board's position.

Now, Therefore, Be It Resolved, That Jefferson County is strongly opposed to the Governor's proposal to continue to burden the Conservation Fund by pushing additional DEC staff from the General Fund to the Conservation fund, and be it further

Resolved, That Jefferson County also supports filling the needed positions as requested by the Conservation Fund Advisory Board, or in the alternative, to reduce the license fees to the amounts required prior to the 2009 increases, and be it further

Resolved, That copies of this resolution be provided to Jefferson County's State representatives, as well as to the Commissioner of the State Department of Environmental Conservation.

Seconded by Legislator: Robert D. Ferris

Legislator Ormsby thanked the Board for its willingness to address this matter without it going to Committee first and said it is another example of fees being paid by the end user that are not being used as intended when the fees were put in place. Legislator Ferris was excited to bring this issue forward as the Board's representative on the Fish & Wildlife Management Board. He said it is a familiar complaint that the State is charging these fees but they are not being used to maintain services through the NYSDEC's Division of Fish, Wildlife, and Marine Resources (DFWMR) and would like to see our State officials get behind the proper use of the fund revenues. There being no discussion, all members present voted aye on the resolution.

**Resolution No. 115**

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

By Legislator: Philip N. Reed, Sr.

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

Whereas, By Resolution 42 of 2009 this Board adopted Guidelines and Administrative Procedures for the operation of the Housing Improvement Program, and

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

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

Whereas, An application having been made by Housing Improvement Program participant Carl and Kathleen Cook requesting that the County execute a Subordination Agreement, subordinating the County's existing mortgage (File No. 2009-13568) to a mortgage about to be executed and recorded to Government National Mortgage Association.

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

Seconded by Legislator: Robert D. Ferris

All members present voted aye.

**Resolution No. 116**

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

By Legislator: Michael J. Docteur

Whereas, The County of Jefferson received funding from the New York Office of Community Renewal for the operation of a county-wide housing improvement program under the Small

Cities Community Development Block Grant funding (CDBG), and

Whereas, By Resolution 42 of 2009 this Board adopted Guidelines and Administrative Procedures for the operation of the Housing Improvement Program, and

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

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

Whereas, An application having been made by Housing Improvement Program participant Irene and Burton Lunderman requesting that the County execute a Subordination Agreement, subordinating the County's existing mortgage (File No. 2011-6445) to a reverse mortgage about to be executed and recorded to Generation Mortgage Company.

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

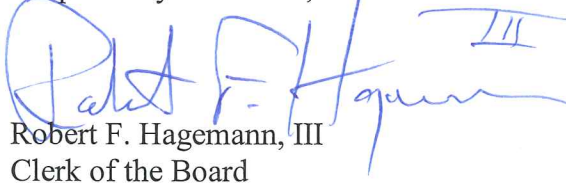
Seconded by Legislator: Anthony J. Doldo

All members present voted aye.

Chairwoman Fitzpatrick thanked the students who were present, representing many school districts and many countries, for their participation in the Cornell Cooperative Extension Association's Student Government Program.

There being no further business of the Board, on a motion by Legislator Behling seconded by Legislator Ferris and unanimously carried, the meeting was adjourned at 7:29 p.m.

Respectfully submitted,

  
Robert F. Hagemann, III  
Clerk of the Board