

**TUESDAY, AUGUST 4, 2009**

**REGULAR SESSION**

Chairman Blankenbush called the meeting to order at 7:00 p.m.

**ROLL CALL OF MEMBERS**

All members present except Legislator Docteur.

**PRIVILEGE OF THE FLOOR**

No one wished to address the Board.

**READING OF MINUTES OF LAST SESSION, IF REQUESTED**

The minutes of the July 7, 2009 Board Session were approved as written in the absence of objection or correction.

**PETITIONS, NOTICES AND COMMUNICATIONS**

Correspondence was received from Senator Kirsten Gillibrand acknowledging receipt of Board of Legislators Resolution No. 155 "Opposing New York State Senate Bills Mandating Farm Labor Requirement" and relating that she is working on fixing the dairy pricing system.

A copy of Resolution No. 77 was received from the Schoharie County Board of Supervisors "Requesting New York State to Take Back Local Share of Medicaid as a Component of True Medicaid Reform".

**STANDING COMMITTEES**

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

**REPORTS OF COUNTY OFFICERS AND OTHERS**

A Report of the County Treasurer on investments and cash on hand as of July 31, 2009 was received.

A Report of the County Administrator on budget transfers for the month of July, 2009 was received.

A Report of the County Auditor on erroneous assessments for the month of July, 2009 was received.

**LOCAL LAWS, RESOLUTIONS, AND MOTIONS**

**Resolution No. 157**

**Amending the 2009 County Budget and Capital Plan in Relation to the Help America Vote Act**

By Legislator: Scott A. Gray

Whereas, As a result of the Help America Vote Act, federal funds have been provided to New York State to offset mandated county costs for new voting machines, public education, poll worker training, and polling place access improvements, and

Whereas, The State Board of Elections (SBOE) requires that each county provide matching funds in the amount of 5% of the funds provided from state and federal sources for these purposes, and

Whereas, In Resolution 174 of 2006 this Board appropriated the County's estimated matching funds for voting machine equipment, and New York State paid the voting machine vendors its 95% share directly, and

Whereas, additional equipment must be purchased which, while covered under the HAVA matching funds, must be purchased by the County first and reimbursed by the State afterwards, and

Whereas, Said purchases require that the 2009 County Budget and capital plan must be amended to recognize and appropriate additional federal revenues.

Now, Therefore, Be It Resolved, That the 2009 County Budget is amended as follows:

**Increase:**

Revenues:

01-1450-999.94089	Federal Election Aid	\$20,000
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Expenditures

20-9006-1450.2061	HAVA Voting Machines	\$20,000
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Transfers:

01-8992-9950.9006	Transfer to Capital Projects	\$ 20,000
20-9006-999.95031	Transfer from General Fund	20,000

and be it further

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

Seconded by Legislator: Robert J. Thomas

Roll Call Vote

Ayes: Reed, Burto, Gray, Boice, St.Croix, Thomas, Adsit, Fitzpatrick, Nabywaniec, Drake, Zando, Ormsby, Behling, Blankenbush

Absent: Docteur

Resolution passed.

**Resolution No. 158**

**Appointing Member to Jefferson Community College Board of Trustees**

By Legislator: Scott A. Gray

Resolved, That, pursuant to Section 6306 of the Education Law, Michael W. Crowley be and is hereby appointed to the Jefferson Community College Board of Trustees for a term to expire June 30, 2016.

Seconded by Legislator: Robert J. Thomas

All members present voted aye.

**Resolution No. 159**

**Authorizing Inter-Municipal Agreement with the City of Watertown  
Regarding Edward Byrne Memorial Justice Assistance Program**

By Legislator: Scott A. Gray

Whereas, The City of Watertown is applying for \$97,267 in funds under the Federal Edward Byrne Memorial Justice Assistance Grant Program for various equipment and software, and

Whereas, The County must approve of the use of these funds, if awarded, and allocate its share (\$17,752) to the purchase of the equipment and software (practice targets and evidence software), as agreed to by both the Sheriff's Department and the City Police Department, and

Whereas, Grant regulations require that said approval must be in the form of an agreement between the County and the City, and

Whereas, Jefferson County wishes to approve the use of the funds for the program.

Now, Therefore, Be It Resolved, That Jefferson County enter into an agreement with the City of Watertown as required by the Edward Byrne Memorial Justice Assistance Program for the purposes detailed above, and be it further

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

Seconded by Legislator: Robert J. Thomas

All members present voted aye.

### **Resolution No. 160**

#### **Authorizing Agreement with WWNY-TV for the Shared use of Broadcast Transmission Locations**

By Legislator: Scott A. Gray

Whereas, The County of Jefferson and WWNY-TV have a long history of providing for the public good through cooperation in mutual access to transmission facilities, and

Whereas, WWNY-TV is in need of a location in downtown Watertown with sufficient elevation and orientation to locate a signal bending device and the Jefferson County Court Complex building is ideal suited for such use, and

Whereas, The County of Jefferson utilizes a transmission tower owned by WWNY-TV to locate and operate transmission equipment used for public safety purposes , and

Whereas, Both parties desire to formalize their mutual understanding in a written agreement

Now, Therefore, Be it Resolved, that the Chairman of the Board of Legislators is authorized to enter into an agreement with WWNY-TV for the mutual sharing of transmission locations, subject to the approval of the County Attorney as to form and content.

Seconded by Legislator: Robert J. Thomas

All members present voted aye.

### **Resolution No. 161**

#### **Amending 2009 County Budget Relative to Employment & Training to Recognize and Appropriate Additional Federal Aid and American Reinvestment and Recovery Act (Stimulus) Funds**

By Legislator: Scott A. Gray

Whereas, The Department of Employment & Training has received additional federal aid as well as American Reinvestment and Recovery Act (Stimulus) funds and the 2009 County Budget must be amended to recognize and appropriate these additional funds.

Now, Therefore, Be It Resolved, That the 2009 County Budget be and is hereby amended as follows:

**Increase:**

Revenue		
25-6340-999.94616	Federal Aid Job Training	\$50,000.00

Expenditure		
25-6340-6340.2101	Computer Equipment	\$35,602.41
25-6340-6340.4111.003	Computer Equipment, Sensitive Items	8,946.00
25-6340-6340.4114.002	Computer Hardware, Maintenance/Repair	207.50
25-6340-6340.4118	Computer Hardware, Upgrades or Replace	1,979.99
25-6340-6340.4119	Computer Software	3,264.10

Revenue		
25-6340-999.94616.s	Federal Aid Job Training Stimulus ARRA	\$1,175,782.00

Expenditure		
25-6340-6340.1110.s	Temporary Positions	76,000.00
25-6340-6340.4611.s	On-The-Job Training Stimulus	220,000.00
25-6340-6340.4612.s	Training Work Experience	299,000.00
25-6430-6430.4613.002s	Client Training	293,483.00
25-6340-6340.4619.s	Lewis County Reimbursements	140,000.00
25-6340-6340.4624.s	Client Incidentals Stimulus	29,289.00
25-6340-6340.8030.s	FICA Stimulus	28,687.50
25-6340-6340.8040.s	Workers' Comp Stimulus	8,362.50
25-6340-6340.4312.s	Automobile Rental	8,000.00
25-6340-6340.4210.s	Building/Property Rental	70,000.00
25-6340-6340.4214.s	Utilities	2,960.00

Revenue		
25-6340-999.94616	Federal Aid Job Training	\$112,425.04

Expenditure		
25-6340-6340.2200	Office Furniture/Furnishings	40,000.00
25-6340-6340.4611	On-The-Job Training	27,000.00
25-6340-6340.4613.002	Client Training	28,000.00
25-6340-6340.4111.003	Computer Equipment, Sensitive Items	2,000.00
25-6340-6340.4624	Client Incidentals	6,000.00
25-6340-6340.4118	Computer Hardware	4,000.00
25-6340-6340.4119	Computer Software	3,425.04
25-6340-6340.4111.001	Audio-Visual Equip., Sensitive Items	2,000.00

Seconded by Legislator: Robert J. Thomas

Roll Call Vote

Ayes: Zando, Reed, Gray, Ormsby, Adsit, Nabywaniec, Behling, Drake, Fitzpatrick, Thomas, Burto, St.Croix, Boice, Blankenbush

Absent: Docteur

Resolution passed.

**Resolution No. 162**

**Authorizing Execution of Letter of Approval to Receive  
Additional Revenue for the Probation Department**

By Legislator: Philip N. Reed, Sr.

Whereas, The Department of Probation and Correctional Alternatives (DPCA) has notified the Probation Department of additional revenue to provide enhanced probation supervision services to individuals classified as Sex Offender Registration Act (SORA) risk level 2 and 3 sex offenders, and

Whereas, The Jefferson County Probation Department is eligible to receive \$1,376 annually for each SORA Risk Level 2 and 3 sex offender for the period April 1, 2009 to March 31, 2010, and

Whereas, In order to receive these funds a Letter of Approval must be executed.

Now, Therefore, Be It Resolved, That the Chairman of the Board of Legislators is hereby authorized to execute any and all documents on behalf of Jefferson County related to the receipt of the additional funds.

Seconded by Legislator: Scott A. Gray

All members present voted aye.

**Resolution No. 163**

**Amending the 2009 Budget to Recognize Insurance Recovery  
and Allocating Same in Sheriff's Department Budget**

By Legislator: Philip N. Reed, Sr.

Whereas, The Sheriff's Department is in receipt of a insurance settlement check for \$1,280.33 for damage to a patrol unit, and has requested that the insurance settlement be used to supplement the departmental external fleet expense account.

Now, Therefore, Be It Resolved, That the 2009 Budget is hereby amended as follows:

**Increase:**

01-3110-3110.4310.002      External Fleet Expense      \$ 1,280.33

01-3110-999.92680      Insurance Recoveries      \$ 1,280.33

Seconded by Legislator:   Scott A. Gray

Roll Call Vote

Ayes:            Reed, Nabywaniec, Fitzpatrick, St.Croix, Thomas, Ormsby, Adsit, Behling,  
                         Zando, Boice, Gray, Burto, Drake, Blankenbush

Absent:          Docteur

Resolution passed.

**Resolution No. 164**

**Authorizing Agreement with the New York State Office of Homeland Security and Amending the 2009 County Budget in Relation Thereto**

By Legislator:   Philip N. Reed, Sr.

Whereas, Jefferson County has been awarded a Homeland Security Grant (Operation Crackdown), from the New York State Office of Homeland Security on behalf of the City of Watertown, and

Whereas, Said grant will reimburse the City of Watertown Police Department for \$1,519.30 in overtime costs associated with the grant work plan, and

Whereas, In order to obtain said funds and provide them to the City, it is necessary to authorize an agreement with the New York State Office of Homeland Security and to amend the 2009 County Budget.

Now, Therefore, Be It Resolved, That the Chairman of the Board of Legislators be and is hereby authorized and directed to execute said agreement on behalf of Jefferson County, and be it further

Resolved, That the 2009 County Budget is amended as follows:

**Increase:**

(Revenue)

01-3110.999.94320      Federal Aid Criminal Justice      \$1,519.30

(Expenditure)

01-3110-3110.4416                      Professional Fees    \$1,519.30

Seconded by Legislator:   Scott A. Gray

Roll Call Vote

Ayes:                      St. Croix, Thomas, Burto, Drake, Nabwyaniec, Boice, Fitzpatrick, Gray, Zando, Behling, Reed, Adsit, Ormsby, Blankenbush

Absent:                      Docteur

Resolution passed.

**Resolution No. 165**

**Amending 2009 County Budget Relative to Community Services Department**

By Legislator:   James A. Nabywaniec

Whereas, There has been an unusually large number of individuals that require care for extended periods of time in regard to court ordered placements in an institutional setting, and

Whereas, The County is responsible for a 50% share of these costs, and year-end projections for individuals already being housed and possible admissions through the next six months are significantly over budget and require additional appropriation to sustain expenditures.

Now, Therefore, Be It Resolved, That the 2009 County Budget be and is hereby amended as follows to cover the shortfall in funding relative to court ordered institutional admissions:

**Increase:**

01-4310-4390.4413	Medical Fees	\$230,000
01-1910-1990.4963	Contingent Account	\$230,000

Seconded by Legislator:   Michael J. Docteur

All members present voted aye.

**Resolution No. 166**

**Amending the 2009 County Budget in Relation to the Office for the Aging to Acknowledge Federal Aid Carryover and Recognize and Appropriate Additional State Aid and American Reinvestment and Recovery Act (Stimulus) Funds**



By Legislator: James A. Nabywaniec

Whereas, The Office for the Aging has Federal Aid funds to carryover, has received final 2009 State Aid allocations, and needs to recognize and appropriate these additional funds, and

Whereas, The Office for Aging has also received notification that they will receive a total of \$27,397 in ARRA (Stimulus) funds which must be used for congregate and home delivered meal expenses, and a proposal on how these fund will be used was submitted and approved by the NYS Office for the Aging, and

Whereas, These additional funds for the nutrition program will allow the department to move federal money into the contracted health care and home care equipment appropriations to provide services to several clients currently on waiting lists, and to increase funding for the Registered Dietician to provide additional nutrition counseling for at risk clients.

Now, Therefore, Be It Resolved, That the 2009 County Budget is hereby amended as follows:

**Increase:**

Revenue:

01-6772-999.93778	EISEP	\$ 9,349
01-6772-999.93775	CSE	4,727
01-6772-999.93774	SNAP	15,058
01-6772-999.94772	Title IIIB	7,895
01-6772-999.94773	Title IIIC1	6,355
01-6772-999.94781	Title IIID	1,099
01-6772-999.94778	Title IIIE	4,947
01-6772-999.94773S	ARRA C1 & C2	<u>27,370</u>
	Total	\$76,800

Expenditures:

01-6772-6772.4110	Office Expense	\$ 1,000
01-6772-6772.4117	Printing	1,500
01-6772-6772.4416	Professional Fees	10,000
01-6772-6772.4422	Contracted Health Care	60,000
01-6772-6772.4715	Alter Home Care Equipment	<u>4,300</u>
	Total	\$76,800

Seconded by Legislator: Michael J. Docteur

Roll Call Vote

Ayes: Burto, Adsit, Boice, Drake, Fitzpatrick, Behling, Reed, Thomas, Nabywaniec, St.Croix, Gray, Ormsby, Zando, Blankenbush

Absent: Docteur

Resolution passed.

**Resolution No. 167**

**Authorizing Agreement with United States Department of Agriculture  
Relative to Wildlife Rabies Oral Vaccination Program**

By Legislator: James A. Nabywaniec

Whereas, NYS Public Health Law charges municipal public health services with promoting health and preventing illness while controlling and mitigating the extent of infectious diseases of an active and chronic nature, and

Whereas, The rabies outbreak continues and challenges the non-outbreak baited areas, while cases in the fourteen year outbreak baited areas have decreased, and

Whereas, Studies have shown that wildlife oral immunization is a cost effective and successful means of impeding the progression of the rabies virus into unaffected areas of New York State and eliminating rabies in affected areas, and

Whereas, The U.S. Department of Agriculture is proposing the continuation of the wildlife rabies oral vaccination baiting program commenced in this region in 1995 under the auspices of Cornell University, and is requesting Jefferson County continuing financial participation in the program, 36% of which cost is eligible for state aid reimbursement under Article 6 of the Public Health Law, and

Whereas, Funding for Jefferson County participation in the wildlife rabies oral vaccination program was included in the 2009 Adopted County Budget in order to purchase vaccine baits instead of providing funding.

Now, Therefore, Be It Resolved, That Jefferson County enter into an agreement with the U.S. Department of Agriculture for continuation of the wildlife rabies oral vaccination program for the period August 1, 2009 through July 31, 2010, at an initial operating expense of up to \$30,000, with provision for a one year renewal contingent on continued funding by the County, and be it further

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

Resolved, That the 2009 County Budget is hereby amended as follows:

**Increase:**

01-4050-4042.4416	\$30,000	Professional Fees
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**Decrease:**

01-4051-4042.4585                      \$30,000                      Operating Supplies

Seconded by Legislator: Michael J. Docteur

All members present voted aye.

**Resolution No. 168**

**Amending the 2009 County Budget Due to Health Facility Cash Assessment Program**

By Legislator: James A. Nabywaniec

Whereas, Through The New York State 2009 – 2010 Budget process a Health Facility Cash Assessment Program was reenacted in the amount of 0.35% for Public Health Law Article 28 General Hospitals as well as Article 36 Certified Home Health Care Agencies and Long Term Home Health Care Programs, and for Social Services Law Personal Care Service Providers, and

Whereas, Chapter 58 of the New York State Laws of 2009 requires designated providers to pay an assessment on cash operating receipts commencing April 1, 2009 in accordance with specific instructions, a defined filing schedule and based on a monthly cash assessment report for each service category, and

Whereas, The failure to comply with the schedule will result in the mandated imposition of applicable interest and penalty charges, and

Whereas, The Public Health Service which operates two home health care programs, generates revenue which falls under this required gross receipts tax and has now calculated the potential County liability through year-end based on estimated cash revenue to be received.

Now, Therefore, Be It Resolved, That the 2009 County Budget is hereby amended as follows to reflect and cover the total Health Facility Cash Assessment required for payment to New York State during the term of April 1, 2009 through December 31, 2009.

**Increase:**

01-4050-4050.4601                      \$36,500                      State Charges Admin.

**Decrease:**

01-4050-4050.4422                      \$36,500                      Contracted Home Care

Seconded by Legislator: Michael J. Docteur

All members present voted aye.

**Resolution No. 169**

**Amending 2009 County Budget Relative to Increased HEAP Funding**

By Legislator: James A. Nabywaniec

Whereas, The Department of Social Services has been notified of an increase in Federal Aid for HEAP administration that will be passed through to the Office for the Aging and the 2009 County Budget needs to be amended to reflect the additional funds.

Now, Therefore, Be It Resolved, That the 2009 County Budget is hereby amended as follows:

**Increase:**

Revenue:		
01-6070.999.94641	Federal Aid HEAP	\$18,000

Expenditure:		
01-6070-6141.4600	HEAP	\$18,000

Seconded by Legislator: Michael J. Docteur

Roll Call Vote

Ayes: Burto, Adsit, St.Croix, Fitzpatrick, Drake, Boice, Nabywaniec, Zando, Gray, Ormsby, Behling, Thomas, Reed, Blankenbush

Absent: Docteur

Resolution passed.

**Resolution No. 170**

**Accepting Donation on Behalf of the Department of Social Services**

By Legislator: James A. Nabywaniec

Whereas, The Watertown Noon Rotary Club has donated \$200 to the Department of Social Services for the Smoke Detector program for foster children, and

Whereas, The 2009 County Budget must be amended to recognize said donation.

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

Resolved, That the 2009 County Budget is amended as follows:

**Increase:**

Revenue:  
01-6010-999.92705                      Donations    \$200

Expenditure:  
01-6010-6010.4624                      Client Incidentals    \$200

Seconded by Legislator:    Michael J. Docteur

Roll Call Vote

Ayes:                      Reed, Thomas, Boice, Behling, Gray, St.Croix, Zando, Burto, Fitzpatrick,  
Nabywaniec, Ormsby, Drake, Adsit, Blankenbush

Absent:                      Docteur

Resolution passed.

**Resolution No. 171**

**Approving Appointment to the Thousand Islands Bridge Authority**

By Legislator:    Barry M. Ormsby

Resolved, That, pursuant to Section 577 of the Public Authorities Law, the following appointment by the Chairman of this Board to the Thousand Islands Bridge Authority for the term indicated, be and is hereby approved:

<u>Name</u>	<u>Term Expiration</u>
Glenn LaFave	12/31/2013

Seconded by Legislator:    Robert J. Thomas

Legislator Gray said he is opposed to the resolution, not the appointee, because he does not believe an executive director of an agency should serve as a voting member on the board of another agency. He felt it would be more appropriate for this individual to serve on an ex-officio basis.

Legislators Burto and Zando advised that they would not be supporting the resolution because they had received the resume of another individual and gave their word that they would support that individual, but commended Legislator Ormsby and the selection committee for their due diligence.

Legislator Fitzpatrick stated that she also received a call from another candidate and received the resume right away, but she would support Mr. LaFave's appointment.

Legislator Ormsby stated that both candidates were worthy of the position and the Committee did go through a very open, objective interview process and there was a strong consensus to recommend Mr. LaFave. As the two agencies are not conflicting or competing for funding with each other, he did not envision Mr. LaFave's position being problematic in serving on the TIBA Board. He said it was agreed that if there ever became a situation where there was a conflict Mr. LaFave would not participate. He added that out of respect for Dutch Grant whose passing provided this opening Mr. LaFave did wait for a while to submit his resume for consideration.

Legislator St.Croix, a member of the interview committee, stated that there is no doubt in his mind that the right candidate was approved. While they both were highly rated Mr. LaFave was very thorough, spoke well and won the appointment in the interview process.

All members present voted aye except Legislators, Zando, Burto and Gray who voted nay.

### **Resolution No. 172**

#### **Supporting the Construction of a Four Lane Highway in Clinton, Franklin, Jefferson and St. Lawrence Counties and Urging Elected Officials to Promote Said Project**

By Legislator: Barry M. Ormsby

Whereas, The economic impact of North Country transportation improvements is a key finding of the Northern Tier Expressway Corridor Study, and

Whereas, The economic development impact analysis has measured the value to the regional economy of efficiency gains through user benefits such as reductions in travel time, reductions in operating costs, and reductions in accidents due to improved safety, and

Whereas, The gains through increased social and economic development opportunities due to improved transportation access will reduce unemployment rates, reduce government transfer payments such as social welfare and unemployment insurance, and increase employment in the region, and

Whereas, The transportation improvements can enhance access to labor, customer, tourism and supplier markets, as well as to intermodal transportation facilities, making the overall region more attractive to transportation-dependent industries, and

Whereas, The construction of a four-lane highway within the boundaries of Clinton, Franklin, Jefferson and St. Lawrence counties will begin to address the transportation improvements necessary to foster such economic growth.

Now, Therefore Be It Resolved, That Jefferson County urges New York State Acting

Commissioner of Transportation, Mr. Stanley Gee, to cooperate with the involved counties to push for the construction of a four-lane highway within Clinton, Franklin, Jefferson and St. Lawrence counties, and be it further

Resolved, That a copy of this resolution be forwarded to Acting Commissioner Gee, Governor Paterson, Senator Aubertine, and Assemblywomen Scozzafava and Russell.

Seconded by Legislator: Robert J. Thomas

Legislator Burto said he would not support the resolution due to a lack of information on what impact this project will have on our region.

Legislator Zando said he would not be supporting the resolution because he did not have information on the economic benefit this would have for his district.

Legislator Boice overwhelmingly supported the resolution and reminded legislators that this highway has been on the back burner for close to 40 years, was initiated in the north country, would bring a higher level of economic development to the north country, and is in the best interests of the north country.

All members present voted aye except Legislators Zando and Burto who voted nay.

Chairman Blankenbush entertained a motion to waive Standing Rules 35, 60 and all other appropriate standing rules to allow for the consideration of four additional resolutions. Such motion was made by Legislator Ormsby seconded by Legislator Burto and unanimously carried.

### **Resolution No. 173**

#### **Increasing Taxes on Sales and Uses of Tangible Personal Property and of Certain Services, on Occupancy of Hotel Rooms and on Amusement Charges Pursuant to Article 29 of the Tax Law of the State of New York**

By Legislator: Michael W. Behling

Be it Resolved by the Board of Legislators of the County of Jefferson, as follows:

SECTION 1. Section 4-A of Resolution No. 113 adopted by the Board of Supervisors of the County of Jefferson on July 12, 1965 imposing sales and compensating use taxes, is amended to read as follows:

SECTION 4-A. Imposition of additional rate of sales and compensating use taxes.

Pursuant to the authority of section 1210 of the Tax Law, in addition to the sales and compensating use taxes imposed by sections 2 and 4 of this resolution, there is hereby imposed and there shall be paid an additional three-quarters of one percent rate of such sales and compensating use taxes, for the period beginning September 1, 2004, and

ending November 30, 2011. Such additional taxes shall be identical to the taxes imposed by such sections 2 and 4 and shall be administered and collected in the same manner as such taxes. All of the provisions of this resolution relating or applicable to the administration and collection of the taxes imposed by such sections 2 and 4 shall apply to the additional taxes imposed by this section, including the applicable transitional provisions, limitations, special provisions, exemptions, exclusions, refunds and credits as are set forth in this resolution, with the same force and effect as if those provisions had been incorporated in full into this section and had expressly referred to the additional taxes imposed by this section.

SECTION 2. Paragraph (c) of subdivision (1) of section 11 of Resolution No. 113 adopted by the Board of Supervisors of the County of Jefferson on July 12, 1965, imposing sales and use taxes, is amended to read as follows:

(c) With respect to the additional tax of three-quarters of one percent imposed for the period beginning September 1, 2004, and ending November 30, 2011, in respect to the use of property used by the purchaser in this county prior to September 1, 2004.

SECTION 3. Subdivision (c) of section 14 of Resolution No. 113 adopted by the Board of Supervisors of the County of Jefferson on July 12, 1965 imposing sales and use taxes, is amended to read as follows:

(c) One hundred percent of net collections from the additional three-quarters of one percent rate of tax imposed for the period beginning September 1, 2004, and ending November 30, 2005, shall be set aside and used solely for County purposes and shall not be subject to any revenue distribution agreement entered into pursuant to section 1262(c) of the New York Tax Law. Net collections from the additional three-quarters of one percent rate of tax imposed for the period December 1, 2005, through November 30, 2011, shall be set aside for County purposes or allocated and distributed pursuant to the agreement pursuant to Section 1262(c) of the New York Tax Law between the County of Jefferson and City of Watertown dated January 10, 2005.

SECTION 4. This resolution shall take effect December 1, 2009.

Seconded by Legislator: James A. Nabywaniec

All members present voted aye.

#### **Resolution No. 174**

#### **Authorizing Agreements with FAA and Passero Associates and Amending the 2009 County Budget and Capital Plan in Relation to the Purchase of an Aircraft Rescue Firefighting Vehicle (ARFF)**

By Legislator: Jennie M. Adsit



Whereas, the 2009 County Budget includes funding for an aircraft rescue firefighting vehicle (ARFF) at the Watertown International Airport in anticipation of an FAA grant this year, as identified in the County's Airport Capital Improvement Plan (ACIP), and

Whereas, Jefferson County has been advised that the FAA will shortly offer said grant funds, and

Whereas, The amount budgeted is less than the actual bid price of the equipment, and

Whereas, It is necessary to amend the 2009 County Budget and capital plan to increase the appropriation for the vehicle and to recognize additional revenues, and

Whereas, It is necessary to enter into an agreement with the FAA to accept said grant, and

Whereas, It is also necessary to enter into an agreement with Passero Associates, P.C. in the amount of \$9,400 for services related to the vehicle's specifications and bid process.

Now, Therefore, Be It Resolved, That Jefferson County enter into said agreements with the FAA and Passero Associates, P.C. and that the Chairman of the Board is hereby authorized and directed to execute said agreements on behalf of the County, subject to the review of the County Attorney as to form and content, and be it further

Resolved, That the 2009 County Budget is amended as follows:

**Increase:**

Expenditure:

20-9006-5610-2092	ARFF Vehicle	\$33,224
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Revenue:

20-9006-999.94589	Fed Aid - FAA	\$31,562.80
20-9006-999.93589	State Aid - DOT	830.60

**Decrease:**

20-9006-6989.2064	Property Improvements	830.60
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and be it further

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

Seconded by Legislator: Philip N. Reed, Sr.

Roll Call Vote

Ayes: Boice, Ormsby, Behling, Drake, Zando, Reed, Adsit, St.Croix, Burto, Thomas, Fitzpatrick, Nabywaniec, Gray, Blankenbush

Absent: Docteur

Resolution passed.

**Resolution No. 175**

**Authorizing AIR 99 Grant Agreement with the New York State Department of Transportation and Amending the 2009 County Budget and Capital Plan In Relation Thereto**

By Legislator: James A. Nabywaniec

Whereas, Jefferson County has been awarded a 2008 AIR99 Grant by the NYS Department of Transportation (“NYSDOT”), in the amount of \$297,000 for the renovation and expansion of the Air Rescue Firefighting Building at the Watertown International Airport, (P.I.N. 7906.33), and

Whereas, Said grant requires an agreement with NYSDOT, a \$33,000 local match, and the amendment of the 2009 County Budget and capital plan to recognize the revenue and appropriate it accordingly.

Now, Therefore, Be It Resolved, That the Chairman of the Jefferson County Board of Legislators be and is hereby authorized and directed to execute all necessary Agreements, certifications or reimbursement requests for AIR 99 Program funding on behalf of the County of Jefferson with NYSDOT in connection with the advancement or approval of the Project, and be it further

Resolved, That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and be it further

Resolved, That the 2009 County Budget is amended as follows:

**Increase:**

20-9006-5610.2096	ARFF Building	\$330,000
20-9006-999.93589	Airport State Aid (DOT)	297,000

**Decrease:**

20-9006-6989.2064	Property Acquisition/Improvement	\$ 33,000
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and be it further

Resolved, That the 2009 Capital Plan is amended accordingly.

Seconded by Legislator: Philip N. Reed, Sr.

Roll Call Vote

Ayes: St.Croix, Ormsby, Gray, Zando, Behling, Drake, Fitzpatrick, Thomas, Reed, Adsit, Boice, Nabywaniec, Burto, Blankenbush

Absent: Docteur

Resolution passed.

### **Resolution No. 176**

#### **Authorizing Facilities Lease Agreement with Watertown Savings Bank for Employment & Training Programs, and Authorizing Sublease with NYS Department of Labor**

By Legislator: Robert A. Boice

Whereas, With the completion of the Jefferson Community College (JCC) new five year Facility Master Plan, it was determined that the on campus modular building would best fit JCC's immediate needs for developing an innovative Higher Education Center in time for new course work to commence in January, 2010, and

Whereas, Jefferson County was therefore tasked with finding a new location for its Employment & Training Department functions administered through the One Stop Center, which would also include sufficient space to house its NYS Department of Labor partner, and

Whereas, After extensive review of viable locations for the approximate 9,000 sq. ft. workforce development program, which also enjoys a longstanding relationship with both local economic development and education institutions, a suitable building has been identified, and

Whereas, A former bank building located immediately adjacent to JCC on Coffeen Street could continue to serve the training needs of residents throughout the County as efficiently as has historically been the case within the on campus modular building, and

Whereas, The owner of that currently vacant building, Watertown Savings Bank, is willing to lease the space at \$12/sq. ft. for three years, with an option for one additional year at \$14.00/sq.ft., and

Whereas, The Director of Employment & Training has determined that funding is available to accommodate leased space costs within the Departmental budget, and

Whereas, Given the uncertainty of Federal funding for the Employment & Training Program, it is in the best interest of the County to lease space in lieu of constructing a new facility or undertaking major building space renovations to provide adequate space compliant with ADA and current building codes.

Now, Therefore, Be It Resolved, That Jefferson County enter into a three year agreement with Watertown Savings Bank to lease the 8940 square foot former bank building at 1000 Coffeen Street, Watertown for classroom and office space and appropriate parking space at a cost of \$12.00 per square foot, with an option to extend the lease for one additional year at \$14.00/sq.ft., and be it further

Resolved, That Jefferson County enter into an agreement with the NYS Department of Labor whereby the County agrees to sublet to NYSDOL classroom and office space in the above referenced building subject to NYSDOL paying to the County a proportionate share based on square footage occupied along with such direct expenses as incurred by the County in connection with its lease of the referenced building, and be it further

Resolved, That the Chairman of this Board be and is hereby authorized and directed to execute the above referenced agreements on behalf of Jefferson County, with the approval of the County Attorney as to form and content.

Seconded by Legislator: Barry M. Ormsby

Legislator Gray stated that he would not support this resolution as he did not believe complete due diligence was followed to reach this conclusion, and it is in the County's best interest to find the best options out there so the most money can go into the departments programs.

Legislator Boice stated that at one time this department was going to be located in vacant space at the County Office Building, asked for clarification as to why they can no longer occupy their current space, and wondered how renovations will be accomplished on top of the rental fees.

Administrator Hagemann advised that the County was notified in mid-May by the College that we needed to vacate the modular building by October 1 or sooner, as the College needed the space to house the Higher Education Center. With regard to Employment & Training relocating to the County Office Building space, he said the department requires approx. 9,000 sq ft. because of its partnership with DOL and there was only about 6,000 sq ft. available, and even if they could fit into the space, extensive renovations would have been needed. That being said, within 30 days 13 outside locations were identified and by process of elimination it came down to tonight's recommendation. He advised that the criteria in determining the right building included: location to main partners JCC, SBDC, BOCES, and accessibility by car and public transportation, which narrowed it down to two buildings and this building was much closer to both those standards. He stated that the two buildings were about the same price, but this building is newer and is ready for the County to move into as soon as possible because the only renovations needed are the removal of the bank tellers. Mr. Hagemann said he was not involved with the discussions the College had with this building owner when they were potentially

looking at it to house the Higher Education Center but understood the price per sq ft. was significantly greater because major renovations would have been needed.

Legislator Ormsby appreciated Legislator Gray's comments about due diligence, but said he supports the resolution as he feels looking at the data in terms of the modernization of the building, a portion of the insurance and taxes being included in the \$12.00/sq ft., its proximity to the College, and the minimal renovations needed he has a comfort level with this recommendation.

In response to questions from Legislator Behling, Mr. Hagemann advised that there are no local dollars involved, it is all federal funds; the Department of Labor utilizes approx. 3,000 sq ft. which we will sublease to them for the same term as the County's lease which coincides with the stimulus funding; utilities are not included in the per sq ft charge but in examining past utility expenses of the building and figuring in the government rate, they should run about the same as current bills; a vacant IDA building was not considered as it needed extensive renovations and did not meet the criteria identified; and the three year lease with a one-year extension is the desire of the County as the time frame is ideal for our programming purposes. He further advised that until this stimulus funding was received both the Employment & Training Department and the Department of Labor were experiencing reduced funding from the Federal government, and this arrangement works for everyone as the bank will have a very marketable piece of property that has not been significantly modified at the end of the lease, and the County will not have invested significant funds to renovate adequate space to house the Department.

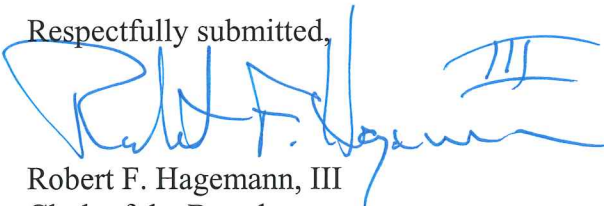
All members present voted aye except Legislator Gray who voted nay.

Mr. Hagemann advised that a picture of the Board of Legislators for the 2008-2009 term will be taken immediately prior to the September Board meeting.

Mr. Hagemann reminded members to contact Torri Pierce if they wish to attend the Fall NYSAC Conference so the appropriate arrangements can be made.

There being no further business of the Board, on a motion by Legislator Boice seconded by Legislator Gray and unanimously carried, the meeting adjourned at 7:35 p.m.

Respectfully submitted,



Robert F. Hagemann, III  
Clerk of the Board