

[DRAFT]

**THIRD DAY
ANNUAL SESSION
November 21, 2017**

The meeting was called to order at 5:00 p.m. by Chairman Michael A. Tabolt.

Roll Call: All Legislators were present, except Legislators Brennan, Fawcett and Moser whom had each been excused.

Legislator Tabolt offered the Invocation then led the Pledge of Allegiance to the Flag.

There were 10 persons present.

Legislator Dolhof made a motion to waive the rules to allow action on late resolutions presented this evening, seconded by Legislator Chartrand and carried.

Chairman Tabolt opened the public hearing for comments on the 2018 Lewis County Tentative Budget; Local Law Intro. No. 4-2017 a “Local law to authorize overriding the tax levy limit established by general municipal law § 3-c (a/k/a 2% tax cap) for the Lewis County 2018 budget”; and on the grant of waiver for a conflict of interest between Snow Belt Housing Company, Inc. vice-chairman and an eligible rehabilitation grant recipient.

PRIVILEGE OF THE FLOOR:

Snow Belt Housing Executive Director Cheryl Shenkle-O’Neill explained that housing grant recipients must meet income guidelines. Board of Directors Vice-Chairman Dennis Mastascusa’s daughter has applied for a \$33,525 grant for electric, plumbing, outside painting, deck and rail and interior repairs. The Snow Belt Board of Directors had approved the grant as presented, and Dennis Mastascusa had abstained from the vote. Pursuant to Federal regulatory requirements, a public hearing and waiver approval are necessary to allay any perception of a conflict of interest. The applicant is bound to all requirements as any other applicant. Ms. O’Neill recommends approval of the waiver.

County Attorney Joan McNichol reported her review of all related documents, assuring that Snow Belt Housing had adhered to all Office of Community Renewal requirements. Upon the Board’s approval, she would prepare and file the waiver documents.

District Attorney Leanne Moser prefaced that she would be reiterating her persistent statements and request for an additional full-time Assistant District Attorney as made to the Legislative Courts and Law Enforcement Committee for the past several months. She exclaimed being “Beyond Overwhelmed” pleading with the Board to approve the additional position.

She distributed a listing indicating Hamilton County as the sole exception having a part-time District Attorney (DA), asserting the average is one DA per every 10,000 population; as

well as clandestine laboratory statistics indicating substantial increased testing from 2014 to 2017. This morning there was a clean-up of two local meth labs resulting in three felony arrests, equating a total of ten during the past week. They all must be prepared and presented to a Grand Jury.

Year-to-date there has been 54 deaths of which 11 were due to overdoses, with one determination pending. Ms. Moser reports a caseload increase of 25-30%. In 2015 there were 21 felony meth-related arrests that increased to 47 in 2016 and the number continues to climb, along with sex offender arrests. Investigators from all law enforcement sectors are reaching their case limit.

Legislator Hathway recognized the DA as only one of several affected County Departments related to the heroin and opiate crisis. He recommends a holistic and cohesive approach to review and consider the affect on all County personnel for a conclusive resolve within County budgetary constraints. Ms. Moser invoked she could not speak for other departments, while asserting the requirement to meet imposed justice system deadlines, ultimately conceding to Legislator Hathway's statement.

Legislator Hathway applauded Budget Director Ryan Piche and Treasurer Patricia O'Brien for their proposed budget, while relating concern the substantially reduced Contingency appropriations would be inadequate to address unforeseen expenditures such as the plight of the DA and/or other operational and personnel needs.

Mr. Piche reported recent State notification the 2018 nursing home IGT payment would be \$2 million, instead of the projected \$2.2 million. However, he cautioned the unknown Hospital IGT figure. Legislator Hathway inquired whether the \$200,000 surplus could be appropriated to Contingency.

Legislator Dolhof referenced sales tax receipts that have historically exceeded appropriations that could be used to offset unknown expenditures. Legislator King favored holding all departments accountable to their budgeted appropriations, generally objecting to a Contingency increase, meanwhile referencing historical line item year-end balances that are rolled into the fund balance and available to cover unknown expenditures.

As an example, Legislator Hathway cited the \$30,108 Contingency transfer this year to cover unexpected E-911 project costs. Legislator King reminded of the \$450,000 initial radio project budget funding that was transferred when the account was closed that, otherwise, would have covered all project costs. He added that annual PSAP grant funding would cover ongoing radio communication costs.

Legislator Hathway shared another example, citing line item appropriations for inmate boarding required a \$40,000 Contingency transfer, while not confident that respective 2018 appropriations are adequate. He is also concerned that Public Defender costs will increase due to the opioid crisis. Legislator Hathway insists the Contingency appropriations should be increased, although not to historic levels, thereby creating transparency by a required Board vote for all transfers.

Legislator King referenced funds received throughout the year that are appropriated upon receipt, in essence non-appropriated fund balance; affirming his support for a lower Contingency level.

Mr. Piche conceded that some line item expenditures will exceed educated projections. The inmate boarding line was impacted by one case, and public defender expenditures escalated due to billing issues. Considering categorical trends, he remains comfortable with a \$250,000 Contingency, which does not reflect what he termed unnecessary expenditures, including outside agency or other one-time requests.

Legislators generally agreed there are legitimate unforeseen circumstances and projects that are addressed by Contingency throughout the year. Mr. Piche concluded that appropriation of fund balance is always available, if necessary, at the Board's discretion.

At 5:58 p.m. Chairman Tabolt closed the public hearing.

STANDING COMMITTEE REPORTS:

Legislator Philip Hathway, Information Technology Committee Chairman, commended Adam Zehr for his USA weight lifting record.

He also announced implementation of the new County website at www.lewiscounty.org.

Legislator Jerry King, Courts and Law Enforcement Committee Chairman, made a motion to authorize Sheriff Carpinelli to fill a Part-time Dispatcher due to a resignation; a Full-time Deputy Sheriff Sgt. due to the Undersheriff appointment; and a Full-time Deputy Sheriff due to a promotion to Deputy Sheriff Sgt. The motion was seconded by Legislator Hathway and carried.

Legislator Andrea Moroughan, Public Health Committee Chair, made a motion to authorize Director Penny Ingham to fill the vacant Public Health Planner position, effective immediately, seconded by Legislator Dolhof and carried.

SPECIAL REPORTS:

Chairman Michael Tabolt reported that he and Ryan Piche had attended the 11/16/17 Inter-County Legislative Committee of the Adirondacks meeting sponsored by St. Lawrence County that included a tour of the Curran pellet plan.

Mr. Piche announced the NYSAC conference is scheduled for 1/29 – 1/31/2018.

Legislator Chartrand relayed recent comments from Senator Griffo, who continues to advocate and is encouraged with progress on the State legislation to allow registration of UTV's.

RESOLUTIONS:

OTHER BUSINESS:

At 6:26 p.m., Legislator Dolhof made a motion to adjourn, seconded by Legislator Kulzer and carried.