

REGULAR SESSION

TUESDAY, SEPTEMBER 4, 2018

Chairman Gray called the meeting to order at 6:00 p.m.

ROLL CALL OF MEMBERS

All members present except Legislators Montigelli and Adsit.

PRIVILEGE OF THE FLOOR

No one present wished to address the Board.

READING OF MINUTES OF LAST SESSION

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

PETITIONS, NOTICES AND COMMUNICATIONS

None.

REPORTS OF STANDING COMMITTEES

The Finance & Rules Committee reported favorably on resolutions referred from other jurisdictional committees, and on Legislators' expenses.

REPORTS OF COUNTY OFFICERS AND OTHERS

The County Treasurer provided a report on Investments and Cash in Banks as of July 31, 2018.

The County Administrator provided a report on Budget Transfers for the month of August, 2018.

The County Auditor provided a report on Erroneous Assessments for the month of August, 2018.

LOCAL LAWS, RESOLUTIONS, MOTIONS

Resolution No. 172

Payment of Legislators' Expenses

By Legislator: James A. Nabywaniec

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 \$ 3,956, we have allowed:

Legislator Expense: \$ 3,956

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. 173

Amending the 2018 County Budget Relative to Community Services Department

By Legislator: William W. Johnson

Whereas, Additional appropriations are needed to cover current and projected care, maintenance and examination services to patients placed in NYS Office of Mental Health (OMH) facilities pursuant to County criminal or family court orders through year end 2018, and

Whereas, These costs for services are shared 50/50 between New York State and Jefferson County.

Now, Therefore, Be It Resolved, That the 2018 County Budget is hereby amended as follows:

Increase:

01439000 04413	Medical Fees - Court Commitments	\$95,000
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Decrease:

01199000 04963	Contingent Account	\$95,000
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Seconded by Legislator: Daniel R. McBride

All members present voted aye.

Resolution No. 174

Selecting an Airport Consultant and Authorizing Agreement for Airport Consultant Services at the Watertown International Airport

By Legislator: James A. Nabywaniec

Whereas, Jefferson County desires to receive grant monies from the Federal Aviation Administration and the New York State Department of Transportation for improvements to the Watertown International Airport, and

Whereas, A requirement of receiving such grants is that the County conduct a formal qualifications-based procurement process to select an Airport Consultant in accordance with FAA Advisory Circular 150/5100-14, and

Whereas, The Jefferson County Selection Committee has conducted such a process and determined that the firm of McFarland Johnson Inc. possesses the necessary expertise in providing aviation related professional services for similar facilities, and

Now, Therefore, Be It Resolved, That McFarland Johnson Inc. is hereby selected to serve the County as its Airport Consultant for anticipated future projects listed on the Airport Masterplan through 09/30/23, and be it further

Resolved, That the Chairman of the Board of Legislators is hereby authorized to execute an agreement with McFarland Johnson Inc. for the provision of Airport Consultation Services for the period 10/1/18 through 9/30/23, subject to the review of the County Attorney as to form and content.

Seconded by Legislator: Daniel R. McBride

All members present voted aye.

Resolution No. 175

Amending the 2018 County Budget in Relation to the Probation Department and Creating a Probation Officer Position

By Legislator: Robert W. Cantwell, III

Whereas, The 2017-2018 enacted New York State Budget included legislation raising the age of criminal responsibility from 16 to 18 years of age, and

Whereas, The Raise the Age law will be phased in over two years: effective October 1, 2018 the age of criminal responsibility will be raised from 16 to 17, and effective October 1, 2019, the age of criminal responsibility will be raised from 17 to 18, and

Whereas, New York State has determined Probation Departments will provide an officer to appear at the first scheduled appearance of certain adolescent offenders in the new Youth Part of Criminal Court to perform pre-trial screening, and

Whereas, Probation will be mandated to monitor participation and cooperation with Voluntary Services throughout the proceedings, and

Whereas, New York State has determined that Probation will provide or coordinate other agencies' provision of a variety of Evidence-Based Practices, designed to lower the risk of the youth re-offending, and

Whereas, Probation currently provides intake services for all Juvenile Delinquent clients between the ages of seven and up to the sixteenth birthday, and effective October 1, 2018 this responsibility will increase to include all sixteen year old youths, and effective October 1, 2019 to include all seventeen year old youths, and

Whereas, New York State has indicated it will reimburse counties for expenses incurred due to implementation of the Raise the Age law as long as said counties stay under the Tax Cap, and

Whereas, The requirements of Raise the Age will result in increases in appearance at arraignment, voluntary services monitoring and intake services, and

Whereas, The increases necessitate the addition of a position and amendment of the 2018 County Budget.

Now, Therefore, Be It Resolved, That the 2018 County Budget is amended as follows:

Increase:

Revenue		
0131400 93311	State Aid Raise the Age (RTA)	\$24,591

Expenditure		
01314000 01100	Personal Services	\$14,190
01314000 04102	Office Furnishings	250
01314000 04111	Trackable Items	450
01314000 04311	Gas and Oil	200
01314000 04313	Travel	2,675
01314000 04514	Uniforms & Clothing	775
01314000 04585	Operating Supplies	120
01314000 08010	Retirement	2,005
01314000 08020	Health Benefits	2,841
01314000 08030	Social Security	1,085

and be it further

Resolved, That Probation Officer position 01314000 01100 #043 is hereby created effective September 5, 2018.

Seconded by Legislator: Allen T. Drake

Roll Call Vote

Ayes: Ferris, Nabywaniec, Doldo, Johnson, McBride, jareo, Reed, Fitzpatrick, Cantwell, Drake, Maxon, Peck, Gray

Absent: Montigelli, Adsit

Resolution passed.

Resolution No. 176

Authorizing Extension of Lease Agreement for Parking Rights at Lower Department of Social Services Lot

By Legislator: Allen T. Drake

Whereas, The County of Jefferson entered into a Lease Agreement with the Jefferson County Local Development Corporation (“JCLDC”), dated August 9, 2002, for lease of certain parking spaces at the lower Department of Social Services parking lot to be used, if necessary, by Stream International, and

Whereas, The original 2002 lease agreement was once renewed by the parties through September 30, 2018, and

Whereas, It is the desire of the parties to extend the Agreement for three more years through September 30, 2021.

Now, Therefore, Be It Resolved, That the Chairman of this Board of Legislators be and hereby is authorized and directed to execute the extended Agreement that will expire on September 30, 2021 on behalf of Jefferson County subject to approval of the County Attorney as to form and content.

Seconded by Legislator: William W. Johnson

All members present voted aye.

Resolution No. 177

Appointing Director of Code Enforcement

By Legislator: James A. Nabywaniec

Resolved, That Pursuant to County Law Section 204 and Local Law III of 2006, Jason Crump is

hereby provisionally appointed as Director of Code Enforcement at Grade VII-A of the management schedule, effective September 17, 2018.

Seconded by Legislator: Robert W. Cantwell, III

All members present voted aye.

Resolution No. 178

Amending an Agreement with the Thousand Island Regional Tourism Development Corporation for the Provision of Public Benefit Services for Promotion and Publicity

By Legislator: Allen T. Drake

Whereas, Pursuant to Sections 224 and 225 of County Law and Resolution No. 34 of 2018 the County entered into a contract with the Thousand Island Regional Tourism Development Corporation (TIRTDC) to provide certain public benefit services outlined in said resolution, and

Whereas, Pursuant to Sections 224 (12) of County Law, and Resolution No. 33 of 2018 the County entered into a contract with the Thompson Park Conservancy (TPC) to provide certain public benefit services outlined in said resolution, and

Whereas, The TPC has subsequently requested additional marketing development assistance and corresponding funding from Jefferson County through the guidance of the TIRTDC for the upcoming fall tourism season as outlined in the attached summary.

Now, Therefore, Be It Resolved, That the County will enter into a revised contract with the TIRTDC to provide marketing assistance to the TPC, as herein requested, under the following terms and conditions:

1. The amount to be paid from County funds shall not exceed Eleven Thousand Five Hundred Dollars (\$11,500) for the term of this agreement.
2. Payment shall be made by the County Treasurer in the sum of \$11,500, said payment contingent upon receipt of a Memorandum of Receipt duly executed by the principal officer and disbursing officer of the TIRTDC in which they, on behalf of the TIRTDC, agree to comply with the terms of this resolution.
3. The term of this Agreement shall be from September 4, 2018 through December 31, 2018.
4. Within ninety (90) days of the termination of this Agreement, the TIRTDC shall provide and render to the County a verified account of the disbursements of such organization with verified or certified vouchers therefor attached.

5. The TIRTDC shall refund to the County at the termination of this Agreement, any monies paid by the County to assist the TPC in the regional marketing of its facility that remains unobligated.
6. Such other terms and conditions as the parties may agree to in writing, and be it further

Resolved, That upon execution of the Memorandum of Receipt, as specified in the statutes, this Resolution, the Memorandum of Receipt and such other addenda as may be agreed to by the parties, shall comprise the contract between the County and the TIRTDC.

Seconded by Legislator: James A. Nabywaniec

Legislator Jareo inquired if the resolution only covered the 4 month time period noted in paragraph 3. Chairman Gray confirmed it only covers four months. Mr. Hagemann pointed out that the amount in the resolution was less than the full amount they requested. All members present voted aye except Legislator Maxon who voted nay.

Resolution No. 179

**Amending the 2018 County Budget to Recognize Insurance Recovery
and Allocating Same in Dog Control Department Budget**

By Legislator: Anthony J. Doldo

Whereas, The Dog Control Department has received an insurance settlement check in the amount of \$2,064.11 for damage to a county vehicle, and has requested that the settlement be used to pay for needed repairs.

Now, Therefore, Be It Resolved, That the 2018 County Budget is hereby amended as follows:

Increase:

Revenue			
01351000	92680	Insurance Recoveries	\$ 2,064.11

Expenditure			
01351000	043102	External Fleet Expense	2,064.11

Seconded by Legislator: Jennie M. Adsit

Roll Call Vote

Ayes: Cantwell, Reed, McBride, Doldo, Jareo, Johnson, Nabywaniec, Fitzpatrick, Maxon, Peck, Ferris, Drake, Gray

Absent: Adsit, Montigelli

Resolution passed.

Resolution No. 180

**Authorizing Agreement and Amending the 2018 County Budget in Relation to
a New York State Empire State Development Grant**

By Legislator: Robert D. Ferris

Whereas, Jefferson County has been awarded a New York State Empire State Development Grant procured through Senator Patricia Ritchie’s Office in the amount of \$554,000, and

Whereas, The County must enter into an agreement with New York State Empire State Department to receive these grant funds to be utilized for funding to support the Jefferson County Emergency Radio Communications project, and

Whereas, Jefferson County has agreed on the request of Senator Ritchie to provide the Oxbow Fire Department with air bottles to assist them in their emergency response efforts, and

Whereas, Jefferson County will enter into a Memorandum of Understanding with the Oxbow Fire Department for the purposes of using and maintaining air bottles, and

Whereas, It is necessary to authorize an agreement with New York State and to amend the 2018 County Budget to appropriate the funds.

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

Resolved, That the County Director of Fire and Emergency Management Services is hereby authorized and directed to execute said Memorandum of Understanding on behalf of Jefferson County, subject to the review of the County Attorney as to form and content, and be if further

Resolved, That the 2018 County Budget is amended as follows:

Increase:

Revenue		
20900600 93389	State Aid Fire & Emergency Services	\$ 542,000
01341000 93389	State Aid Fire & Emergency Services	12,000

Expenditure

20302000 02067	P25 Radio Communications System	\$ 542,000
01341000 04111	Trackable Durable Items	12,000

Seconded by Legislator: Robert W. Cantwell, III

Roll Call Vote

Ayes: Nabywaniec, Peck, Cantwell, Drake, Reed, Johnson, jareo, Maxon, McBride, Doldo, Fitzpatrick, Ferris, Gray

Absent: Adsit, Montigelli

Resolution passed.

Resolution No. 181

Establishing Time and Place for a Public Hearing on the 2018 Inclusions of Viable Agricultural Land in NYS Certified Agricultural Districts

By Legislator: Jennie M. Adsit

Whereas, New York State Agriculture and Markets Law Article 25AA, Section 303-b requires that Counties establish an annual thirty day period within which to accept requests by landowners to have viable agricultural land included in a certified Agricultural District, and

Whereas, The Jefferson County Board of Legislators passed Resolution No. 98 of 2004, Establishing an Annual Thirty Day Period, June 1 through June 30, for Landowners to Submit Proposals to Include Viable Agricultural Land within an Existing Agricultural District Before the District's Established Review Period, and

Whereas, In accordance with Section 303-b of Article 25AA of the New York State Agriculture and Markets Law, the requests for inclusion were referred to the Agricultural and Farmland Protection Board for review and recommendation, and

Whereas, The recommendation of the Agricultural and Farmland Protection Board concerning the inclusion proposals has been submitted to the Clerk of the Board.

Now, Therefore, Be It Resolved, That a Public Hearing be conducted by this Board of Legislators concerning the inclusion of viable agricultural land in certified Agricultural Districts before the Districts' established review periods. The public hearing will be held in the Jefferson County Planning Department's 3rd Floor Conference Room at 175 Arsenal Street, Watertown, New York on Monday, September 24, 2018 at 6:00 p.m. and be it further

Resolved, That a notice of such public hearing shall be given in accordance with law.

Seconded by Legislator: Robert D. Ferris

All members present voted aye.

Resolution No. 182

Amending the 2018 County Budget in Relation to the County Road Machinery Fund

By Legislator: Anthony J. Doldo

Whereas, The Superintendent of Highways has requested transfers between accounts to provide adequate funding through the calendar year, and

Whereas, The 2018 Budget must be amended to do so.

Now, Therefore, Be It Resolved, That the 2018 County Budget is amended as follows:

Increase:

Revenue		
10900400 92665	Sale of Equipment	\$ 35,250
Expenditure		
10513000 02401	Automotive Equipment	38,112
10513000 02403	Pickup Truck Replacement	35,250

Decrease:

Expenditure		
10513000 02465	Roller	38,112

Seconded by Legislator: Robert W. Cantwell, III

Roll Call Vote

Ayes: Reed, Cantwell, Fitzpatrick, Ferris, Peck, Doldo, Drake, Maxon, Johnson, Nabywaniec, McBride, Jareo, Gray

Absent: Adsit, Montigelli

Resolution passed.

Chairman Gray entertained a motion to waive the Standing Rules to permit the introduction of an additional resolution for consideration. A motion was duly made by Legislator Reed seconded by Legislator Cantwell and unanimously carried by the Board.

Resolution No. 183

Authorizing an Agreement with the Capitol District Youth Center, Inc. for the Provision of Detention Facility Services for Juvenile Delinquents, Juvenile Offenders, and Adolescent Offenders Pursuant to County Law § 218-a.

By Legislator: Jeremiah J. Maxon

Whereas, Capitol District Youth Center, Inc. operates a youth detention facility certified by the New York State Office of Children and Family Services located in Albany, New York, and

Whereas, Jefferson County Probation Department is in need of a location to place Juvenile Delinquent, Juvenile Offenders, and Adolescent Offenders subject to prosecution in Family Court or County Court on a short term per diem basis, and

Whereas, On October 1, 2018, New York State “Raise the Age” legislation will become effective creating a new class of offenders age 16 and 17 who may only be detained in specially classified detention centers and Capitol District Youth Center, Inc. is the first such authorized facility to offer services to Jefferson County, and

Whereas, Per diem rates for detention services are subject to establishment by audit of the facilities actual costs by the Office of Children and Family Services and specific costs for detention of 16 and 17 year old detainees are subject to reimbursement from New York State.

Now, Therefore, Be It Resolved, That the Chairman of the Board of Legislators is hereby authorized and directed to execute an agreement with Capitol District Youth Center, Inc. for the period of October 1, 2018 through December 31, 2018, subject to automatic renewal for one year terms, upon the approval of the County Attorney as to form and content.

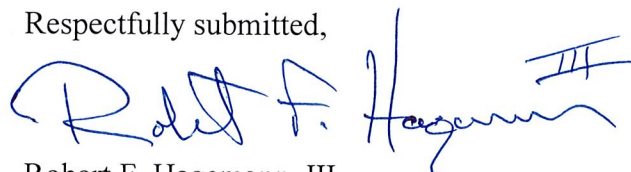
Seconded by Legislator: James A. Nabywaniec

Legislator Peck asked how many other counties use this facility. Mr. Hagemann advised that there are 4 or 5 other counties adjacent to Albany that use it, and the only other facility that is near is in Onondaga County and is full. Chairman Gray inquired about arraignments before an individual is taken to the facility. Mr. Morrison advised that they would be arraigned in the local justice court before they are referred to the facility, but every effort will be made not to place individuals there. He said only those that have committed one of the three most violent offences (armed with a weapon during a crime and they displayed it, they physically injured someone during the crime, or they committed a serious sex offense) would be sent, and Probation has only used secure detention one time in the last four years. The facility referred to by Mr. Hagemann is a private facility and only has a total of 16 beds and even if they add beds for secure detention, there is no possibility of a contract with them. He continued that Jefferson County was lucky that Albany County reached out to us and offered a contract as it is required as of October 1st with the new Raise the Age (RTA) legislation. In the past they would call around and see where a bed vacancy is, however if another county that has a contract with that facility needed the bed, we

would have to move our person. With regard to the provision in RTA that individuals be arraigned in a certain amount of time, Mr. Morrison advised that he is currently working on a scenario where if they are arrested in the 12:00pm - 7:00 am time frame, then they would be released on their own recognizance (ROR) and use electronic home monitors. Probation currently keeps 5 monitors available on the shelf and only have to pay when they go live, can get more overnighted, and they are working on new contracts with providers to see who can give them something cheaper. There being no further discussion, all members present voted aye.

There being no further business of the Board, on a motion by Legislator McBride seconded by Legislator Ferris and unanimously carried, the meeting was adjourned at 6:15 p.m.

Respectfully submitted,

A handwritten signature in blue ink that reads "Robert F. Hagemann, III". The signature is written in a cursive style with a large initial "R" and "H".

Robert F. Hagemann, III
Clerk of the Board