

REGULAR SESSION

TUESDAY, APRIL 7, 2020

Chairman Gray called the meeting to order at 6:00 p.m. He noted that the meeting is being conducted under the extraordinary circumstance of a public health emergency, and under Governor Cuomo's Executive Order 202.1 without permitting public in-person access to the meeting, authorizing the meeting to be held partially or completely with members appearing by remote conference call or similar service, and the meeting is being live streamed via the web and recorded, including the participation of the members appearing by remote link. He further noted that the Governor's Executive Order supersedes the Board's Standing Rules with regard to the above stated matters.

ROLL CALL OF MEMBERS

All members present.

Chairman Gray proclaimed April as Fair Housing Month in Jefferson County noting that this begins a year-long commemoration of the Fair Housing Act in Jefferson County and urged all citizens to wholeheartedly recognize this celebration throughout the year.

READING OF MINUTES OF LAST SESSION, IF REQUESTED

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

PETITIONS, NOTICES AND COMMUNICATIONS

None.

REPORTS OF COUNTY OFFICERS AND OTHERS

The County Treasurer provided a report of Investments and Cash in Banks as of February 29, 2020.

The County Administrator provided a report on Budget Transfers for the month of March, 2020.

LOCAL LAWS, RESOLUTIONS AND MOTIONS

Chairman Gray stated that the order of procedure for the resolutions would be: Motion by Committee Chair for block of resolutions that would have gone to their committee; second by a member at large; each resolution title will then be read and discussed, and a roll call vote on the block of resolutions under that committee structure, unless a Board member desires to take a resolution out and vote on it separately.

Chairman Gray entertained a motion and second to waive Standing Rules 35, 41 and 60 to permit the consideration of Resolution Nos. 94 - 106 and 113 as those resolutions had not been through their jurisdictional committee. He explained that Resolution Nos. 107 - 112 had been through the General Services Committee at their meeting held on March 10, 2020. A motion to waive the Standing Rules was duly made by Legislator Montigelli, and seconded by Legislator Ferris. Chairman Gray stated that all votes would be by Roll Call for clarity due to the format of the meeting.

Roll Call Vote for Motion to Waive Standing Rules 35, 41 and 60

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

Motion carried.

Chairman Gray entertained a motion and second for Resolution Nos. 94 -100 (Finance & Rules Committee resolutions). Such motion was made by Legislator Montigelli and seconded by Legislator Cantwell.

Resolution No. 94

Authorizing Budget Transfers Related to COVID-19

By Legislator: Michael A. Montigelli

Whereas, Jefferson County declared a State of Emergency March 14th due to the COVID-19 pandemic, and

Whereas, New York State received a Major Disaster Declaration from FEMA March 20th for COVID-19, and

Whereas, Tracking of emergency-related expenditures by line item will be critical to obtaining reimbursement.

Now, Therefore, Be It Resolved, That the Board of Legislators herewith authorizes the County Treasurer to make adjusting entries to provide sufficient appropriation for emergency needs in account lines 02525 and 04525 including transfers from the contingent account provided that such entries do not result in an increase in total appropriations approved by the Board of Legislators for 2020, and be it further

Resolved, That said adjusting entries shall be subject to approval by the County Administrator and the Chairman of the Board, who shall, upon lifting of the emergency, report same to the Finance & Rules Committee and Board of Legislators.

Seconded by Legislator: Robert W. Cantwell, III

Legislator Jareo questioned if there was a dollar limit for these approvals. Administrator Hagemann advised that we are not sure what kinds of expenses will be coming forth and they are very timely, so the same procedure as is done at the end of the year with negative accounts, is being done in this instance with everything going into two specific accounts, separate from other expenses, and will be reported back to the Finance & Rules Committee and the Board. Legislator Jareo said if an expenditure exceeds a certain dollar value there should be more communication with the Board. Following brief discussion, Administrator Hagemann and Board Chair Gray stated that the totality of the expenses may exceed \$100,000, but they do not expect any one expense to be that high, however if there are any single expenses \$50,000 or above they would report those to Board members right away. These expenses are being tracked in the event that an opportunity presents itself for the County to receive reimbursement.

See Roll Call Vote following Resolution No. 100.

Resolution No. 95

Establishing Fee in County Clerk's Office

By Legislator: Michael A. Montigelli

Whereas, The New York State Legislature has passed and the Governor has signed a law amending Real Property Law §291 to require the County Clerk to mail to the title owner of record of residential real property a written notice of any conveyance recorded in the Clerk's Office for that property, and

Whereas, The law provides for the party seeking to record such conveyance to bear the cost of such written notice, and

Whereas, The law entitles the County Clerk to charge a reasonable fee to cover the cost of mailing, and

Whereas, In order to keep the fee consistent, the New York State Association of County Clerks agreed to recommend that the reasonable fee be \$10.00 for the notice for each recording of a conveyance.

Now, Therefore, Be It Resolved, That the County Clerk is authorized to charge the party seeking to record such conveyance a fee of \$10.00 to cover the cost of mailing a notice of such conveyance effective March 11, 2020.

Seconded by Legislator: Robert W. Cantwell, III

See Roll Call Vote following Resolution No. 100.

Resolution No. 96

**Authorizing Ageement with UMR, Inc. for Administration of
Jefferson County Health Benefits and Health Benefits Managed Care Services**

By Legislator: Michael A. Montigelli

Whereas, Jefferson County issued a Request for Proposals to provide third party administration (TPA) of the County's Self Funded Health Benefits Plan, and

Whereas, Following review of proposals submitted, Jefferson County and UMR, Inc. have tentatively agreed to the terms of an agreement for administration of the County's Health Benefits Plan, and

Whereas, For the period of January 1, 2020 through December 31, 2021 UMR will provide TPA services at the rate of \$25.56 per contract, per month, and

Whereas, For the period of January 1, 2022 through December 31, 2022 UMR will provide TPA services at the rate of \$26.40 per contract, per month.

Now, Therefore, Be It Resolved, That Jefferson County enter into an agreement with UMR, Inc. for administration of the Jefferson County Health Benefits Plan during the period January 1, 2020 through December 31, 2022, and be it further

Resolved, That the Chairman of the Board be and is hereby authorized to execute such agreement with UMR, Inc. on behalf of Jefferson County, subject to the approval of the County Attorney as to form and content.

Seconded by Legislator: Robert W. Cantwell, III

See Roll Call Vote following Resolution No. 100.

Resolution No. 97

**Authorizing Agreement with ProAct, Inc. for Prescription Benefits
Management Program**

By Legislator: Michael A. Montigelli

Whereas, Prescription benefits management services were co-ordinated by the County's prior third party administrator of the County's Self Funded Health Benefits Plan (POMCO), and

Whereas, Since UMR bought POMCO, Jefferson County has had ProAct directly providing prescription benefits management services, and

Whereas, For the period of January 1, 2020 through December 31, 2022 Pro Act will provide prescription benefits management services at the rate of \$1.75 per claim, billed monthly, and

Whereas, 100% of the formulary rebates will be submitted directly to Jefferson County.

Now, Therefore, Be It Resolved, That Jefferson County enter into an agreement with ProAct Inc. for prescription benefits management during the period January 1, 2020 through December 31, 2022, and be it further

Resolved, That the Chairman of the Board be and is hereby authorized to execute such agreement with ProAct, Inc. on behalf of Jefferson County, subject to the approval of the County Attorney as to form and content.

Seconded by Legislator: Robert W. Cantwell, III

See Roll Call Vote following Resolution No. 100.

Resolution No. 98

Authorizing Agreement with NCA Comp for the Administration of Workers' Compensation Claims

By Legislator: Michael A. Montigelli

Whereas, By Resolution 302 of 2014, this Board recognized growing administrative and reporting requirements of the County Workers' Compensation Plan and authorized third party administration (TPA) of new workers' comp claims effective January, 2015, and

Whereas, The current TPA has advised us of their intention to terminate this service, and

Whereas, A new Request for Proposals was issued for TPA and reporting of workers' compensation claims, and

Whereas, NCA Comp is a New York State licensed workers' compensation claims TPA and has provided a proposal to the County for said services, and

Whereas, The Director of Insurance recommends entering into an agreement with NCA Comp for said services covering claims originating back to January 1, 2015 and going forward effective May 1, 2020.

Now, Therefore, Be It Resolved, That Jefferson County enter into an agreement with NCA Comp for TPA of workers' compensation claims dating from January 1, 2015 forward beginning May 1, 2020 for a flat fee of \$51,000 for year one, \$52,530 for year two, \$54,105 for year three, and be it further

Resolved, That the Chairman of the Board of Legislators be and is hereby authorized and directed to enter into said agreement, subject to the approval of the County Attorney as to form and content.

Seconded by Legislator: Robert W. Cantwell, III

See Roll Call Vote following Resolution No. 100.

Resolution No. 99

Appointing Member to Community Action Planning Council

By Legislator: Michael A. Montigelli

Resolved, That, pursuant to the by-laws of the Community Action Planning Council of Jefferson County, the following individual is hereby appointed to the Board of Directors of said Council for a term to expire December 31, 2021.

Michael A. Montigelli

Seconded by Legislator: Robert W. Cantwell, III

See Roll Call Vote following Resolution No. 100.

Resolution No. 100

**Granting Approval to Combine the Town of LeRay and Village of Evans Mills
Vital Statistics Registration Districts Pursuant to Section 4120(2)(a) of
the Public Health Law**

By Legislator: Michael A. Montigelli

Whereas, The Registrars of Vital Statistics of the Town of LeRay and the Village of Evans Mills have entered into an agreement to consolidate the Village of Evans Mills with the Town of LeRay into one primary registration district of the Town of LeRay, and

Whereas, In accordance with Section 4120(2)(a) of the Public Health Law, such action is subject to the approval of the Jefferson County Board of Legislators, and

Whereas, Based upon approval by the Board of Legislators, the New York Commissioner of Health will issue an order combining the two districts.

Now, Therefore, Be It Resolved, That upon the request of the Town of LeRay and the Village of Evans Mills, the Jefferson County Board of Legislators does hereby approve the consolidation and combination of the Town of LeRay and Village of Evans Mills into one Town of LeRay Primary Registration District, and be it further

Resolved, That the Clerk of the Board of Legislators is hereby directed to send a certified copy of

this resolution to the New York State Commissioner of Health, the Clerk of the Town of LeRay, the Supervisor of the Town of LeRay, the Clerk of the Village of Evans Mills, and the Mayor of the Village of Evans Mills.

Seconded by Legislator: Robert W. Cantwell, III

Roll Call Vote for Resolution Nos. 94 - 100

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

Resolutions passed.

Chairman Gray entertained a motion and second for Resolution Nos. 101 - 103 (Health & Human Services Committee resolutions). Such motion was made by Legislator Ferris and seconded by Legislator Peck.

Resolution No. 101

Accepting New COVID-19 Local Health Department Allocation Funding and Amending the 2020 County Budget in Relation Thereto

By Legislator: Robert D. Ferris

Whereas, HRI and NYSDOH have advised Jefferson County Public Health Service (JCPHS) of the allocation of local health department COVID-19 funding to be used for crisis response, and

Whereas, JCPHS will receive funding in the amount of \$119,779 for allowable activities relating to COVID-19 crisis response activities.

Now, Therefore, Be It Resolved, that Jefferson County hereby accepts said funding for the period March 5, 2020 through March 15, 2021 and authorizes the Chairman of the Board of Legislators to sign any and all documents necessary to accept such funding, subject to the approval of the County Attorney as to form and content, and be it further

Resolved, That the 2020 County Budget is hereby amended as follows:

Increase:

Revenue		
01405000 94489	Fed Aid Other Health	\$119,779
Expenditure		
01405100 01110	Prevent Temporary	\$ 50,000
01405100 01300	Prevent Overtime	20,000

01405800 04510 Preparedness Medical Supplies 49,779

Seconded by Legislator: John D. Peck

See Roll Call Vote following Resolution No. 103.

Resolution No. 102

**Accepting Supplemental Preparedness Funding for COVID-19 and
Amending the 2020 County Budget in Relation Thereto**

By Legislator: Robert D. Ferris

Whereas, HRI and NYSDOH have advised Jefferson County Public Health Service (JCPHS) of the allocation of Supplemental Public Health Emergency Preparedness (PHEP) funding for COVID-19, and

Whereas, JCPHS will receive funding in the amount of \$15,000 for allowable activities relating to COVID-19 crisis response and supplies.

Now, Therefore, Be It Resolved, that Jefferson County hereby accepts said funding for the project period March 5, 2020 through September 4, 2020 and authorizes the Chairman of the Board of Legislators to sign any and all documents necessary to accept such funding, subject to the approval of the County Attorney as to form and content, and be it further

Resolved, That the 2020 County Budget is hereby amended as follows:

Increase:

Revenue		
01405000 94489	Fed Aid Other Health	\$15,000

Expenditure		
01405100 01110	Prevent Temporary	\$ 5,000
01405100 01300	Prevent Overtime	5,000
01405800 04510	Preparedness Medical Supplies	5,000

Seconded by Legislator: John D. Peck

See Roll Call Vote following Resolution No. 103

Resolution No. 103

**Appointing Member to Jefferson County Public Health Service
Professional Advisory Committee**

By Legislator: Robert D. Ferris

Resolved, That John D. Peck is hereby appointed as the Legislator member to the Professional Advisory Committee for a term to expire 12/31/21.

Seconded by Legislator: John D. Peck

Roll Call Vote for Resolution Nos. 101 - 103

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

Resolutions passed.

Chairman Gray entertained a motion and second for Resolution Nos. 104 - 106 and 113 (General Services Committee resolutions that had not been to Committee). Such motion was made by Legislator Reed and seconded by Legislator Jareo.

Resolution No. 104

Amending the 2020 County Budget in Relation to the County Road Machinery Fund

By Legislator: Philip N. Reed, Sr.

Whereas, The Superintendent of Highways has requested transfers between accounts to provide for purchase of a used Screener, and

Whereas, The Screener allows for use of large material such as dirt clumps to transform into topsoil of the size required.

Now, Therefore, Be It Resolved, That the 2020 County Budget is amended as follows:

Increase:

Expenditure		
10513000 02477	Screener	\$71,857.18

Decrease:

Expenditure		
10513000 02408	Tractor/Truck	\$ 4,631.00
10513000 02464	Track Hoe	24,100.00
10513000 02469	Dozer	29,126.00
10513000 02484	Skid Steer Loader	11,000.18
10513000 02700	Bridge Equipment	3,000.00

Seconded by Legislator: Patrick R. Jareo

See Roll Call Vote following Resolution No. 113.

Resolution No. 105

Authorizing Preparation and Submission of HOME Applications to the U.S. Department of Housing and Urban Development in Federal Fiscal Years 2021, 2022, and 2023 and Authorizing an Agreement Related Thereto with the Development Authority of the North Country

By Legislator: Philip N. Reed, Sr.

Whereas, By Resolution 54 of 1993, this Board authorized the formation of a three county organization, known as the North Country HOME Consortium (NCHC), for the purpose of obtaining HOME Investment Partnership Program funds from the U.S. Department of Housing and Urban Development (HUD), and

Whereas, Said resolution also designated Jefferson County as the Lead County of the Consortium, which also includes Lewis and St. Lawrence Counties, and

Whereas, The Consortium, through Jefferson County, has successfully obtained HOME Investment Partnership Program funds for Federal Fiscal Years (FFY) 1994-2020 to provide affordable housing resources to municipalities and non-profit housing providers in the three County HOME Consortium area, and

Whereas, The Development Authority of the North Country, as a subrecipient, partners with the County and the Consortium to assist with the distribution and administration of the HUD HOME program funding awarded in the three County area to municipal and non-profit housing providers approved by the NCHC Board, and

Whereas, Jefferson County, as lead County, has been notified by HUD that the NCHC has been reauthorized, under automatic renewal provisions, to continue as a participating jurisdiction for the purpose of requesting HOME Investment Partnership Program funds for FFY 2021, 2022, and 2023, and

Whereas, Jefferson County, as lead County, is expected to receive an annual HOME allocation from HUD for the NCHC in FFY 2021, 2022, and 2023 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 2021, 2022, and 2023, 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 subrecipient agreement and grant agreements with HUD shall be subject to approval by the County Attorney as to form and content.

Seconded by Legislator: Patrick R. Jareo

See Roll Call Vote following Resolution No. 113.

Resolution No. 106

Authorizing On-Call and Call-In Pay for Public Defender's Office and Amending the 2020 County Budget in Relation Thereto

By Legislator: Philip N. Reed, Sr.

Whereas, New York State has directed, pursuant to statewide expansion of the Hurrell-Harring settlement, that arraignments cannot be performed until counsel for the defendant is present effective January 1, 2020, and

Whereas, Unscheduled arraignments in Jefferson County occasionally occur outside normal work hours and will continue to do so until a fully Centralized Arraignment Part (CAP) court with holding facilities and designated arraignment times can be established, and

Whereas, This Board recognizes the need to compensate Public Defender staff attorneys for this new, extraordinary and temporary work requirement, and

Whereas, Funding is available in the Public Defender's Personal Services account due to vacancies, and such expenditure will be reimbursed through the Indigent Legal Services Hurrell-Harring expansion grant.

Now, Therefore, Be It Resolved, That effective April 8, 2020 and until a full CAP is established, attorneys working under the Public Defender assigned to on-call status shall be compensated at the rate of \$75 for each weekday and \$150 each Saturday, Sunday or holiday, and be it further

Resolved, That whenever Public Defender staff attorneys are called in to unscheduled arraignments at times that are not contiguous to their normal work day, they will be compensated at their hourly rate for actual hours worked or two (2) hours, whichever is greater, and be it further

Resolved, That whenever Public Defender staff attorneys are called to participate in virtual unscheduled arraignments at times that are not contiguous to their normal work day, they will be compensated at their hourly rate for actual hours worked or one (1) hour, whichever is greater, and be it further

Resolved, That the 2020 County Budget is hereby amended as follows:

Increase:

Expenditure			
01117000 01300	Overtime		\$20,000

Decrease:

Expenditure			
01170000 01100	Personal Services		\$20,000

Seconded by Legislator: Patrick R. Jareo

See Roll Call Vote following Resolution No. 113.

Resolution No. 107

**Authorizing Agreement and Amending the 2020 County Budget and Capital Plan
in Relation to the FY19 New York State Interoperable Communications
Targeted Grant (SICG)**

By Legislator: Jeremiah J. Maxon

Whereas, Jefferson County has been awarded a FY19 NYS Interoperable Communications Targeted Grant (SICG) in the amount of \$766,944 for the period January 1, 2020 - December 31, 2021, and

Whereas, The County must enter into an agreement with the New York State Division of Homeland Security and Emergency Services to receive these grant funds to enhance public safety operations by strengthening communications infrastructure, and

Whereas, The grant will be used to continue lease/purchase payments for the P25 UHF Trunked Radio System authorized by Resolution 279 of 2016, and

Whereas, The payments already contained in the 2020 County Budget are balanced by a combination of SICG FY18 funds and interfund transfer of \$293,005 from the General Fund, and

Whereas, It is necessary to authorize an agreement with the State and to amend the 2020 County

Budget to appropriate grant funds to replace the interfund transfer, and

Whereas, The remainder of the grant will be used to cover lease/purchase payments in the 2021 County Budget.

Now, Therefore Be It Resolved, That the County of Jefferson hereby accepts the grant, and the Chairman of the Board of Legislators is hereby authorized and directed to execute any and all documents as may be required to fulfill the requirements of this grant award on behalf of Jefferson County, and be it further

Resolved, That the 2020 County Budget is hereby amended as follows:

Increase:

Revenue		
55915000 93089	State Aid for Debt Service	\$ 293,005

Decrease:

Revenue		
55915000 95031	Interfund Transfer	\$ 293,005

Expenditure		
01990200 09003	Transfer to Debt Service	\$ 293,005

01000000 30599	Appropriated Fund Balance	\$ 293,005
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Seconded by Legislator: Anthony J. Doldo

See Roll Call Vote following Resolution No. 113.

Resolution No. 108

Amending the 2020 County Budget and Capital Plan in Relation to Lake Ontario Flooding

By Legislator: Robert W. Cantwell, III

Whereas, Flooding of Lake Ontario in 2017 resulted in FEMA assessments of County Roads 6, 57, 59 and 125 requiring mitigation, and

Whereas, Funding must be used for this specific purpose, and

Whereas, The local match will be made in-kind.

Now, Therefore, Be It Resolved, That the 2020 Budget is amended as follows:

Increase:

Revenue		
20900600 93960	State Aid Emergency Disaster Assist	\$ 8,473.17
Expenditure		
20511300 02800	Lake Ontario Flood Mitigation	\$ 8,473.17

and be it further

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

Seconded by Legislator: Daniel R. McBride

See Roll Call Vote following Resolution No. 113.

Resolution No. 109

**Authorizing Agreement with Ontario County Youth Care Facility
for the Provision of Non-Secure Detention Services**

By Legislator Anthony J. Doldo

Whereas, Pursuant to Section 218-1a of County Law, Jefferson County is required to provide non-secure detention facilities for the temporary boarding and care of juveniles placed in the custody of the County by the Family Court, and

Whereas, The County desires to contract for such services through a contractual agreement with the Ontario County Youth Care Facility which will provide a local group home with an available bed with 24-hour awake staff, and

Whereas, The New York State Office of Children and Family Services will provide 49% reimbursement of the Non-Secure Detention Services Program.

Now, Therefore, Be It Resolved, That, Jefferson County enter into an agreement with the Ontario County Youth Care Facility to provide non-secure detention beds during the period May 1, 2020 through December 31, 2020 at a cost not to exceed \$325 per day/per juvenile and an additional cost of \$20 per juvenile if a health assessment is requested, and be it further

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

Seconded by Legislator: Corey Y. Grant

See Roll Call Vote following Resolution No. 113.

Resolution No. 110

**Amending the 2020 County Budget in Regards to Replacing
Commercial Washers in the Sheriff's Department**

By Legislator: Robert D. Ferris

Whereas, The Sheriff's Department has two commercial washers that can no longer be repaired, and thus need to be replaced, and

Whereas, A transfer between accounts is necessary to provide adequate funding for the purchase.

Now, Therefore, Be It Resolved, That the 2020 County Budget is hereby amended as follows:

Increase:

01315000 02100	Equipment	\$ 14,664
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Decrease:

01315000 04616	Outboarding Inmates	\$ 14,664
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Seconded by Legislator: Robert W. Cantwell, III

See Roll Call Vote following Resolution No. 113.

Resolution No. 111

**Amending the 2020 County Budget to Reappropriate State and Municipal Facilities
Grant Funds Relative to the Sheriff's Department**

By Legislator: Anthony J. Doldo

Whereas, By Resolution 96 of 2019, The Jefferson County Board of Legislators accepted a NYS State and Municipal Facilities grant award for the purchase of an evidence van and associated equipment in the Sheriff's Department, and

Whereas, One of the equipment items remained to be bid at 2019 year-end and it is necessary to reappropriate that amount of grant funds in 2020, along with a transfer for the difference.

Now, Therefore, Be It Resolved, That the 2020 County Budget is hereby amended as follows:

Increase:

01000000 30599 Appropriated Fund Balance \$ 24,186

Expenditure

01311000 02100 Departmental Equipment \$ 26,186

Decrease:

Expenditure

01311000 04110 Office Expense \$ 2,000

Seconded by Legislator: Robert D. Ferris

See Roll Call Vote following Resolution No. 113.

Resolution No. 112

**Authorizing Inter-Municipal Agreement with the City of Watertown
Regarding FY 2019 Edward Byrne Memorial Justice Assistance Program and
Amending the 2020 County Budget in Relation Thereto**

By Legislator: Robert W. Cantwell, III

Whereas, The City of Watertown has been awarded \$12,347 in funds under the Federal Edward Byrne Memorial Justice Assistance Grant Program for law enforcement purposes, and

Whereas, The County will receive \$4,790 of these funds to be used for the purchase of Tasers for the Sheriff's Department, and,

Whereas, Grant regulations may require an agreement between the County and the City, and

Whereas, Jefferson County wishes to approve the use of the funds for the program and amend the 2020 County Budget to accept and allocate said grant funds.

Now, Therefore, Be It Resolved, That if necessary, 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 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, and be it further

Resolved, That the 2020 County Budget is hereby amended as follows:

Increase:

Revenue		
01311000 94389	Federal Aid Public Safety	\$ 4,790
Expenditures		
01311000 04111	Trackable Items	\$ 4,790

Seconded by Legislator: Robert D. Ferris

See Roll Call Vote following Resolution No. 113.

Resolution No. 113

Authorizing On-Call and Call-In Pay for District Attorney's Office and Amending the 2020 County Budget in Relation Thereto

By Legislator: Philip N. Reed, Sr.

Whereas, New York State has directed, pursuant to statewide expansion of the Hurrell-Harring settlement, that arraignments cannot be performed until counsel for the defendant is present effective January 1, 2020, and

Whereas, Unscheduled arraignments in Jefferson County occasionally occur outside normal work hours and will continue to do so until a fully Centralized Arraignment Part (CAP) court with holding facilities and designated arraignment times can be established, and

Whereas, NYS Office of Court Administration Fifth Judicial District Administrative Order 5AO2020-50 indicates District Attorney staff may be required to facilitate and participate in such arraignments, and

Whereas, This Board recognizes the need to compensate District Attorney staff attorneys for this new, extraordinary and temporary work requirement, and

Whereas, Funding is available in the District Attorney's Personal Services account due to vacancies.

Now, Therefore, Be It Resolved, That effective April 8, 2020 while District Attorney staff attend arraignments, and until a full CAP is established, attorneys working under the District Attorney assigned to on-call status for arraignments shall be compensated at the rate of \$75 for each weekday and \$150 each Saturday, Sunday or holiday, and be it further

Resolved, That whenever District Attorney staff attorneys are called in to unscheduled arraignments at times that are not contiguous to their normal work day, they will be compensated at their hourly rate for actual hours worked or two (2) hours, whichever is greater, and be it further

Resolved, That whenever District Attorney staff attorneys are called to participate in virtual unscheduled arraignments at times that are not contiguous to their normal work day, they will be compensated at their hourly rate for actual hours worked or one (1) hour, whichever is greater, and be it further

Resolved, That the 2020 County Budget is hereby amended as follows:

Increase:

Expenditure

01116500 01300	Overtime	\$20,000
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Decrease:

Expenditure

01116500 01100	Personal Services	\$20,000
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Seconded by Legislator: Patrick R. Jareo

Legislator Maxon asked if this resolution mirrors the Public Defender resolution on this matter as it was not in the agenda. Mr. Hagemann advised that we just learned of the District Attorney's involvement in these matters yesterday and the resolution does mirror the other with further details and clarifies that this may be a temporary situation per the Office of Court Administration, Fifth Judicial District. Legislator Maxon appreciated the clarification, and said he found the email with the resolution attached.

Roll Call Vote for Resolution Nos. 104 - 113

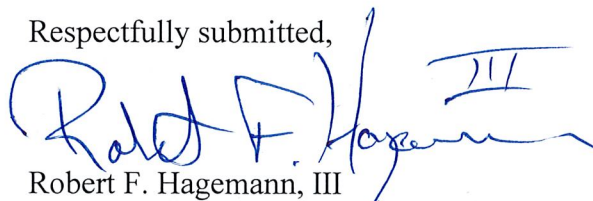
Ayes: Reed, Johnson, Grant, Montigelli, Peck, Jareo, McBride, Cantwell, Maxon, Drake, Fitzpatrick, Nabywaniec, Ferris, Doldo, Gray

Resolutions passed.

Legislator Montigelli expressed appreciation to Chairman Gray for all his energy, effort, and time spent during this emergency, especially since he is a small businessman and is effected by all the things that are going on with the business side of it. Chairman Gray thanked Legislator Montigelli for his kind words, and said he is doing his job.

There being no further business of the Board, on a motion by Legislator Reed seconded by Legislator Fitzpatrick and unanimously carried, the meeting was adjourned at 6:30 p.m.

Respectfully submitted,



Robert F. Hagemann, III
Clerk of the Board