

Finance & Rules Committee
April 27, 2021
Minutes

Members Present: Committee Chair Michael Montigelli, Legislators Robert Cantwell, William Johnson, Allen Drake, James Nabywaniec, Patrick Jareo, Frances Calarco, Board Chair Scott Gray

Others Present: Legislators Daniel McBride, John Peck, Corey Grant, and Anthony Doldo, County Administrator Robert Hagemann, Deputy Administrator Sarah Baldwin, County Attorney David Paulsen, Watertown Daily Times Reporter Alex Gault, Confidential Secretary Jill Jones

Chairman Montigelli called the meeting to order at 6:15 p.m. and offered privilege of the floor, however no one present wished to speak. The Committee approved the minutes of the March meeting, as written.

Chairman Montigelli introduced a resolution for Payment of Legislators' Expenses and entertained a motion for consideration. A motion was duly made by Legislator Jareo seconded by Legislator Nabywaniec and there being no discussion, the Committee agreed to sponsor the resolution as presented.

Chairman Montigelli introduced a resolution Approving Mortgage Tax Report and entertained a motion for consideration. A motion was duly made by Legislator Johnson seconded by Legislator Cantwell and there being no discussion, the Committee agreed to sponsor the resolution as presented.

Chairman Montigelli introduced a resolution Amending the 2021 County Budget to Reappropriate Funds for Board of Elections Cyber Security Remediation Grant Program and entertained a motion for consideration. A motion for consideration was duly made by Legislator Jareo seconded by Legislator Nabywaniec and there being no discussion, the Committee agreed to sponsor the resolution as presented.

Chairman Montigelli introduced a resolution Authorizing Appointments/Reappointments to the Workforce Development Board and entertained a motion for consideration. A motion was duly made by Legislator Johnson seconded by Legislator Cantwell and there being no discussion, the Committee agreed to sponsor the resolution as presented.

Chairman Montigelli introduced a resolution Amending the 2021 County Budget for Insurance and entertained a motion for consideration. A motion was duly made by Legislator Jareo seconded by Legislator Cantwell and there being no discussion, the Committee agreed to sponsor the resolution as presented.

Chairman Montigelli introduced a resolution Authorizing the Purchase of Real Property Pursuant to Section 118 of the Highway Law in Connection with the Removal and Replacement

of Bridge C015 on Coolidge Road and entertained a motion for consideration. A motion was duly made by Legislator Jareo seconded by Legislator Nabywaniec and there being no discussion, the Committee agreed to sponsor the resolution as presented.

Chairman Montigelli advised that establishing a County Assessment Review Board as presented to the Committee last month by the Real Property Tax Services Director is still an active issue, but the town may or may not have completed what they need to do in order for a resolution to come forward tonight for Committee action. Administrator Hagemann advised that the County Attorney has reached out to the Town attorney and has not heard back, but if the town has not taken action, there may be a timing issue in moving it forward this year. He said the intent would be to work on it before next week and if the town has taken the necessary steps, a resolution will be brought forward at the May Board of Legislators Session next week by waiver of the Standing Rules.

In response to questions, County Attorney Paulsen advised that the portion of Real Property Tax Law that allows this arrangement requires an agreement between the Town and the County. It also requires the town to pass a resolution at least 45 days in advance of that agreement being signed by the town, and that is the key we are looking to make sure happened. The County's resolution would authorize the agreement, enact the County Board of Assessment Review, name the members and establish a term of either one or two years.

The Committee approved the following General Services Committee sponsored resolutions on a motion by Legislator Johnson seconded by Legislators Drake and Cantwell and carried:

- ✓ Amending the 2021 County Budget to Recognize Reserve Funds in the District Attorney's Office
- ✓ Amending the 2021 County Budget to Re-Appropriate Governor's Traffic Safety Committee's Stop-DWI Crackdown Enforcement Grant (**Legislator Jareo opposed**)
- ✓ Authorizing FY 2020 Operation Stonegarden Grant Agreement and Amending the 2021 County Budget in Relation Thereto (**Legislator Jareo opposed**)

Legislator Jareo asked if the foregoing Stonegarden resolution was the same as the one that was previously voted down. Administrator Hagemann advised that it was not, this resolution is for 2020 funding, it was the 2019 funding that was voted down. This is strictly overtime for the Sheriff's Department, and Villages of Alexandria Bay and Clayton, there is no equipment. Legislator Jareo said he could support the resolution if the Sheriff established a policy for how the funding can be used. He did not have concerns with the way this Sheriff or the prior Sheriff used the funding, he did have concerns with how the other agencies that receive the funding may use it. Without any guidelines in place, he could not support the resolution.

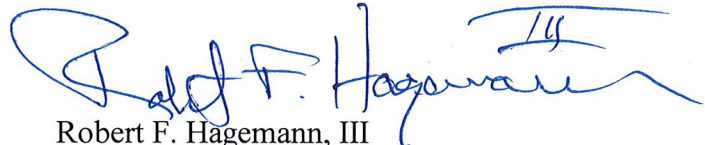
The Committee approved the following Health & Human Services Committee sponsored resolutions, on a motion by Legislator Johnson seconded by Legislator Nabywaniec and unanimously carried:

- ✓ Amending the 2021 County Budget to Reappropriate Funding for Community Services Department
- ✓ Amending the 2021 County Budget Relative to Additional Revenue From NYS Office of Temporary and Disability Assistance for Coronavirus Aid, Relief, and Economic Security (CARES) Act- - Emergency Solutions Grant (ESG) Funding

County Attorney Paulsen advised that there was a proposed settlement agreement concerning the Brad Nourse v. County of Jefferson lawsuit. He said this is a lawsuit originally brought in 2017 against the Sheriff's Department in Federal District Court seeking a declaratory judgement and injunctive relief for individuals charged with minor crimes and misdemeanors to avoid strip searches until they are being provided a reasonable opportunity to post bail. He said the judge denied the establishment of a class action suit against the County in this matter, as well as the County's motion to dismiss the matter. Those decisions narrowed the scope of the proceeding to whether the County had enough space to segregate new detainees from the general population as it is a safety issue to mix those populations without the searches. The case was scheduled for trial on April 12th, and on April 9th defense counsel presented a settlement offer of \$10,000 that was reduced to \$7,500 following negotiations. Attorney Paulsen recommended settlement of the lawsuit for that amount as costs for staff time for a trial, the risk of an unexpected outcome at trial, and the risk of appeal make this a reasonable settlement. Because the settlement is over \$5,000 the matter needs to have the concurrence of the Finance & Rules Committee before he can move forward to accept it. The Committee unanimously concurred with settlement of the lawsuit for \$7,500.

There being no further business of the Committee, on a motion by Legislator Johnson seconded by Legislator Jareo and unanimously carried, the meeting was adjourned at 6:28 p.m.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Robert F. Hagemann, III". The signature is stylized and includes a date "14" written above the end of the name.

Robert F. Hagemann, III
Clerk of the Board