

ANNUAL SESSION - LAST DAY

TUESDAY, DECEMBER 7, 2021

Chairman Gray called the meeting to order at 3:00 p.m.

ROLL CALL OF MEMBERS

All members present except Legislator McBride.

Public Hearing

**Increasing Sliding Scale Income Eligibility Range for Partial Real Property
Tax Exemption for Certain Individuals Sixty-Five Years of Age or Over**

Chairman Gray called the public hearing to order at 3:00 p.m., no one present wished to speak and the hearing was closed.

PRIVILEGE OF THE FLOOR

Employees observing 35, 30, and 25 years of service with the County were recognized as follows:

35 Years of Service

Roxanne Burns
Susan Green
Jill Jones
Penny O'Brien
Lorie Parker

30 Years of Service

Maryanne Delaney
Chad Dudley
Maureen Kelly
Cynthia Pitts

25 Years of Service

Spike Decker
Ellen Gallamore
Jeani Jewett
Robert Hagemann

Legislator Robert Ferris read a letter submitted by Jamison and Erica Porter who could not be in attendance tonight. (Letter attached as an Addendum to minutes) The letter outlined the ongoing complaints the Porters have with the Children's Home of Jefferson County, and the Jefferson County Department of Social Services concerning the removal of foster children from their home and their home subsequently being decertified as a foster home. They were humbled by the support they have received in the past week and encouraged legislators to look into the wrongs that were done to them in taking the children away and decertifying their home, and do what they can to return these children to their care.

READING OF MINUTES OF LAST SESSION, IF REQUESTED

The minutes of the November Board Session and November Special Session stand approved in the absence of objection or correction.

PRESENTATION OF PETITIONS, NOTICES AND COMMUNICATIONS

None.

REPORTS OF STANDING COMMITTEES

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

REPORTS OF COUNTY OFFICERS AND OTHERS

The County Treasurer provided a report on Investments and Cash in Banks as of October 31, 2021.

The County Administrator provided a report on Budget Transfers for the month of November, 2021.

The County Auditor provided a report on Erroneous Assessments for the month of November, 2021.

LOCAL LAWS, RESOLUTIONS AND MOTIONS

Resolution No. 246

Increasing the Sliding Scale Income Eligibility Range for Partial Real Property Tax Exemptions for Certain Individuals Sixty-Five Years of Age or Over.

By Legislator: Patrick R. Jareo

Whereas, The Jefferson County Board of Supervisors established a sliding scale for income eligibility for a partial real property tax exemption for certain individuals sixty-five years of age or over, pursuant to section 467 of the Real Property Tax Law by Resolution No. 201-A of 1985, and

Whereas, The Sliding scale was modified by Resolutions Nos. 385 of 1988, 87 of 1990, 42 of 1991, 6 of 1995, and 196 of 2005 in order to increase the level of income eligible for such exemption, and

Whereas, The income eligibility levels have not been increased for over 15 years, nor adjusted in relation to the Federal Poverty Income Guideline which stands at \$17,430 for a two person household for 2021, and

Whereas, It is the Board of Legislator's desire at this time to increase the income levels of eligibility for the partial real property tax exemption for individuals 65 years of age and over.

Now, Therefore, Be It Resolved, That pursuant to section 467 of the Real Property Tax law there is hereby established a sliding scale of income eligibility for a partial real property tax exemption for certain individuals sixty-five years of age or over, and said income levels and

percentages of exemption being as follows:

<u>Annual Income</u>	<u>Percentage of Assessed Valuation Exempt from Taxation</u>
Less than or equal to \$17,400	50 per centum
More than \$17,400, but less than or equal to \$18,400	45 per centum
More than \$18,400, but less than or equal to \$19,400	40 per centum
More than \$19,400, but less than or equal to \$20,400	35 per centum
More than \$20,400, but less than or equal to 21,300	30 per centum
More than \$21,300, but less than or equal to \$22,200	25 per centum
More than \$22,200, but less than or equal to \$23,100	20 per centum

and it is further,

Resolved, That eligibility for the exemption under the above schedule is dependent upon compliance with all applicable provisions of New York Real Property Tax Law Section 467 and as it may be amended from time to time, and it is further,

Resolved, That this resolution shall take effect immediately upon its adoption following a public hearing, and the Clerk of he Board of Legislators shall, after its adoption, file certified copies in the offices of the Board of Legislators, Director of Real Property Tax Services, County Treasurer, and with the various Town and Village Assessors of the County of Jefferson.

Seconded by Legislator: William W. Johnson

Chairman Gray entertained a motion to take Resolution No. 246 off the table. Such motion was made by Legislator Peck seconded by Legislator Johnson and unanimously carried by the Board.

Chairman Peck reiterated his support for this resolution as it has been 16 years since the County adjusted the sliding scale, it will benefit senior citizens in the community and a constituent of his in particular who ended up not being eligible for the exemption because of a slight increase in her Social Security. All members present voted aye.

Resolution No. 271

Levying 2021 Taxes and Assessments for Annual Town Budgets

By Legislator: James A. Nabywaniec

Whereas, There has been presented to this Board of Legislators a duly certified copy of the Annual Budget for the several towns of the County of Jefferson for the fiscal year beginning January 1, 2021.

Now, Therefore, Be It Resolved, That, there shall be and is hereby levied and assessed upon and collected from the taxable real property situated in the following named towns outside any incorporated village wholly or partially located therein, the amount set forth after each town for such purposes as specified in the budgets of the respective towns as follows:

Adams	\$103,338.00
Antwerp	161,686.00
Philadelphia	23,580.00

Further Resolved, That there shall be and hereby are assessed and levied upon and collected from the real property liable therefore within the respective fire, fire protection, water, sewer and electric light districts in the following towns as indicated below, the following amounts for the purposes of such districts as specified in the respective annual town budgets:

Adams

Adams Center Fire	179,989.00
Smithville Fire	54,994.18
Adams Fire Protection	45,900.00
Adams Center Light	11,560.00
North Adams Heights Light	1,200.00
Adams Sewer District #1	19,999.98
Adams Center Water	28,994.00
Adams Water Dist #2	21,843.84
Pro-Rated Taxes - County	1,254.89
Pro-Rated Taxes - Town	30.49
Unpaid Water	5,020.32

Alexandria

Redwood Fire	172,581.00
Plessis Fire	76,462.62
Alexandria Fire Protection	225,753.00
Otter St Light Dist	3,650.00
Otter St Water Dist	19,379.25
Rt 12 Water Dist	38,893.00
Redwood Water Dist	101,583.50
Unpaid Sewer	38,894.10

Unpaid Water	34,192.40
Unpaid Service	4,807.25
Antwerp	
Oxbow Light	5,400.00
Fire Protection	104,275.00
Brownville	
Brownville Fire District	361,585.00
Brownville Water District 1	82,501.50
Brownville Water District 2	108,891.00
Unpaid Water	917.25
Cape Vincent	
Cape Vincent Fire Dist	153,300.00
Rosiere Light	400.00
Unpaid Water	5,946.96
Champion	
Great Bend Fire District	150,069.00
Champion Fire Protection Dist 1	67,361.00
Champion Fire Protection Dist 2	37,773.00
Great Bend Light	6,000.00
Champion Sewer District 1	64,889.50
Champion Sewer District 2	53,000.00
Unpaid Sewer	3,334.02
Unpaid Water	6,931.99
Pro-Rated Taxes - County	2,609.17
Pro-Rated Taxes - Town	731.31
Clayton	
Clayton Ambulance	171,000.00
Clayton Fire District	503,705.00
Heritage Heights Sewer	49,546.75
Reed Point Sewer	5,185.00
Route 12 Sewer	164,158.25
Depauville Sewer	42,840.00
Ellisburg	
Ellisburg Fire Protection	175,514.00
Belleville Light	4,500.00
Pierrepoint Manor Light	3,000.00
Woodville Light	1,200.00
Ellisburg Water District 1	49,640.00
Ellisburg Water District 2	86,775.00
Omitted Taxes - County	2,296.51

Henderson

Smithville Fire District	76,633.82
Henderson Fire	338,632.00
Henderson Light	6,500.00
Unpaid Water	18,757.44

Hounsfield

Hounsfield Fire Protection	81,350.00
Hounsfield Water Dist 2	105,357.00
Hounsfield Water Dist 3	54,432.00
Hounsfield Water Dist 4	29,664.00
Hounsfield Water Dist 5	74,250.00
Hounsfield Water Dist 7	16,672.50
Unpaid Water	27,525.54

LeRay

Leray Drainage District	1,000.00
Calcium Fire	264,424.00
Evans Mills Fire	245,000.00
Calcium FD Com Zone	90,000.00
Black River Fire Protection	88,645.34
Leray/Pamelia Fire Protection	12,218.68
Leray Fire Protection	18,926.98
Light District No. 1	1,299.00
Light District No. 2	6,799.00
Light District No. 3	4,399.00
Leray Sewer Dist. 3	142,043.50
Leray Sewer Dist. 4	82,637.50
Leray Water 2	235,845.50
Leray Water 4	185,207.00
Unpaid Sewer	6,760.71
Unpaid Water	7,309.37
Pro-Rated Taxes - County	4,317.25

Lorraine

Fire Protection	50,200.00
Lorraine Light	3,000.00

Lyme

Fire Protection	157,000.00
Three Mile Bay Light	5,700.55
Unpaid Water	13,693.09

Orleans

Highway Item No. 1	159,120.00
Orleans Fire District	392,121.00

LaFargeville Light	9,965.00
Fishers Landing Light	4,349.00
Omar Light	1,780.00
Fineview Light No. 1	1,106.00
Fineview Light No. 2	977.00
Unpaid Sewer	72,310.76
Unpaid Water	48,940.04
Pamelia	
Pamelia Sewer Dist. 2	34,896.75
Pamelia Sewer Dist. 3	50,952.00
Pamelia Sewer Dist. 4	11,802.00
Pamelia Sewer Dist. 5	8,149.00
Pamelia Sewer Dist. 8	25,143.00
Consolidated WD 1	516,620.00
Unpaid Sewer	2,579.97
Unpaid Water	5,873.11
Unpaid Service	6,283.53
Omitted Taxes - County	704.00
Pro-Rates Taxes - County	2,605.20
Philadelphia	
Philadelphia Joint Ambulance	28,000.00
Philadelphia Fire Protection	57,000.00
Unpaid Water	934.48
Rodman	
Rodman Fire District	36,378.00
Rodman Light	4,632.00
Rodman Water	9,656.00
Unpaid Water	1,185.03
Rutland	
Fire District	267,564.00
Felts Mills Light	3,500.00
Tylerville Light	1,500.00
Rutland Sewer 1	178,162.50
Unpaid Sewer	43,696.20
Unpaid Water	59,425.46
Pro-Rated Taxes - County	1,852.09
Pro-Rated Taxes - Town	328.89
Theresa	
Fire District	157,660.00
Watertown	

Watertown Fire District	1,037,281.00
Watertown Sewer No. 1	20,145.99
Watertown Sewer No. 2	116,810.04
Watertown Sewer No. 3	93,728.98
Watertown Sewer No. 4	143,081.05
Watertown Water No. 1	134,367.17
Watertown Water No. 3	21,628.02
Watertown Water No. 4	114,007.01
Watertown Water No. 6	12,467.00
Unpaid Sewer	760.59
Unpaid Water	148.98
Pro-Rated Taxes - County	1,538.48

Wilna

Natural Bridge Fire Protection	43,198.00
Carthage/Wilna Fire Protection	646,496.00
Wilna Fire Protection 2	25,000.00
Natural Bridge Light	18,000.00
Herrings Light	12,000.00
Natural Bridge Dist 2	26,865.00
Unpaid Water	33,674.00

Worth

Fire Protection	9,000.00
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Further Resolved, The amounts to be raised by tax for all other purposes as specified in the said several budgets as presented to this Board and which are on file in the Office of the Clerk thereof, shall be assessed and levied and collected from the taxable property in the towns as enumerated below except as otherwise provided by law, namely:

Schedule

Adams	553,953.00
Alexandria	542,814.00
Antwerp	386,000.00
Brownville	460,000.00
Cape Vincent	405,147.00
Champion	1,024,822.00
Clayton	1,061,851.75
Ellisburg	640,237.00
Henderson	318,909.00
Hounsfield	657,648.00
LeRay	735,255.00
Lorraine	413,690.00
Lyme	322,124.00
Orleans	0.00

Pamelia	0.00
Philadelphia	534,413.00
Rodman	120,945.00
Rutland	515,233.00
Theresa	455,080.00
Watertown	0.00
Wilna	851,840.00
Worth	179,221.00

Further Resolved, That such taxes and assessments when collected shall be paid to the Supervisors of the several towns in the amounts as shown by this Resolution for distribution by them in the manner as provided by law.

Seconded by Legislator: Patrick R. Jareo

Roll Call Vote

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

Absent: McBride

Resolution passed.

Resolution No. 272

Levying 2022 Consolidated Health District Taxes

By Legislator: William W. Johnson

Resolved, That, pursuant to Section 399 of the Public Health Law, there shall be and hereby is assessed and levied upon and collected from the taxable real property of the several consolidated health districts located in the below listed towns the amount set forth opposite each town as follows:

Antwerp	\$	1,000.00
Cape Vincent		500.00
Champion		9,699.73
LeRay		600.00
Lyme		2,150.00
Theresa		500.00
Wilna		15,280.27

Seconded by Legislator: Allen T. Drake

Roll Call Vote

Ayes: Nabwyaniec, Maxon, Drake, Doldo, Calarco, Ferris, Grant, Jareo, Johnson, Peck, Reed, Cantwell, Montigelli, Gray

Absent: McBride

Resolution passed.

Resolution No. 273

Levying Returned Delinquent 2021 School Taxes

By Legislator: James A. Nabywaniec

Whereas, The Boards of Education of the several school districts in Jefferson County have transmitted to the Jefferson County Treasurer a duly verified and certified statement of the several amounts of returned delinquent 2021 School Taxes.

Now, Therefore, Be It Resolved, That, pursuant to Section 1330 of the Real Property Tax Law, there shall be and hereby is assessed and levied upon and collected from the Real Property of the several Towns as hereinafter listed, upon which the same were originally imposed, the amounts of said returned delinquent 2021 School Taxes, as certified, together with seven percentum thereon in addition, as follows:

Adams	\$166,976.29	Lorraine	\$ 57,342.85
Alexandria	624,139.01	Lyme	214,263.00
Antwerp	38,724.98	Orleans	268,797.62
Brownville	203,594.78	Pamelia	111,336.29
Cape Vincent	189,119.84	Philadelphia.....	11,618.98
Champion	106,840.04	Rodman	70,006.11
Clayton	382,004.64	Rutland	94,075.10
Ellisburg	177,479.87	Theresa	51,212.53
Henderson	195,761.80	Watertown	88,964.64
Hounsfield	268,582.48	Wilna	226,938.96
LeRay	47,951.16	Worth	16,915.78

Seconded by Legislator: Allen T. Drake

Roll Call Vote

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

Absent: McBride

Resolution passed.

Resolution No. 274

Levying Returned Delinquent 2021 Village Taxes

By Legislator: William W. Johnson

Whereas, The Boards of Trustees of the several villages of Jefferson County have transmitted to the Jefferson County Treasurer a duly verified and certified statement of the several amounts of returned delinquent 2021 Village Taxes.

Now, Therefore, Be It Resolved, That, pursuant to Jefferson County Local Law No. 1 of the Year 1978 and Section 1442 of the Real Property Tax Law, there shall be and hereby is assessed and levied upon and collected from the Real Property of the several villages located in the Towns as hereinafter listed, upon which the same were originally imposed, the amounts of said returned delinquent 2021 Village Taxes, as certified, together with seven percentum thereon in addition, as follows:

Adams	\$ 29,065.54	Lorraine	\$ 0.00
Alexandria	109,182.96	Lyme	2,946.05
Antwerp	73,802.22	Orleans	0.00
Brownville	16,115.67	Pamelia	278.06
Cape Vincent.....	8,252.43	Philadelphia	14,063.66
Champion	21,271.73	Rodman	0.00
Clayton	69,074.41	Rutland	10,591.35
Ellisburg	3,642.02	Theresa	25,624.57
Henderson	0.00	Watertown	0.00
Hounsfield	22,243.23	Wilna	237,563.15
Leray	22,328.53	Worth	0.00

Seconded by Legislator: Allen T. Drake

Roll Call Vote

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

Absent: McBride

Resolution passed.

Resolution No. 275

Directing the Completion of the Tax Rolls and the Execution and Delivery of Warrants

By Legislator: Patrick R. Jareo

Resolved, That, pursuant to Section 900 of the Real Property Tax Law, taxes for the County for fiscal year 2022 be and are hereby levied, and the amount of tax to be paid shall be entered on each assessment roll opposite the assessment of each parcel, and be it further

Resolved, That, pursuant to Section 904 of the Real Property Tax Law, a tax warrant bearing the seal of this Board and signed by the Chairman and Clerk of this Board shall be annexed to each assessment roll, and the completed tax roll shall be delivered to the respective collecting officers prior to December 31, 2021.

Seconded by Legislator: James A. Nabywaniec

All members present voted aye.

Resolution No. 276

Authorizing Accounts Payable Year End Adjustments to 2021 County Budget

By Legislator: William W. Johnson

Whereas, Provisions of the Federal Single Audit Act and regulations of the State Comptroller require Jefferson County to utilize modified accrual as the basis for governmental fund accounting, and

Whereas, Modified accrual accounting principles require that the County accrue accounts payable so that expenditures are generally reflected in the period for which the goods or services are received, and

Whereas, Application of this principle may result in the over expenditure of certain individual line item applications, particularly in areas where spending is mandated by State or Federal requirements.

Now, Therefore, Be It Resolved, That the Board of Legislators herewith authorizes the County Treasurer to make adjusting entries to provide sufficient appropriations to avoid individual line item deficits upon the accrual of year end accounts payable, provided that such entries do not result in an increase in total appropriations approved by the Board of Legislators for 2021, and be it further

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

Seconded by Legislator: Allen T. Drake

All members present voted aye.

Resolution No. 277

Calling for Organizational Meeting of the 2022-2023 Jefferson County Board of Legislators

By Legislator: Patrick R. Jareo

Resolved, Pursuant to Section 151, Subdivision 1 of County Law, the organizational meeting of the Board of Legislators for 2022-2023 shall be held at 6:00 p.m. on January 4, 2022 in the Board of Legislators' Chambers, 195 Arsenal Street, Watertown, NY.

Seconded by Legislator: William W. Johnson

All members present voted aye.

Resolution No. 278

Levying Hudson River-Black River Regulating District Assessments

By Legislator: Patrick R. Jareo

Whereas, The Board of the Hudson River-Black River Regulating District, pursuant to provisions of the Environmental Conservation Law, has filed a certified statement with the Clerk of the County of Jefferson showing the name of each public corporation or a brief description of each parcel of real estate and the name of the owner, or owners, so far as can be ascertained, and the proportionate amount of the cost of storage reservoirs and the expense of maintenance and operation of such reservoirs to be borne by each parcel of real estate during the year ending June 30, 2022, and

Whereas, Pursuant to Subdivision Six of Section 15-2123 of the Environmental Conservation Law, signed into law on August 8, 1983 "...All moneys required to be collected and not paid directly to the River Regulating District by the thirty-first day of October of the year in which the assessment is levied shall be payable to the County Treasurer as provided under subdivision four of this Section and shall be subject to a service fee of one percent of the total amount assessed which shall be added to the amount to be collected and which shall be in addition to any penalties which may be imposed in the case of failure to pay general taxes within the time prescribed by law, and when collected, such penalties shall be deemed part of the assessment...".

Now, Therefore, Be It Resolved, That, in accordance with the certified statements of annual assessment received from the Regulating District dated October 31, 2021, the sum set after the description of each parcel of real estate in the following list is hereby levied and assessed against said parcel of real estate to wit:

Parcel No. 31	Town of Wilna	
Tax Map Parcel #	Ampersand Tannery Island	\$6,631.00
86.40-2-38.1	1% Fee	66.31

Total \$6,697.31

and be it further

Resolved, That the collector of taxes and assessments in each Town or City in which any such parcel of real estate is situated be and is hereby directed and commanded to collect said sum set forth after the description of each such parcel of real estate in the forgoing list, or in case the property is situated in more than one Town, to collect the sum set forth after the name of each Town following said description, in the same manner and by the same procedure as general taxes are collected and to pay the same to the County Treasurer of Jefferson County, and be it further

Resolved, That the Clerk of the Board of Legislators be and is hereby directed to furnish a certified copy of this resolution to the Hudson River-Black River Regulating District.

Seconded by Legislator: Allen T. Drake

All members present voted aye.

Resolution No. 279

Amending the 2021 County Budget and Capital Plan in Relation to the American Rescue Plan Act

By Legislator: James A. Nabywaniec

Whereas, By Resolution 243, this Board of Legislators accepted American Rescue Plan Act (ARPA) funding to provide resources to respond to COVID-19 and address its economic fallout, and

Whereas, This Board desires to allocate funding at this time to replace lost County revenue to strengthen County services and address infrastructure needs.

Now, Therefore, Be It Resolved, that 2021 County Budget is hereby amended as follows:

Increase:

Transfers:		
21995000 09006	Transfer to Capital Projects Fund	\$3,850,000
20900600 95031	Interfund Transfers	3,850,000

Expenditure		
20168000 02012	Computer Mainframe	\$ 800,000
20302000 02031	E911 Dispatch	500,000
20351000 02044	Dog Control	50,000
20501000 02052	Highway Office Complex	500,000
20511200 02759	CR 46	950,000

20511200 02760 CR 47 1,050,000

Decrease:

Expenditure

21104500 04977 General Government Services \$3,850,000

and be it further

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

Seconded by Legislator: William W. Johnson

Roll Call Vote

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

Absent: McBride

Resolution passed.

Resolution No. 280

Amending the 2021 County Budget in Relation to State Retirement Costs

By Legislator: Patrick R. Jareo

Whereas, State Retirements costs are allocated across departmental budgets with the result that some account lines are insufficient, and

Whereas, Funding is available in other benefit account lines.

Now, Therefore, Be It Resolved, That the 2021 County Budget is hereby amended as follows:

Increase:

01104000	08010	State Retirement	\$9,043.91
01117100	08010	State Retirement	3,865.00
01134500	08010	State Retirement	1,749.80
01167000	08010	State Retirement	856.97
01135600	08010	State Retirement	3,272.44
01142000	08010	State Retirement	2,100.41
01142200	08010	State Retirement	2,470.07
01143000	08010	State Retirement	895.71
01143600	08010	State Retirement	4,405.37

01162200	08010	State Retirement	8,320.91
01168000	08010	State Retirement	3,655.72
01311000	08010	State Retirement	105,269.68
01315000	08010	State Retirement	52,493.27
01314000	08010	State Retirement	11,490.04
01341000	08010	State Retirement	3,361.37
01118500	08010	State Retirement	3,765.70
01401000	08010	State Retirement	1,974.40
01405800	08010	State Retirement	1,284.11
01431200	08010	State Retirement	1,109.44
01651000	08010	State Retirement	448.03
05331000	08010	State Retirement	374.45
05501000	08010	State Retirement	10,278.89
35171000	08010	State Retirement	13,319.85

Decrease:

01101000	08010	State Retirement	\$21,531.35
01116500	08010	State Retirement	58,414.00
01117000	08010	State Retirement	62,178.00
01132500	08010	State Retirement	10,074.00
01135700	08010	State Retirement	6,577.00
01145000	08010	State Retirement	19,639.00
01162000	08010	State Retirement	15,327.00
01162100	08010	State Retirement	3,765.00
01311200	08010	State Retirement	6,103.00
01362000	08010	State Retirement	13,222.00
01405000	08010	State Retirement	5,002.00
05511000	08010	State Retirement	10,653.34
35171000	08020	Health Benefits	13,319.85

Seconded by Legislator: William W. Johnson

All members present voted aye.

Resolution No. 281

Authorizing Agreement Regarding Real Property Tax Foreclosure and Redevelopment of Several Parcels in the Town of Wilna Formerly Constituting the St. Regis Paper Mill.

By Legislator: James A. Nabywaniec

Whereas, Real property located in the Village of Deferiet and Town of Wilna identified as Tax Map Parcel Numbers 66.20-1-36, 66.82-1-29, 66.82-1-67, 76.27-1-3, and 76.27-1-3.-401 are delinquent in the payment of real property taxes and subject to in *rem tax* foreclosure proceedings, and

Whereas, Said property is currently titled to Deferiet Development, LLC and consists of industrial structures formerly used as a paper mill and a sewage water treatment plant, and

Whereas, The structures formerly constituting the paper mill have been abandoned, are derelict, and determined by code enforcement officials to be unsafe for entry, and

Whereas, The current owner, Deferiet Development, LLC, has failed to remedy the building code violations, demolish the dangerous structures, or pay real property taxes during the 15 years of its ownership, and

Whereas, The New York State Energy Research and Development Authority (hereinafter “NYSERDA”) has solicited nominations for potential “Build-Ready Sites” for renewable energy facilities emphasizing the re-use or adaptation of sites with existing or abandoned commercial or industrial facilities, and

Whereas, The Deferiet parcels have been nominated for the “Build-Ready Site” program and NYSERDA agree the site is worthy of further investigation and assessment, and

Whereas, The Jefferson County Industrial Development Agency, (hereinafter “IDA”) is an interested party insofar as potential plans involve title to the property being conveyed to the IDA or one of its entities for purpose of leasing the parcel to future renewable energy developers, and

Whereas, In order to facilitate continued planning, investigation and eventual redevelopment of the site, the parties agree that a memorandum of understanding is appropriate to further cooperation and establish party responsibilities.

Now, Therefore, Be It Resolved, That the Chairman of the Board is hereby authorized and directed to execute a memorandum of understanding with NYSERDA and Jefferson County IDA, upon the terms set forth below, subject to the approval of the County Attorney as to form and content, and it is further

1. The memorandum of understanding shall provide that prior to commencing an in *rem tax* foreclosure by Jefferson County there shall be conducted a Phase I Environmental Assessment and for those areas indicated in the Phase I report, a Phase II Assessment shall take place including sampling/testing, etc.
2. The cost of the Phase I Assessment shall be the responsibility of NYSERDA. The cost of Phase II shall be divided between the parties with Jefferson County being responsible for 25%, IDA 50%, and NYSERDA 25%. Jefferson County’s share shall not exceed \$25,000 and the IDA shall not exceed \$50,000. Any excess shall be the responsibility of NYSERDA.

3. NYSERDA will conduct a feasibility analysis and provide a final determination to Jefferson County and IDA as to redevelopment of the site for renewable energy purposes prior to commencement by the County of tax foreclosure.
4. Upon a determination by NYSERDA that the site is project feasible and by Jefferson County and IDA that the environmental liability for each entity is known, that regulatory agencies have provided the maximum assurance of comfort, and a remedial plan is in effect for demolition and remediation of any contamination issues (pending foreclosure) Jefferson County will enter into a lease option with NYSERDA for the property during which NYSERDA will act as Lead Agency under the State Environmental Quality Review Act (hereinafter “SEQRA”) for construction of a renewable energy facility.
5. Upon completion of SEQRA, it is contemplated Jefferson County will pass title of the property to the IDA or its designated entity and NYSERDA will auction the development rights to the property to the highest bidder.

Resolved, That the Chairman of the Board is further authorized and directed to execute an agreement with the NYS Department of Environmental Conservation, NYS Environmental Protection and Spill Compensation Fund, and/or US Environmental Protection Agency regarding liability protection issues for the County and IDA, provided said agreement does not require consideration paid by the County, subject to the approval of the County Attorney as to form and content.

Seconded by Legislator: Patrick R. Jareo

Legislator Peck said this is an exciting project, is a great move forward and a positive use for this property. He said it is great to see a Brownfields property instead of green fields being used for solar projects.

All members present voted aye.

Resolution No. 282

Approving Mortgage Tax Report

By Legislator: Patrick R. Jareo

Whereas, This Board is in receipt of the semi-annual Mortgage Tax Report showing the amount to be credited to each tax district in the County of the money collected during the preceding six months ended September 30, 2021.

Now, Therefore, Be It Resolved, That, pursuant to Section 261 of the Tax Law, this Board issue Tax Warrants for the payment to the respective tax districts of the amounts so credited and authorize and direct the County Treasurer to make payment of said amounts to the respective districts in accordance with the report.

Seconded by Legislator: James A. Nabywaniec

All members present voted aye.

Resolution No. 283

**Revising Premium Equivalents for Jefferson County
Government Employees Health Benefits Program**

By Legislator: William W. Johnson

Whereas, Coincidental with the commencement of the Jefferson County Government Employees Health Benefits Program, the Jefferson County Board of Supervisors, by Resolution No. 97 of 1988, established premium equivalents to be charged to those individuals or County agencies responsible for funding the cost of their participation in the County's self funded health benefits program, and

Whereas, The County's suggested premium equivalents are based upon projected claims paid during the period January 1, 2022 through December 31, 2022, which have been added to the administrative cost-based premium equivalents.

Now, Therefore, Be It Resolved, That effective January 1, 2022, the monthly premium equivalents to be charged to those retirees or County agencies responsible for funding the cost of their participation in the Jefferson County Government Employees Health Benefits Program shall be \$1,037.21 for individual coverage and \$2,384.64 for family coverage, with the additional categories of \$722.23 for an individual with Medicare coverage and \$1,212.13 for a family with Medicare coverage, and be it further

Resolved, That the Director of Insurance is hereby directed to notify the affected parties of this revision.

Seconded by Legislator: James A. Nabywaniec

All members present voted aye.

Resolution No. 284

**Amending Jefferson County Administrative Policies and Procedures for Management
and Management Confidential Employees and Approving Management
Compensation Plan for 2022**

By Legislator: William W. Johnson

Whereas, As part of the Administrative Policies and Procedures Section 3.02 governing Management and Management Confidential employees adopted by Resolution No. 18 of 1989, as amended, the Jefferson County Board of Supervisors approved a compensation plan which

provides for compensation to be paid in accordance with a schedule of grades and steps, and

Whereas, The adopted 2022 County Budget provides funding for compensation increases for management and management confidential employees effective January 1, 2022, and

Whereas, The Board of Legislators wishes to amend the compensation plan to provide for an adjustment of 3.0% to the general management schedule; management/confidential schedule; part-time security personnel rates; to adjust increments in accordance with the attached schedule, and

Whereas, The Administrative Policy Section 3.02 Management Policies and Employment Policy Manual is in need of further amendment to reflect various changes to the terms and conditions of employment.

Now, Therefore Be It Resolved, That the attached schedules are hereby adopted as the Management and Management Confidential Compensation Plan for Jefferson County effective January 1, 2022, and be it further

Resolved, That Administrative Policy Section 3.02 and the associated Manual is hereby amended as per the attached and by reference incorporated herein effective December 8, 2021, and be it further

Resolved, That the previously approved and promulgated (by Resolution 18 of 1989, as amended) Administrative Policy Section 3.02, Management Policies, is hereby rescinded.

Seconded by Legislator: Frances A. Calarco

2022 ADMINISTRATIVE SCHEDULE							
GRADE	LEVEL A	LEVEL B	LEVEL C	LEVEL D	RATE	MAXIMUM	
I	99393	102358	105318	108278	111238	129640	
II	90820	93528	96231	98936	101638	116790	
III	83025	85495	87964	90436	92908	104778	
IV	75944	78201	80454	82712	84968	98515	
IVPH/ATTY	86690	89283	91838	94431	96989	112474	
V	71900	73959	76032	78165	80294	87873	
VPH/ATTY	81965	84314	86677	89107	91535	100176	
VI	66242	68132	70021	71912	73803	80555	
VIPH/ATTY	75609	77751	79918	82091	84229	91970	
VII	61193	62928	64666	66405	68142	73672	
VIII	56646	58251	59853	61454	63058	67991	
IX	52523	54002	55477	56955	58433	62834	
X	48777	50141	51506	52872	54239	58153	
XI	45361	46623	47887	49147	50409	53889	

XII	41731	42893	44055	45215	46377	49578		
2022 MANAGEMENT CONFIDENTIAL								
SALARY SCHEDULE								
GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	
MC1	42242	43735	45555	47265	49158	51069	53089	
	23.21	24.03	25.03	25.97	27.01	28.06	29.17	
MC2	37437	38602	39949	41314	42843	44499	46101	
	20.57	21.21	21.95	22.70	23.54	24.45	25.33	
MC3	35708	36819	37929	39185	40422	41769	43371	
	19.62	20.23	20.84	21.53	22.21	22.95	23.83	
MC4	34034	35017	36072	37128	38256	39385	40877	
	18.70	19.24	19.82	20.40	21.02	21.64	22.46	
40 HR WRK WK	38896	40019	41226	42432	43722	45011	46717	
MC5	32487	33361	34343	35290	36254	37383	38457	
	17.85	18.33	18.87	19.39	19.92	20.54	21.13	
40 HR WRK WK	37128	38126	39250	40331	41434	42723	43950	

(Manual referenced in the resolution is attached as an Addendum at the end of the minutes)

All members present voted aye.

Resolution No. 285

Authorizing Agreement for One-Stop Operator

By Legislator: Patrick R. Jareo

Whereas, One of the functions of the local Workforce Development Board (WDB) as set forth in the Workforce Innovation and Opportunity Act of 2014 (WIOA) sec 107 (d) and 20 CFR 679.370 & 678.605 is to make a selection through a competitive process of a One-Stop Operator, and

Whereas, The Final Rules and Regulations 678.621 (a) outline the role of the One-Stop Operator to coordinate service delivery for continuous improvement through evaluation of operator performance and to promote efficiency and effectiveness of the one-stop system by regularly examining performance and costs, and

Whereas, In order to have appropriate procurement, the Jefferson –Lewis WDB contracted with the New York Association of Training and Employment Professionals to issue a Request for Proposals in March, 2021, and

Whereas, One response was received and graded, and it is recommended that Jefferson County Department of Employment & Training be selected as the Jefferson-Lewis WDB One-Stop Operator for the Jefferson-Lewis Workforce Development Area.

Now, Therefore, Be It Resolved, That the Chairman of the Board of Legislators is hereby authorized and directed to execute an agreement in the amount of no more than \$2,000 per year for the period of July 1, 2021 through June 30, 2025 with Jefferson County Department of Employment & Training for One-Stop Operator services, subject to the approval of the County Attorney as to form and content.

Seconded by Legislator: William W. Johnson

All members present voted aye.

Resolution No. 286

Authorizing Use of Grant Funds and College Paving Account to Match State Aid in Relation to the Jefferson Community College Green Campus Entryway Project

By Legislator: James A. Nabywaniec

Whereas, By Resolutions 87 of 2019, 145 and 194, this Board of Legislators authorized Capital Chargeback funding of \$497,000 towards JCC's Green Campus Entryway Project (Project) for a total cost of \$1,504,177, and

Whereas, The Project is also being funded by a NYS EFC Green Innovation Grant of \$880,000, and SUNY funding of \$127,177, and

Whereas, The College has applied for EPA Great Lakes Restoration Incentive (GLRI) funding for Nonpoint Source Runoff and Nutrient Reduction in the amount of \$600,000 to extend the Project, and

Whereas, The College wishes to designate \$200,000 from the Paving Reserve to extend the Project, and

Whereas, The combined \$800,000 can provide the local match for additional state funding of \$800,000 for a revised Project cost of \$3,104,177, and

Whereas, The JCC Faculty Student Association has committed to cover any gap in funding the project.

Now, Therefore, Be It Resolved, That this Board of Legislators authorizes the use of EPA GLRI funding of \$600,000 and \$200,000 from Paving Reserve as local match to state funding of \$800,000.

Seconded by Legislator: Patrick R. Jareo

All members present voted aye.

Resolution No. 287

Re-Appointing Members to Soil & Water Conservation District Board of Directors

By Legislator: William W. Johnson

Resolved, Pursuant to Section 7 of the Soil & Water Conservation Districts Law, the following individuals are hereby reappointed to the Soil & Water Conservation District Board for terms to expire as noted:

<u>Name</u>	<u>Term to Expire</u>
David Brass, Grange	12/31/2024
Thomas Boxberger, Member At Large	12/31/2024

Seconded by Legislator: Frances A. Calarco

All members present voted aye, except Legislator Jareo who voted nay.

Resolution No. 288

Approving Appointment and Re-Appointment to the Thousand Islands Bridge Authority

By Legislator: Allen T. Drake

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

<u>Name</u>	<u>Term Expiration</u>
Thye Lee	12/31/2026
Richard Iglinski	12/31/2026
Patrick J. Simpson	12/31/2026

Seconded by Legislator: Patrick R. Jareo

All members present voted aye, except Legislator Jareo who voted nay.

Resolution No. 289

Amending the 2021 County Budget and Capital Plan in Relation to Public Health Computer and Low Band Radio System

By Legislator: James A. Nabywaniec

Whereas, There are remaining amounts in two capital accounts, and

Whereas, These were both included in the 2011 County Budget and balanced with revenue that was never received, such that the capital expenditure accounts and related revenue account should be brought to zero balance and closed.

Now, Therefore, Be It Resolved, That the 2021 County Budget is amended as follows:

Decrease:

Expenditure		
20168000 02013	Public Health Computer Upgrades	\$ 99,647.90
20302000 02051	Homeland Sec - Low Band System	45,000.00

Revenue		
20900600 92770	Other Unclassified Revenue	\$165,200.00

Increase:

Fund Balance		
20000000 30599	Appropriated Fund Balance	\$ 20,552.10

and be it further

Resolved, That capital accounts 20168000 02013 and 20302000 02051 are hereby closed, and be it further

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

Seconded by Legislator: William W. Johnson

Roll Call Vote

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

Absent: McBride

Resolution passed.

Resolution No. 290

Authorizing the Implementation and Funding in the First Instance 100% of the Federal Aid and State “Marchiselli” Program Aid Eligible Costs of a Transportation Federal-Aid Project (Noble Street over West Creek) and Appropriating Funds Therefor

By Legislator: James A. Nabywaniec

Whereas, A Project for Noble Street over West Creek, PIN 775377 (the “Project”) is eligible for Funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% federal funds and 20% non-federal funds, and

Whereas, By Resolution 209 of 2019, the County of Jefferson approved the above project by making a commitment of \$195,000 for the cost of the Preliminary Design and Right of Way Incidentals Phase, and

Whereas, The County of Jefferson desires to advance the Project by making a commitment of 100% of the non-federal share of the cost of the Right of Way Acquisition Phase of the Project, and

Whereas, The County has allocated a total of \$500,000 to this project through the Adopted 2019, 2020 and 2021 County Budgets.

Now, Therefore, Be It Resolved, That the Jefferson County Board of Legislators hereby authorizes the Jefferson County Treasurer to pay in the first instance 100% of the federal and non-federal share of the cost of the Final Design and Right of Way Acquisition of the Project or portions thereof, and be it further

Resolved, That the sum of \$45,300, which includes the Right of Way Acquisition Phase of the Project, or so much thereof as is necessary is hereby appropriated from Account 20511300 02904 in the 2021 County Budget, and made available to cover the cost of participation in the above phase of the Project, and be it further

Resolved, That in the event the full federal and non-federal share of the costs of the project exceed the amount appropriated above, the Jefferson County Board of Legislators shall convene to appropriate said excess amount immediately upon the notification by the Chairman of the Board of Legislators thereof, and be it further

Resolved, That the Chairman of the Board of Legislators be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal and State Aid, subject to the approval of the County Attorney as to form and substance, on behalf of the County of Jefferson with NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality’s first instance funding of project costs, and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefor that are not federal-or State-aid eligible, 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 this Resolution shall take effect immediately.

Seconded by Legislator: Patrick R. Jareo

All members present voted aye.

Resolution No. 291

Endorsing Comprehensive Economic Development Strategy (CEDS) Committee 2021 Plan Update

By Legislator: Daniel R. McBride

Whereas, The Jefferson County Board of Supervisors created the Comprehensive Economic Development Strategy (CEDS) Committee in 1990 as a prerequisite for establishing County eligibility for economic development funding from the U.S. Economic Development Administration (EDA), and

Whereas, The CEDS Committee is required to periodically assess the changing economic conditions and opportunities in the County, and update its Plan with revised goals and strategies the community can pursue to improve the local economy, and

Whereas, The CEDS Plan is also widely used as a tool by local planning and development organizations to leverage non-EDA forms of grant assistance to help carry out community and economic development objectives, and

Whereas, In addition to the benefits for securing and leveraging Federal and State economic and community development funding, the CEDS Plan lays a foundation for local coordinated action on priority economic development issues across numerous sectors of the County's economy, and as such, can be used as a "Blueprint for Local Action".

Now, Therefore Be It Resolved, That the Jefferson County Board of Legislators hereby endorses the 2021 CEDS Plan and encourages its use as a guiding document for local economic development programming by governments and economic development agencies in Jefferson County.

Seconded by Legislator: Robert W. Cantwell, III

All members present voted aye.

Resolution No. 292

Adoption of the Jefferson County Coordinated Transportation Plan

By Legislator: Robert D. Ferris

Whereas, A Coordinated Transportation Plan is required by the Federal Transit Administration (FTA) and New York State Department of Transportation to be on file in order to receive federal and state funding for countywide transportation programs, and

Whereas, This initial Jefferson County Coordinated Transportation Plan describes development and implementation of a county wide public transportation system in coordination with the CitiBus system, and

Whereas, The purpose of a Coordinated Transportation Plan is to assess the transportation needs for persons who are seniors, earn limited incomes, or have a disability; identify transportation gaps and duplication of services; and to prioritize goals and actions to address these gaps and duplicate services, and

Whereas, The key stakeholders in Jefferson County participated in the development of the Jefferson Coordinated Transportation Plan inclusive of health service providers, employers, not for profit agencies, educational facilities, etc. and provided input as it was prepared by the Mobility Manager of the Greater Watertown Area, and

Whereas, Hard copies of the draft Plan were distributed in numerous locations and posted on the Watertown-Jefferson County Area Transportation Council Metropolitan Planning Organization website, and the City of Watertown website, and

Whereas, Public input sessions were held on November 2, November 3 and November 4 at eight sites within the County including the City of Watertown, Clayton, Alexandria Bay, Philadelphia, Champion, Sackets Harbor and Adams to receive public comment on the draft Plan, and

Whereas, The Board of Legislators has duly considered the assessment, goals and actions in the draft Plan, and comments from the public.

Now, Therefore, Be it Resolved, That the Board of Legislators adopts the Jefferson County Coordinated Transportation Plan, upon approval of the County Attorney, County Administrator and Planning Director, and be it further

Resolved, That it be forwarded to the NYS Department of Transportation, and it should be reviewed and modified as needed to account for the of future development and implementation of a county wide system.

Seconded by Legislator: Anthony J. Doldo

Legislator Maxon said he expressed a number of reservations about the transportation plan at the General Services Committee meeting, particularly concerning data that was provided to justify the plan going in place and where the routes should go. He felt it was not something we needed

and will end up subsidizing for very few people. Following reflection since the Committee meeting, he will not support the resolution. All members present voted aye except Legislators Maxon and Jareo who voted nay.

Resolution No. 293

Amending the 2021 County Budget to Recognize Reserve Funds in the District Attorney's Office

By Legislator: Anthony J. Doldo

Whereas, The District Attorney's Office received equitable sharing funds through asset forfeiture, to be used to purchase equipment and services which will assist in its investigation and prosecution efforts, and

Whereas, Said funds must be recognized in the appropriate budget lines.

Now, Therefore, Be It Resolved, That the 2021 County Budget is hereby amended as follows:

Increase:

Revenue:

01116500 94325	Federal Treasury Asset Forfeiture	\$ 8,000
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Expenditure:

01116700 02401	Automotive Equipment	\$ 8,000
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Seconded by Legislator: Corey Y. Grant

Legislator Jareo did not support this resolution because it is a direct result of asset forfeitures and there have been a lot of problems with those practices throughout the country. He said it is not happening here but feels that these funds are used for policing for profit, and prosecutions for profit, which is a bad practice all the way around and should not be done. The District Attorney here is good and her budget is considerable compared to the amount in the resolution, but the funds come from dubious ethical/moral sources we should not accept them

Roll Call Vote

Ayes: Drake, Montigelli, Doldo, Reed, Johnson, Grant, Ferris, Nabywaniec, Cantwell, Calarco, Peck, Gray

Nays: Maxon, Jareo

Absent: McBride

Resolution passed.

Resolution No. 294

Amending the 2021 County Budget - Dispatch

By Legislator: Daniel R. McBride

Whereas, Per Resolution 248 of 2021, This Board of Legislators authorized an employment agreement between the County of Jefferson and the Jefferson County Sheriff’s Employees for the period of January 1, 2021 through December 31, 2025, and

Whereas, Such agreement includes retroactive salary payments to current employees.

Now, Therefore, Be It Resolved, That the 2021 County Budget is hereby amended as follows:

Increase:

01311200 01100	Personal Services	\$ 43,000
01311200 01300	Overtime	83,000

Decrease:

01199000 04964	Salary Adjustment	\$ 126,000
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Seconded by Legislator: Anthony J. Doldo

All members present voted aye.

Resolution No. 295

Authorizing the Implementation and Funding in the First Instance 100% of the Federal Aid and State “Marchiselli” Program Aid Eligible Costs of a Transportation Federal-Aid Project(Noble Street over West Creek), and Appropriating Funds Therefor

By Legislator: Jeremiah J. Maxon

Whereas, A Project for the Noble Street over West Creek, PIN 775377 (the “Project”) is eligible for Funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds, and

Whereas, By Resolution 209 of 2019, the County of Jefferson approved the above project by making a commitment of \$195,000 for the cost of Preliminary Design and Right of Way Incidentals Phase, and

Whereas, The County of Jefferson desires to advance the Project by making a commitment of 100% of the non-federal share of the cost of Design Phases V-VI of the Project, and

Whereas, The County has allocated a total of \$500,000 to this project through the Adopted 2019, 2020 and 2021 County Budgets.

Now, Therefore, Be It Resolved, That the Jefferson County Board of Legislators hereby authorizes the Jefferson County Treasurer to pay in the first instance 100% of the federal and non-federal share of the cost of the Design Phases V-VI of the Project or portions thereof, and be it further

Resolved, That the sum of \$310,000, which includes the Design Phases V-VI of the Project, or so much thereof as is necessary is hereby appropriated from Account 20511300 02904 in the 2021 County Budget, and made available to cover the cost of participation in the above phase of the Project, and be it further

Resolved, That in the event the full federal and non-federal share of the costs of the project exceed the amount appropriated above, the Jefferson County Board of Legislators shall convene to appropriate said excess amount immediately upon the notification by the Chairman of the Jefferson County Board of Legislators thereof, and be it further

Resolved, That the Chairman of the Jefferson County Board of Legislators be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal and/or Marchiselli Aid, subject to the approval of the County Attorney as to form and substance, on behalf of the County of Jefferson with NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs, and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefor that are not federal-or State-aid eligible, 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 this Resolution shall take effect immediately.

Seconded by Legislator: Anthony J. Doldo

All members present voted aye.

Resolution No. 296

**Adopting Guidelines and Administrative Procedures in Relation to the
County's Housing Improvement Program Funded by a 2020 NYS
Community Development Block Grant (CDBG) Award**

By Legislator: Corey Y. Grant

Whereas, By Resolution 174 of 2021, the Jefferson County Board of Legislators accepted a Community Development Block Grant (CDBG) for the 2020 Program Year (581HR116-120) from the New York State Office of Community Renewal to implement and administer a county-wide Housing Improvement Program, and

Whereas, Local Guidelines and Administrative Procedures have been developed for implementation and administration of the program in compliance with applicable federal, state and local regulations, and

Whereas, The Guidelines and Administrative Procedures are updated for each CDBG housing award to incorporate changes to meet program and regulatory requirements associated with the award, and

Whereas, The Guidelines and Administrative Procedures must be adopted by the Board of Legislators.

Now, Therefore, Be It Resolved, That this Board of Legislators, having been provided with a draft copy of the Guidelines and Administrative Procedures for Jefferson County for the 2020 grant award hereby adopts them and they shall become effective immediately for all County-sponsored housing rehabilitation activities conducted with 2020 Small Cities Community Development Block Grant funding.

Seconded by Legislator: Robert W. Cantwell, III

All members present voted aye.

Resolution No. 297

Authorizing Agreements in Relation to the Supervision & Treatment Services for Juveniles Program

By Legislator: Daniel R. McBride

Whereas, New York State Office of Children and Family Services has awarded Jefferson County \$136,110 for the provision of services and programs as alternatives to detention through the Supervision and Treatment Services for Juveniles (STSJP) Program, and

Whereas, Available funding has been included in the 2021 County Budget and it is necessary to authorize agreements with the Jefferson County Children's Home for \$133,610 and the Resolution Center of Jefferson and Lewis Counties for \$2,500, for the period October 1, 2021 through September 30, 2022, for the provision of STSJP services.

Now, Therefore, Be It Resolved, That Jefferson County hereby accepts said grant award, and be it further

Resolved, That the Chairman of the Board of Legislators is hereby authorized and directed to execute agreements with the Jefferson County Children's Home (\$133,610 for a term ending 9/30/22) and the Resolution Center of Jefferson and Lewis Counties (\$2,500 for a term ending 9/30/22), and any and all documents as may be required to fulfill the requirements of this grant award on behalf of Jefferson County, subject to approval by the County Attorney as to form and content.

Seconded by Legislator: Anthony J. Doldo

All members present voted aye.

Resolution No. 298

Authorizing an Agreement with Rubenzahl, Knudsen & Associates for the Provision of Psychological Testing, Evaluation and Recommendations for Treatment of JDs, PINS at Risk of Out of Home Placement, and Adult Sexual Offenders

By Legislator: Anthony J. Doldo

Whereas, Juvenile Delinquents (JDs), Persons in Need of Supervision (PINS), and adult sexual offenders under the supervision of the Probation Department are often ordered by the Courts to undergo sexual offender evaluation and subsequent treatment, and

Whereas, Counseling services in many instances prevent the placement of JDs and PINS in residential treatment, and prevent adults from re-offending thereby saving Jefferson County a much greater cost.

Now, Therefore, Be It Resolved, That Jefferson County enter into an agreement with Rubenzahl, Knudsen & Associates for the provision of court ordered sexual offender psychological testing, evaluation and recommendations for treatment of Juvenile Delinquents, Persons in Need of Supervision, and adult offenders for the period January 1, 2022 through December 31, 2022, and be it further

Resolved, That compensation shall not exceed the sum of \$80.00 per hour for sexual offender evaluation and individual counseling; \$50.00 per hour for group counseling; \$500.00 for requested juvenile evaluations; \$150.00 per hour when providing testimony in court relative to the services performed under the contract, and court ordered juvenile psychological evaluations will be billed at \$160.00 per hour for an average of eight hours, 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 Jefferson County, subject to approval by the County Attorney as to form and content.

Seconded by Legislator: Jeremiah J. Maxon

All members present voted aye.

Resolution No. 299

Authorizing an Agreement with Credo Community Center for the Provision of Court Ordered Evaluations, Assessments, Treatment and Counseling

By Legislator: Daniel R. McBride

Whereas, Adult and Juvenile substance abuse offenders under the supervision of the Probation Department are often ordered by the Courts to undergo substance abuse evaluations, assessments, treatment and counseling, and

Whereas, Counseling services when offered more expeditiously can help ensure success and prevent placement in treatment centers, and

Whereas, The Credo Community Center for the Treatment of Addictions, Inc. has agreed to provide the service at no cost to the Probation Department with fees being the responsibility of the client.

Now, Therefore, Be It Resolved, That Jefferson County enter into an agreement with Credo Community Center for the Treatment of Addictions, Inc. for the provision of court ordered adult and juvenile substance abuse evaluations, assessments, treatment, and counseling, for the period January 1, 2022 through December 31, 2022, 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 Jefferson County, subject to approval by the County Attorney as to form and content.

Seconded by Legislator: Robert W. Cantwell, III

All members present voted aye.

Resolution No. 300

Amending the 2021 County Budget in Relation to Recycling & Waste Management

By Legislator: Anthony J. Doldo

Whereas, Recycling & Waste Management is experiencing higher than anticipated tonnage transport resulting in increased cost for fuel and DANC tipping fees, and

Whereas, A trailer framework and pin require repair due to increased wear from hooking and unhooking, and

Whereas, Funds are available in the revenue accounts for incoming tipping fees and recyclable pickup fees.

Now, Therefore, Be It Resolved, That the 2021 Budget is amended as follows:

Increase:

Revenue		
15910100 92131	Tipping Fees	\$ 335,000
15910100 92132	Recyclable Pickup Fees	20,000
Expenditure		
15816000 043102	External Fleet	\$ 20,000
15816000 04311	Fuel	35,000
15816000 04487	Tipping Fees	300,000

Seconded by Legislator: Robert W. Cantwell, III

Roll Call Vote

Ayes: Calarco, Ferris, Peck, Cantwell, Maxon, Montigelli, Reed, Jareo, Grant, Johnson, Drake, Nabywaniec, Gray

Absent: McBride

Resolution passed.

Resolution No. 301

Amending the 2021 County Budget in Relation to Sheriff - Corrections

By Legislator: Anthony J. Doldo

Whereas, The Sheriff has identified the cost of food supplies for inmates is exceeding the budget amounts, and

Whereas, This is due to price increases ranging from 15% to 50%, depending on the items, as well as a slightly higher average daily inmate population, and

Whereas, Corrections overtime costs are higher than anticipated, and

Whereas, Funding is available due to vacancies and the volume of outboarding inmates less than anticipated.

Now, Therefore Be It Resolved, That the 2021 County Budget is hereby amended as follows:

Increase:

Revenue

01311000 92264 Jail Facilities-Other Gov't \$ 36,000

Expenditure

01315000 01300 Overtime \$ 200,000

01315000 04512 Food Supplies 31,000

Decrease:

01311000 01100 Personal Services \$ 21,000

01315000 01100 Personal Services 159,000

01315000 04616 Outboarding Inmates 15,000

Seconded by Legislator: Jeremiah J. Maxon

Roll Call Vote

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

Absent: McBride

Resolution passed.

Resolution No. 302

Authorization Agreement for Provision of Senior Nutrition Program for Jefferson County Office of the Aging

By Legislator: James A. Nabywaniec

Whereas, The Jefferson County Office for the Aging (OFA) works for the establishment and expansion of programs and services which assist older persons in the areas of their most urgent need including provision of congregate and home delivered meals to older residents throughout the County, and

Whereas, The Nutrition Program is supported by the use of contractor(s) for the provision of good and services, and

Whereas, Bid specifications associated with the OFA Nutrition Program were duly advertised and resulted in the receipt of qualified bids for the goods and services so specified.

Now, Therefore, Be It Resolved, That Jefferson County enter into and an agreement for the provision of OFA Nutritional Services with Trinity Services Group Inc. for the period January 1, 2022 through December 31, 2024 with the possibility of two one-year extensions for such consideration as reflected below:

Approx. No. of Meals	Consideration to be paid by the
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<u>Contractor</u>	<u>to be Served Annually</u>	<u>County in 2022</u>
Trinity Services Group Inc. 477 Commerce Group Blvd Oldsmar, FL, 34677	150,000	\$9.83*

*(Price changes through duration of the contract are contingent upon Consumer Price Index as outlined in the bid specifications)

and be it further

Resolved, That the agreement authorized herein shall contain such other terms and conditions as are required in order to achieve compliance with Sections 6654.10 and 6654.11 of Title 9 of NYCRR and other applicable Federal and State statute, rule and regulation, and be it further

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

Seconded by Legislator: Robert D. Ferris

All members present voted aye.

Resolution No. 303

Authorization Agreements for Provision of Services to Elderly of Jefferson County

By Legislator: Jeremiah J. Maxon

Whereas, The Jefferson County Office for the Aging works for the establishment and expansion of programs and services which assist older persons in the areas of their most urgent needs, and

Whereas, the Office for the Aging is eligible to receive State and Federal funds for the purpose of providing needed programs and services to elderly resident of Jefferson County, and

Whereas, The Office for the Aging and this Board of Legislators desire to contract for the provision of certain programs and services to the elderly.

Now, Therefore, Be It Resolved, That pursuant to Section 95-a of the General Municipal Law, Jefferson County enter into agreements for various periods with the below listed parties for the provision of such program and services to elderly resident of Jefferson County and for such consideration as follows:

Transportation Services

The Volunteer Transportation Center of Jefferson County, Watertown, NY for the provision of transportation services for persons 60 years of age or older; for the period January 1 through December 31, 2022, consideration of services of approximately \$20,000 annually,

Wilna-Champion Transportation Center, Inc Carthage, New York for the provision of transportation services for persons 60 years of age or older; for the period January 1 through December 31, 2022, consideration of services of approximately \$10,000 annually,

Paynter Senior Center, Inc., Clayton, New York for the provision of transportation services for persons 60 years of age or older; for the period January 1 through December 31, 2022, consideration of services of approximately \$2,500 annually.

Personal Emergency Response System (PERS) Services

STAT Communications for the provision of personal emergency response system (PERS) services for persons 60 years of age or older; for the period of January 1 through September 30, 2021 at the rate of \$17.00 per month per unit with no installation charge,

Doyle Security Systems for the provision of personal emergency response system (PERS) services for persons 60 years of age or older; for the period of October 1, 2021 through December 31, 2025 with an optional one year extension, at the rate of \$17.00 per month per unit with no installation charge.

and be it further

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

Seconded by Legislator: Robert D. Ferris

All members present voted aye.

Resolution No. 304

**Authorizing Agreement for Provision of Related Services
in Connection with the Program for Preschool Children with Disabilities**

By Legislator: Jeremiah J. Maxon

Whereas, The Program for Preschool Children with Disabilities provides a variety of related services to children aged three to five years with certain disabilities, such services to be provided in the least restrictive environment, be it home or agency based, and

Whereas, Chapter 243 of the Laws of 1989 requires that counties maintain a list of appropriately certified or licensed professionals to deliver related services to preschool children with

disabilities and set a reasonable reimbursement rate for such services, subject to the approval of the New York State Education Department, and

Whereas, By Resolution No. 111 of 2021 Jefferson County authorized agreements with providers for the provision of related services and set rates, and an agreement for an additional provider and service needs to be authorized.

Now, Therefore, Be It Resolved, That, pursuant to Section 4410 of the Education Law, Jefferson County enter into an agreement with the following party for the provision of the indicated service(s). The term of said agreement shall be for the period December 8, 2021 through June 30, 2022 in accordance with the requirements of the State Education Law and regulations:

<u>Provider</u>	<u>Service</u>
Lyme Central School District	Speech Therapy

and be it further

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

Seconded by Legislator: Corey Y. Grant

All members present voted aye.

Resolution No. 305

Amending the 2021 County Budget Relative to Mental Health Programs and Authorizing Amended Agreements in Relation Thereto

By Legislator: Jeremiah J. Maxon

Whereas, It is necessary to reallocate excess State Aid and County funds to better align with County mental hygiene priorities within mental health agency programs to ensure the quality of existing mental health services, and

Whereas, The 2021 County Budget needs to be amended to reflect these changes and local contracts need to be amended accordingly.

Now, Therefore, Be It Resolved, That the 2021 County Budget is hereby amended as follows:

Increase:

01432000 04721	Mental Health Assn	\$10,000
01432000 04735	Veterans Peer Support	10,000

Decrease:

01432000 04712 Contracted Mental Health Program \$20,000

and be it further

Resolved, That the Chairman of the Board of Legislators and the Community Services Board are hereby authorized and directed to execute any necessary amended agreements relative to these changes, with the approval of the County Attorney as to form and content.

Seconded by Legislator: Anthony J. Doldo

All members present voted aye.

Resolution No. 306

**Authorizing Agreement with Thousand Islands Emergency Rescue Service
in Relation to COVID-19 and Other Communicable Disease Outbreaks**

By Legislator: James A. Nabywaniec

Whereas, The U.S. Centers for Disease Control and Prevention and/or the New York State Department of Health occasionally require travel screenings related to COVID-19 and other communicable disease at the American/Canadian Border, including temperature recording and interpretation by the Jefferson County Public Health Service, and

Whereas, By Resolution 88 of 2020, this Board of Legislators authorized an agreement with the Thousand Islands Emergency Rescue Services (TIERS) to complete the temperature recording and interpretation for the Jefferson County Public Health Service for the period February 1, 2020 through January 31, 2022, and

Whereas, The cost of this service is \$150 per patient assessed or up to ten individual assessments in the event of a group assessed at the same time and place.

Now, Therefore, Be It Resolved, That Jefferson County enter into an agreement with TIERS for the above-referenced services for the period of February 1, 2022 through December 31, 2024 and be it further

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

Seconded by Legislator: Robert D. Ferris

All members present voted aye.

Resolution No. 307

Accepting Additional Funding for Public Health Emergency Preparedness Program

By Legislator: Anthony J. Doldo

Whereas, By Resolution 183, this Board of Legislators accepted funding for a one year renewal from the Centers for Disease Control (CDC) and Health Research, Inc. of the NYS Department of Health (DOH) to improve the County's preparedness to address Public Health emergencies, and

Whereas, The NYSDOH has advised Jefferson County Public Health Service of the awarding of supplemental funding from the CDC relative to the Preparedness Grant, and

Whereas, Additional funding in the amount of \$2,000 will be received for expanding and enhancing preparedness response activities which are already authorized in the 2021 County Budget.

Now, Therefore, Be It Resolved, That Jefferson County hereby accepts said additional funding covering the period July 1, 2021 through June 30, 2022, and be it further

Resolved, That the Chairman of the Board of Legislators is hereby authorized to sign any and all documents necessary to accept such funding, subject to approval by the County Attorney as to form and content.

Seconded by Legislator: Corey Y. Grant

All members present voted aye.

Resolution No. 308

Amending the 2021 County Budget in Relation to Epidemiology and Laboratory Capacity Reopening Schools Grant Award

By Legislator: Robert D. Ferris

Whereas, By Resolution 165, this Board of Legislators accepted an Epidemiology and Laboratory Capacity grant award to maintain open schools by implementing and supporting school-based COVID-19 screening and testing for the period of June 1, 2021 through July 31, 2022, and

Whereas, Items of expenditure have been determined in the work plan with most included in the 2022 County Budget and some needing appropriation in the 2021 County Budget.

Now, Therefore, Be It Resolved, That the 2021 County Budget is hereby amended as follows:

Increase:

Revenue		
01405000 94489	Fed Aid Other Health	\$250,000
Expenditure		
01405100 04416	Professional Fees	\$250,000

Seconded by Legislator: Anthony J. Doldo

Roll Call Vote

Ayes: Calarco, Peck, Montigelli, Drake, Reed, Grant, Maxon, Cantwell, Jareo, Ferris, doldo, Nabywaniec, Johnson, Gray

Absent: McBride

Resolution passed.

Resolution No. 309

**Amending the 2021 County Budget in Relation to COVID-19
Vaccine Response Grant Funding**

By Legislator: James A. Nabywaniec

Whereas, By Resolution 207, this Board of Legislators accepted a New York State Department of Health COVID-19 Vaccine Response Grant for the period January 1, 2021 through June 30, 2024, and

Whereas, The funding will cover already established staff as well as operation of vaccine clinics, technical assistance to other vaccine providers, and vaccinations promotion through education and advertising, and

Whereas, Some of the items of expenditure are already reflected in the Adopted 2021 and 2022 County Budgets and some need to be appropriated into the 2021 Budget.

Now, Therefore, Be It Resolved, That the 2021 County Budget is hereby amended as follows:

Increase:

Revenue		
01405000 94489	Fed Aid Other Health	\$58,500
Expenditure		
01405100 04416	Professional Fees	\$58,500

Seconded by Legislator: Robert D. Ferris

Roll Call Vote

Ayes: Johnson, Grant, Drake, Peck, doldo, Maxon, Cantwell, Calarco, Reed, Ferris, Montigelli, Nabywaniec, Jareo, Gray

Absent: McBride

Resolution passed.

Resolution No. 310

Amending the 2021 County Budget in Relation to Epidemiology and Laboratory Capacity COVID-19 Local Health Department Funding

By Legislator: Jeremiah J. Maxon

Whereas, By Resolution 164, this Board of Legislators accepted the allocation of Epidemiology and Laboratory Capacity COVID-19 funding to be used for enhanced detection, surveillance and prevention of COVID-19, and

Whereas, The funding in that resolution for purchase of laptops and printers for use at COVID-19 vaccination clinics offsite was appropriated in the Computer Hardware account line that does not include trackable items, and

Whereas, Funds need to be moved to the Trackable Durable account line to authorize such purchase.

Now, Therefore, Be it Resolved, That the 2021 County Budget is hereby amended as follows:

Increase:

01405100 04111	Trackable Durable Expenditures	\$25,000
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Decrease:

01405100 04118	Computer Hardware	\$25,000
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Seconded by Legislator: Robert D. Ferris

All members present voted aye.

Chairman Gray turned the floor over to County Attorney David Paulsen for a discussion item.

Attorney Paulsen realized the foster care situation with Jamison and Erica Porter garnered a lot of concern and said he would address the back ground of this complicated situation. He expressed concerned about records the Porters' provided to some legislators about their foster

care placement as they may contain confidential information about the children that were in foster care. He cautioned legislators about redisclosure of those records and said he would not be addressing any specific information about the case, he would be discussing it from a 30,000 foot level so to speak. He explained each entity's role as it involves multiple agencies and municipalities.

The Children's Home of Jefferson County (CHJC) is an independent not-for-profit entity that is not affiliated with Jefferson County at all. They are a certified foster care provider, who are certified by the NYS Office of Children and Family Services and they have various foster homes throughout the north country (Jefferson, Lewis & St. Lawrence counties). The Porters are foster parents through the Children's Home and are essentially agents of the Children's Home. The children in the Porters' care are residents of St. Lawrence County so the placement agency for the foster children in the Porters' care is the St. Lawrence County Department of Social Services (SLDSS); the foster children are in the custody of the Commissioner of the SLDSS pursuant to an order of the St Lawrence County Family Court. The Commissioner of Social Services is ultimately responsible for the care and well being of foster children when they have custody. The St. Lawrence County Family Court has jurisdiction over proceedings for the children in the Porters' care; it makes determinations as to the custody or placement of those children outside their home. Foster care is a generic term that can mean either a family home or residential placement in a group home with many children in a school like setting. The lowest level of foster care placement is a foster home setting. Family Court is responsible for monitoring their progress and well being, and for establishing a permanency plan which is an overall goal of what will happen to them ultimately. Family Court reviews those permanency plans every six months which includes a Family Court hearing where everyone concerned (with their attorneys) is present.

He explained that Jefferson County has a role because the children were physically present in Jefferson County and jurisdiction is based on where the event of the alleged abuse or neglect takes place. All reports of abuse and neglect have to be filed through the New York State telephone hotline, and if the complaint is determined valid, they will forward it to the county of residence in which the children are located. That county has to investigate the report through its Child Protective Services (CPS) unit which is a three stage process: 1. Within 24 hours the CPS Unit must determine whether the children are safe and that their well being has been met. 2. Within 7 days they have to go out and interview witnesses to the alleged occurrence. 3. They have 60 days to complete the report and make a formal finding which is either a finding of indicated child abuse or neglect, or an unfounding of the report. Those deadlines are administrative and are not tied to any statute of limitations to where if they are not completed in those time frames the case goes away. He said CPS findings are based on a spectrum that ranges from no evidence up to absolute certainty. What the child abuse investigator has to show is that there is some credible evidence (very low on the spectrum) that is worthy and capable of being believed: it is a very low standard. He said that is set low on purpose because New York State does not want subtle signs of abuse and neglect to be dismissed.

An indicated report is the first stage of the Department of Social Services being able to provide preventative services to a family unit to keep the situation from getting worse or

escalating. If someone is the subject of an indicated report they have due process rights to object to it and that is what happened in the Porters' case. That due process is called a fair hearing that is held in front of an Administrative Law Judge (ALJ) that works for the Social Services Department in Albany. The ALJ will take evidence not only from the Social Services Department but also from the subject of the complaint and they will apply a higher standard of evidence (fair preponderance of evidence - other evidence that outweighs the evidence that indicated the report). He said an indicated child abuse or neglect report is not a finding of abuse or neglect, and it is not criminal and is not a finding in a Family Court proceeding. It is simply a first step in the process of getting help to a family that needs it, and Social Services can provide preventive services to them. If the finding is significant enough, an indicated report may result in a neglect or abuse petition filed in Family Court; or it may take a number of indicated reports before filings occur in Family Court.

In the Porters' case, the return of the foster children is under the control of a combination of the St. Lawrence County DSS Commissioner and St. Lawrence County Family Court Judge. The Porters have also filed for custody of the children which is pending in St. Lawrence County Family Court. The Porters have an attorney, the children have an attorney and it will be litigated there. Decisions made with regard to the removal of the children from the foster home were ultimately made by St. Lawrence County and the Children's Home. The involvement of Jefferson County appears to be limited to the investigation of the hotline report and its determination indicating it. Attorney Paulsen's view of the Board's options are: The indicated report could be investigated internally with the JCDSS Commissioner and Administration; it could be investigated by an outside agency such as the NYSOCFS; or we could take a look at the current contract with the Children's Home concerning foster care placements ourselves to see what degree it gives us to look at their procedures in foster care matters. He did not hold out much hope from that last option because Jefferson County can't investigate placements from other counties, but it may give us some information on how they do things in general.

Legislator Doldo clarified that the Porters requested a review of the JCDSS report by NYS OCFS which was done and the allegations were unfounded, it never made it to an ALJ hearing. He felt the Board should support the Porters as residents of Jefferson County and the Porters understand the children are in the custody of St. Lawrence County not Jefferson, but he felt we have an obligation to the Porters to do what we can for the children who were residents of our County for two years. He said the Board should take the letter from NYS OCFS that unfounded the allegations and send it with a letter from the Board to the Children's Home of Jefferson County and St. Lawrence County and tell them we are aware of this case and the status of the allegations of abuse and neglect that were originally indicated are now unfounded, and tell them to do what is right for the Porters and the children. He further questioned how our employees treat people who are subject to these reports as he saw emails on this case that he said did not use appropriate language. He wanted to make certain that if a child is removed from a home the Commissioner is aware of the whole situation and puts her blessing on it. He felt the County should also grade facilities/not for profits to make sure we are getting the best results, and the people in the community are getting the services that they need, that way we can make sure people are not being shoved through the process for the almighty dollar.

Legislator Jareo agreed with what Legislator Doldo said and appreciated Attorney Paulsen's clinical description of the situation, but said it is much more egregious than that from what he has seen in documents that have been forwarded to him. He said it appears to him that people in the JCDSS have a vendetta against the Porters and it is disappointing and heartbreaking to him that our DSS is responsible for taking those children out of the Porters home. He felt Jefferson County needs to go above and beyond to address our mistakes, of which he contends there were many; including employee misconduct.

Chairman Gray said Jefferson County will be sending the procedures that were followed to OCFS for review to get some determination what they believe, if anything, was wrong or if it was within the scope of the job that the employees were supposed to be doing.

Legislator Ferris said he personally knows the large Porter family and spoke on their behalf that the children should be the center of attention, which he believed was true. He said we should be making sure the children are in the right place, wherever that place is and that is where legislators' emotions are surfacing. He believed the Porters home in Jefferson County is their best option, and he wanted the children to find their permanent home before Christmas. He also suggested doing an investigation on the Children's Home practices, and did not feel as a legislator he could support sending more money to the Children's Home until the Children's Home comes forward and represents themselves to the Board.

Chairman Gray pointed out that St. Lawrence County Family Court has control over the children, and staff is in the process of talking to OCFS on what ability Jefferson County has contractually to go into the Children's Home and do an audit of their procedures, or to pay professionals to go in to do an audit. He assured that this issue was not being put on a shelf, it is subject to external State agencies giving Jefferson County the go ahead to look into procedures. He candidly said the issue will not be resolved before the end of the year. He has heard everything legislators have been saying and investigated what could be done, however OCFS has said we can not redisclose the information.

Commissioner Teresa Gaffney clarified that Jefferson County made a determination based on a level of evidence, some credible evidence; when the State reviewed it they made a determination at a higher level, which does not necessarily mean the determination Jefferson County made was incorrect. She does not feel comfortable moving forward to say Jefferson County was wrong.

Legislator Nabywaniec supported sending a letter to the Children's Home and St. Lawrence County not necessarily saying that we were wrong, but that the State overturned Jefferson County's determination. Ms. Gaffney said she reached out to Regional OCFS and they told her it would be a breach of confidentiality on her part to do that as it is information in their Connection System and she is not able to redisclose it.

Chairman Gray suggested that contact information for the children's attorneys can be given to legislators and they can contact the attorneys directly, and legislators can individually write to the St. Lawrence County Family Court supporting the Porters.

Chairman Gray clarified that we can have OCFS come in and look at our procedures to make sure we were acting within our scope, and if OCFS wants to go into St. Lawrence County and look at the issue as a whole they are entitled to do that, and we can ask, but it is up to them. He said the second part of the request to OCFS is our ability to go into the Children's Home to audit their procedures if it is within our capability. Legislator Doldo did not see the harm in sending a letter to Children's Home and St. Lawrence County saying the Porters reached out with this State finding and ask them why they have not responded.

County Attorney Paulsen said he only recently learned about OCFS not allowing redisclosure of the information and he needs time to look into the specifics of that because he is not sure of the basis of the direction that was given to the Commissioner and why it is confidential. First of all he figured that the letter the Porters received from OCFS saying that the allegations were unfounded would have gone to the Children's Home and St. Lawrence County too, but he does not know that for sure, and is unable to make a decision on the spot.

Legislator Jareo made a motion to waive the Standing Rules to present a resolution in support of the Porter family that would be sent to the Children's Home of Jefferson County, St. Lawrence County Board of Legislators and the St. Lawrence County DSS. The motion was seconded by Legislator Ferris.

Legislator Maxon appreciated Chairman Gray's suggestion that individual legislators send letters to entities involved in support of the Porters getting their children back, but anything an individual legislator can do the Board does by resolution. He was in favor of waiving the rules and crafting that sort of a letter by resolution.

Legislator Montigelli said this is a very emotional issue, but he has a problem with waiving the rules as it sets a precedent. Emotions are high, people are put on the spot, there is no preparation for this; it hasn't gone through a Committee or fact finding; some people apparently have information while others don't. As a former public employee he said he would be very upset if this were happening to him and elected officials were saying he was wrong and no one took his side. And now with an emotionally charged issue at the last meeting of the year we are going to waive rules and rush to a decision. This is not a business, the whole point of having 15 people make a decision is that it is thoughtful, slow, and deliberate. He is not against making the decision, but it needs to be metered, measured, appropriate and not in a rush because of a christian holiday.

Legislator Ferris realized everyone from DSS to the Children's Home to CPS have a hard job and are trying to do what is in the best interest of the children, if it turns out that they are a bad family he will apologize to the Board for asking them to support a constituent of his.

Legislator Peck asked if waiving the rules and any subsequent actions by the Board would violate the most recent law from New York State saying that things need to be in writing and forwarded to legislators 24 hours before they are acted on. County Attorney Paulsen said because this is strictly oral at this point it does not violate those rules.

Legislator Johnson was not sure what he is voting in favor of by waiving the rules. Legislator Jareo said it is to present a resolution in support of the Porter family, and Legislator Johnson said he would like to understand what the resolution is going to say before he votes to waive the rules.

Roll Call Vote on waiving the Standing Rules

Ayes: Reed, Doldo, Grant, Drake, Cantwell, Jareo, Nabywaniec, Peck, Maxon, Ferris

Nays: Johnson, Montigelli, Calarco, Gray

Absent: McBride

Legislator Peck suggested composing a letter that sticks to the point that a determination was made and asking the agencies to reconsider their decisions. As Health & Human Services Chair he wanted to understand why the Porters' home was closed and be able to give foster parents a comfort level that they will not be retaliated against.

Legislator Jareo made a motion to construct a letter in support of the Porter family and send it to the Children's Home of Jefferson County, the St. Lawrence County Board of Legislators and the St. Lawrence County Department of Social Services and said we can discuss what the letter should say before crafting it. The motion was seconded by Legislator Ferris. Legislator Peck suggested adding the St. Lawrence County Family Court.

Legislator Montigelli expressed frustration that not everyone has the facts yet we are sending a letter on behalf of the whole Board deciding what the facts are. He said he does not know the Porters, they seemed like very genuine people when they came before the Board, but we also have employees who were hired to investigate these issues and the Children's Home that the State has a contract with that say there is an issue. He said he would need more information before being in favor of sending a letter saying the Porters are right and everyone else is wrong.

Legislator Doldo reiterated his earlier comments about what should be in the letter concerning the findings of OCFS and the lack of response received by the Porters from the agencies who removed the children and closed their foster home, and ask for an explanation. He suggested that if the Children's Home in particular does not respond then the County should look into the contracts we have to see if residents in Jefferson County are receiving proper services and treatment they deserve. He could not continue to support payment to agencies that do not provide proper services. Also, if they are not abiding by their contract, standards should be established for agencies that hold them to a higher standard.

Chairman Gray clarified that Jefferson County does have a foster care contract with the Childrens Home, however it is used very little. A majority of foster care through the County is by a contract with the House of the Good Shepherd.

Legislator Ferris said he trusted Administration to craft a letter, however Administrator Hagemann stated that he needed direction from the Board as to what they would like the letter to say.

Legislator Maxon proposed the following resolution:

Resolution No. 311

Resolution in Support of Jamison and Erica Porter

By Legislator: Patrick R. Jareo

Whereas, Jamison and Erica Porter are residents of Jefferson County and foster parents here, and

Whereas, Their foster children were removed based on unfounded allegations of neglect and abuse, and

Whereas, The Children's Home of Jefferson County has removed their certifications as a foster home based on unfounded allegations.

Now, Therefore, Be It Resolved, That the Jefferson County Board of Legislators request that the St. Lawrence County Department of Social Services reconsider their determinations based on the allegations being unfounded; Children's Home of Jefferson County reassess their certification based on those allegations being unfounded, and copies of this resolution be sent to the St. Lawrence County Family Court, St. Lawrence County Department of Social Services, Children's Home of Jefferson County, and Assemblymen Mark Walczyk and Ken Blankenbush's Office.

Seconded by Legislator: Robert D. Ferris

Chairman Gray expressed concern regarding legal considerations with redisclosing that the indications by Jefferson County were unfounded by OCFS. County Attorney Paulsen said he needs more time to look into why OCFS would now allow such a redisclosure as communicated to the DSS Commissioner, and said the Board could make the resolution contingent upon his findings.

Legislator Reed was not comfortable writing a letter as he did not know enough about the situation, but suggested that if the County Attorney can review the legality of it expeditiously (within days) then it would give him a comfort level with it.

Legislator Reed made a motion to include the contingency of approval by the County Attorney before the resolution is transmitted. The motion was seconded by Legislator Ferris and unanimously carried by the Board. All those present voted aye on the resolution including the legal approval contingency.

Legislator Ferris expressed appreciation to staff, Administration and department heads for their work, and thanked Chairman Gray for his service as Chairman.

Legislator Maxon was glad Board meetings, and this one in particular, are recorded to be viewed later on You Tube so constituents can see legislators actions without pre determined agendas and then taking action in support of constituent concerns.

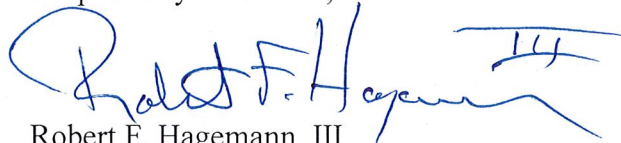
Legislator Reed said the Board has had challenges/disagreements but are a very strong unit that should be emulated. He used the example of the Lake Ontario Resiliency and Economic Development Initiative (REDI) projects that benefitted a large part of the County in cooperation with NYS. He complimented all the work done ahead of time by the Planning Department that made a difference in the overall funding that was received.

Legislator Jareo thanked Chairman Gray for all that he has done for his district citing in particular the REDI projects that benefitted both towns of Henderson and Hounsfield. He said the leadership, diligence and time the Chairman put in was invaluable to his constituents and he appreciated it.

Chairman Gray said it has been a wild ride, it has been enjoyable and by and large a pleasure to work with Board members during his tenure as Chairman. He thanked everyone for their hard work and said as a body the Board has accomplished a lot and have a lot to be proud of. He also thanked department heads and Administration for all their hard work, and said he appreciated their support during his tenure.

There being no further business for the Board, on a motion by Legislator Ferris seconded by Legislator Maxon and unanimously carried, the meeting was adjourned at 4:55 p.m.

Respectfully submitted,

A handwritten signature in blue ink that reads "Robert F. Hagemann, III". The signature is stylized and includes a horizontal line with the Roman numeral "III" written above it.

Robert F. Hagemann, III
Clerk of the Board