

REGULAR SESSION

TUESDAY, MARCH 2, 2021

Chairman Gray called the meeting to order at 6:00 p.m. and noted the meeting is being conducted under the extraordinary circumstance of a public health emergency (COVID-19), and under Governor Cuomo's Executive Order 202.1; without permitting public in-person access to the meeting, authorizing the meeting to be held partially or completely with members appearing by remote conference call or similar service, and the meeting is being live streamed via the web and recorded, including the participation of the members appearing by remote link.

ROLL CALL OF MEMBERS

All members present except Legislator Grant.

READING OF MINUTES OF LAST SESSION, IF REQUESTED

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

PRESENTATION OF PETITIONS, NOTICES AND COMMUNICATIONS

A letter was received from Agriculture and Farmland Protection Board Chairman Douglas Shelmidine encouraging the County to direct future solar development projects to brownfields sites, limited use properties, and marginal agricultural soil sites in the County, thereby preserving prime agricultural land for future generations.

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 Cash in Banks and Investments as of January 31, 2021.

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

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

The 2020 Annual Report was received from the County Clerk.

LOCAL LAWS, RESOLUTIONS AND MOTIONS

Resolution No. 61

**Authorizing Agreement with Maximus, Inc. for Professional Services
Relative to the Development of Cost Allocation Plans**

By Legislator: James A. Nabywaniec

Whereas, Jefferson County is responsible for the operation of certain federally funded programs and provides central service support to such programs utilizing local tax monies, and

Whereas, Federal Office of Management and Budget Circular A-87 provides that the Federal Government will reimburse counties for an equitable share of central service support costs through the development of a cost allocation plan, and

Whereas, It is desirable to utilize the professional services of a consultant experienced in preparation of cost allocation plans in the development of Jefferson County's Cost Allocation Plan as a means of insuring maximum federal reimbursement, and

Whereas, In response to a request for proposals, three proposals were received and reviewed in detail.

Now, Therefore, Be It Resolved, That Jefferson County enter into an agreement with Maximus, Inc. for professional services in the development of central services cost allocation plans based on actual costs for 2020, 2021, 2022, 2023, and 2024 with an option for 2025, including related documents in conformance with Federal Office of Management and Budget requirements, consideration to be paid shall be \$8,500 for each of the 2020, 2021, and 2022 years, and \$8,675 for each of the 2023, 2024 and the optional 2025 years, and be it further

Resolved, That, pursuant to Section 450 of County Law, the Chairman of the Board of Legislators be and is hereby authorized and directed to execute such contract on behalf of Jefferson County, subject to approval by the County Attorney as to form.

Seconded by Legislator: Patrick R. Jareo

All members present voted aye.

Resolution No. 62

**Reappropriating Funding from the Center for Tech and Civic Life and
Amending the 2021 County Budget in Relation Thereto**

By Legislator: Robert W. Cantwell, III

Whereas, By Resolution 188 of 2020, this Board of Legislators accepted Center for Tech and Civic Life grant funding for local election jurisdictions to provide safe and secure voting in 2020, and

Whereas, There remain unspent funds for which the deadline has been extended until June 30, 2021.

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

Increase:

Fund Balance		
01000000 30599	Appropriated Fund Balance	\$19,421.12
Expenditure		
01145000 01110	Temporary	\$ 5,351.12
01145000 04116	Postage	2,500.00
01145000 04117	Printing	3,500.00
01145000 04211	Building/Property Maintenance	1,070.00
01145000 04212	Building Maint Contracts	5,000.00
01145000 04414	Supporting Services	1,000.00
01145000 04585	Operating Supplies	1,000.00

Seconded by Legislator: Allen T. Drake

Chairman Gray stated that all Roll Call Votes for resolutions that require it would be deferred to the end of the meeting following Resolution No. 78, and any resolution can be pulled out for a separate vote if needed.

Resolution No. 63

**Authorizing The Chief Elected Official Local Agreement
Under the Workforce Innovation and Opportunity Act of 2014**

By Legislator: William W. Johnson

Whereas, The Workforce Innovation and Opportunity Act of 2014, Public Law 113-128 requires that Chief Elected Officials of Jefferson and Lewis County enter into an agreement outlining the sharing of funds and the responsibilities of each County and said agreement be signed by the Chief Elected Officer of each County and approved by the County Boards.

Now, Therefore, Be it Resolved, That Jefferson County enter into a Chief Elected Official Local Agreement with Lewis County for a term of July 1, 2020 through June 30, 2021 and be it further

Resolved, That the Chairman of the Board of Legislators is hereby authorized and directed to

sign the above referenced agreement on behalf of the County of Jefferson, subject to approval by the County Attorney as to the form and content.

Seconded by Legislator: James A. Nabywaniec

All members present voted aye.

Resolution No. 64

Establishing Time and Place for Public Hearing Related to the 2020 Community Development Block Grant (CDBG) Process

By Legislator: Allen T. Drake

Whereas, Jefferson County is in the process of evaluating grant opportunities in anticipation of a 2020 Community Development Block Grant (CDBG) Program administered by the NYS Office of Community Renewal, and

Whereas, The CDBG application process requires applicants to hold a public hearing to obtain the views of the general public on community development needs.

Now, Therefore, Be It Resolved, that Pursuant to Section 104(A)(2) of the Federal Housing and Community Development Act, as amended, a CDBG public hearing shall be held on Tuesday, April 6, 2021, at 6:00 p.m. in the Jefferson County Board of Legislator Chambers, Historic Courthouse, 195 Arsenal Street, Watertown, New York, or virtually if necessary, and be it further

Resolved, That notice of such public hearing shall be given in accordance with law, and be it further

Resolved, That the Chairman of the Board is hereby authorized to execute all necessary CDBG application documents, and the Department of Planning is hereby authorized as the County's agent to act in connection with the submission of any authorized application and to provide any supplemental information that may be required by the NYS Office of Community Renewal.

Seconded by Legislator: Patrick R. Jareo

All members present voted aye.

Resolution No. 65

Requesting The New York State Legislature Provide Level Funding for the Northern New York Agricultural Development Program in the FY2022 State Budget at \$300,000

By Legislator: Patrick R. Jareo

Whereas, The Northern New York Agricultural Development Program was established by the New York State Legislature in 1961 as a farmer-driven small grants program funding high priority, cutting-edge research and technical assistance in all sectors of agriculture in Jefferson, Lewis, St. Lawrence, Clinton, Essex, and Franklin Counties, and

Whereas, This critical funding is administered by the NYS Department of Agriculture and Markets and implemented by a steering committee of nearly 100 local farmers representing the diverse agricultural sectors in NNY and farm enterprises of all sizes, and

Whereas, Projects selected for funding by the steering committee involve important on-farm research which provides NNY farmers with practical, real-world results to guide innovative agricultural practices shaped by the region's unique soils, climate and short growing season, and

Whereas, The NNY region is ranked second in the State for agricultural production with annual farm product market values in excess of \$776.5 million, thus making agriculture a driving economic engine important to local, regional and State economies, and

Whereas, Funding for the Northern New York Agricultural Development Program was dramatically reduced in the FY2021 State Budget, representing a 50% drop in historical funding levels from \$600,000 to \$300,000, and

Whereas, Funding for the Northern New York Agricultural Development Program was not included in the FY2022 Executive Budget, nor has it ever been in an Executive Budget as it is a New York State Legislature initiative.

Now, Therefore, Be It Resolved, That the Board of Legislators requests the New York State Legislature provide level funding for the Northern New York Agricultural Development Program in the FY2022 State Budget at \$300,000, and be it further

Resolved that copies of this resolution be forwarded to Senator Patty Ritchie, Senator Michelle Hinchey, Chair of Senate Committee on Agriculture, Assemblyman Ken Blankenbush, Assemblyman Mark Walczyk, Assemblyman William Barclay, and Assemblywoman Donna Lupardo, Chair of Assembly Committee on Agriculture, St. Lawrence County Board of Legislators, Lewis County Board of Legislators, Clinton County Board of Legislators, Essex County Board of Supervisors, and Franklin County Board of Legislators.

Seconded by Legislator: Robert W. Cantwell, III

Legislator Peck voiced support for the resolution and related that the Northern New York Agricultural Development Program is instrumental for local farms in the region as a lot of the research that is done outside of our area is done in a very different climate with very different topography compared to soils here. He said it is a Program that works throughout the upper part of New York State and effects from Essex County over to Jefferson County. It is a very diverse type of ag funding that is very significant to a lot of farmers and agricultural producers in the Adirondacks and over into our region. He said it is unfortunate that the Governor, every year,

does not see the value of the program so the State Legislature has to inject the money back into the Budget for the Program.

All members present voted aye.

Resolution No. 66

Authorizing Agreement with NYS Division of Criminal Justice Services in Relation to Aid to Prosecution Program

By Legislator: Jeremiah J. Maxon

Whereas, Pursuant to Resolution 256 of 2019, This Jefferson County Board of Legislators authorized an Aid to Prosecution grant agreement with the NYS Division of Criminal Justice Services Bureau of Justice Funding (BJF) in the amount of \$55,860, for the period October 1, 2019 through September 30, 2020, and

Whereas, NYS Division of Criminal Justice Services BJF has extended the grant six months and increased funding by \$27,930 for a total of \$83,790 for the period October 1, 2019 through March 31, 2021, and

Whereas, Said grant is already contained in the County Budget, and

Whereas, BJF now processes grants through an electronic format.

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 any and all documents as may be required to fulfill the requirements of this grant award on behalf of Jefferson County.

Seconded by Legislator: Robert D. Ferris

All members present voted aye.

Resolution No. 67

Reappropriating Funds from Various Unspent Grants Relative to the Fire and Emergency Management Department and Amending the 2021 County Budget in Relation Thereto

By Legislator: Robert W. Cantwell, III

Whereas, By Resolutions 191 of 2018, 183 of 2019 and 197 of 2020, This Board of Legislators recognized State Homeland Security Program (SHSP) grants for FY18, FY19 and FY20,

respectively, and

Whereas, By Resolution 259 of 2019, This Board recognized Federal Domestic Preparedness Equipment Program funding for the FY2018 Hazmat Grant, and

Whereas, By Resolution 171 of 2020, This Board recognized Emergency Management Performance Grant (EMPG) Supplemental funding for FY20, and

Whereas, By Resolutions 54 of 2019 and 81 of 2020, This Board re-appropriated unspent funds from SHSP and Hazmat grants, and

Whereas, There remain unspent amounts in the FY18, FY19 and FY20 SHSP grants, the FY18 Hazmat grant and the FY20 EMPG that must be reappropriated and placed in the appropriate expenditure lines for 2021.

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

Increase:

Expenditures:

01341400 02101	Computer Equipment	\$ 17,000.00
01341400 02401	Automotive Equipment	15,000.00
01341400 04111	Trackable Durable Items	48,548.45
01341400 04114	Equipment Maintenance	5,000.00
01341400 04115	Telephone	6,629.36
01341400 04119	Computer Software	17,000.00
01341400 04218	Building Security	18,596.84
01341400 04416	Professional Fees	37,000.00
01341400 04428	Public Safety Services - Other Govts	13,000.00
01341400 04585	Operating Supplies	18,137.12

Appropriated Fund Balance:

01000000 30599	Appropriated Fund Balance	\$195,911.77
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Seconded by Legislator: Daniel R. McBride

See Roll Call Vote following Resolution No. 78.

Resolution No. 68

**Authorizing Shared Services Agreement with NYS Department of Transportation
in Relation to Transportation Emergencies**

By Legislator: Robert D. Ferris

Whereas, Pursuant to Resolution 79 of 2017, Jefferson County entered into a shared services agreement with the NYS Department of Transportation in which they would provide assistance to emergency needs that affect the County's transportation system in the absence of a Governor's Emergency Declaration and/or suspension of Highway Law §55, and

Whereas, The County Superintendent of Highways is in receipt of a renewed Shared Services Agreement from the New York State Department of Transportation.

Now, Therefore, Be It Resolved, That Jefferson County enter into such agreement with the NYS Department of Transportation for the period March 1, 2021 through February 28, 2025, and be it further

Resolved, That the Chairman of the Board of Legislators and the Superintendent of Highways be and are hereby authorized to execute such agreement, and any subsequent extensions of such agreement under the same terms and conditions, 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. 69

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 (CR 189 over Grunley Creek), Appropriating Funds Therefor and Amending the 2021 County Budget and Capital Plan

By Legislator: Robert W. Cantwell, III

Whereas, A Project for the Replacement of CR 189 over Grunley Creek, PIN 775388 (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 Resolutions 153 of 2019 and 174 of 2020, the County of Jefferson approved the above project by making a commitment of \$250,000 for the cost of the Preliminary Engineering/Design and Final Design Phases, and

Whereas, By Resolution and Adopted Budget, the County has appropriated \$400,000 to the Project, 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 All Phases of the Project.

Now, Therefore, Be It Resolved, That the Jefferson County Board of Legislators does hereby approve the Project, and be it further

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 all Phases of the Project or portions thereof, and be it further

Resolved, That the sum of \$1,600,000, which includes the Final Design and Construction Phases of the Project, or so much thereof as is necessary is hereby appropriated from Account 20511300 02859 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 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, and be it further

Resolved, That the 2021 County Budget is amended as follows:

Increase:

Revenue		
20900600 94592	Federal Aid Bridges	\$ 960,000
20000000 30599	Appropriated Fund Balance	240,000
Expenditure		
20511300 02859	CR 189 over Grunley Creek (Q17)	\$ 1,200,000

and be it further

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

Seconded by Legislator: Anthony J. Doldo

See Roll Call Vote following Resolution No. 78.

Resolution No. 70

Authorizing Agreement in Relation to the State Alternatives to Incarceration (Pre-Trial Release) Program Funding

By Legislator: Daniel R. McBride

Whereas, New York State Division of Criminal Justice Services (DCJS) Alternatives to Incarceration has awarded Jefferson County \$8,867 for the operation of a Pre-Trial Release Program during the period July 1, 2020 through June 30, 2021, and

Whereas, The County must enter into an agreement with New York State to receive these grant funds, and

Whereas, Said grant is already contained in the County Budget, and

Whereas, Jefferson County does hereby commit to providing 50% matching funds for operation of the alternatives program.

Now, Therefore, Be It Resolved, That the County of Jefferson agrees to accept the \$8,867, and the Chairman of the Board of Legislators is hereby authorized and directed to execute any and all documents as may be required to fulfill the requirements of this grant award on behalf of Jefferson County.

Seconded by Legislator: Robert D. Ferris

All members present voted aye.

Resolution No. 71

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

By Legislator: Corey Y. Grant

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 May 1, 2021 through December 31, 2021, 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: Anthony J. Doldo

All members present voted aye.

Resolution No. 72

Authorizing Agreement with NYS Division of Criminal Justice Services in Relation to Aid to Defense Program

By Legislator: Anthony J. Doldo

Whereas, Pursuant to Resolution 267 of 2019, This Jefferson County Board of Legislators authorized an Aid to Defense grant agreement with the NYS Division of Criminal Justice Services Bureau of Justice Funding (BJF) in the amount of \$13,100 for the period October 1, 2019 through September 30, 2020, and

Whereas, NYS Division of Criminal Justice Services BJJ has extended the grant six months and increased funding by \$5,837 for a total of \$18,223 for the period October 1, 2019 through March 31, 2021, and

Whereas, Said grant is already contained in the County Budget, and

Whereas, BJJ now processes grants through an electronic format.

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 any and all documents as may be required to fulfill the requirements of this grant award

on behalf of Jefferson County.

Seconded by Legislator: Robert W. Cantwell, III

All members present voted aye.

Resolution No. 73

**Authorizing Agreement with the New York State Office of Indigent Legal Services
(Distribution #11)**

By Legislator: Anthony J. Doldo

Whereas, In 2003, The State created the Indigent Legal Services Fund to assist counties in providing indigent legal services, primarily through reimbursing payments to attorneys representing indigent defendants, and

Whereas, This funding was contingent on a “maintenance of effort”, wherein each county needed to spend at least as much as the prior year to receive it, and

Whereas, In 2010, the State created the Indigent Legal Services Board, which now oversees the fund and in order to receive the maximum amount allowable, the County must enter into an agreement with the Board as it has in past years, and

Whereas, The proposal for “Distribution #11” has been accepted by the Office of Indigent Legal Services, which covers the period January 1, 2021 through December 31, 2023 in the amount of \$388,716 (\$129,572 per year), and an agreement for it must be authorized.

Now, Therefore, Be It Resolved, That Jefferson County enter into an agreement with the New York State Office of Indigent Legal Services for the \$388,716 grant, and that the Chairman of the Board is hereby authorized and directed to execute said agreement on behalf of the County, subject to the review and approval of the County Attorney.

Seconded by Legislator: Daniel R. McBride

All members present voted aye.

Resolution No. 74

**Reappropriating Funds from Various Unspent Homeland Security Grants Relative to the
Sheriff’s Department and Amending the 2021 County Budget in Relation Thereto**

By Legislator: Robert D. Ferris

Whereas, By Resolution 62 and 120 of 2019, This Board of Legislators recognized FY17 and

FY18 Operation Stonegarden Program grants respectively, and

Whereas, By Resolutions 197 of 2018, 268 of 2019 and 201 of 2020, This Board recognized FY18, FY19 and FY20 Law Enforcement Terrorism Prevention Program (LETPP) grants respectively, and

Whereas, By Resolutions 61 of 2019 and 86 of 2020, This Board re-appropriated remaining unspent funds from Operation Stonegarden and LETPP grants, and

Whereas, There remain unspent amounts in the FY17 and FY18 Operation Stonegarden and FY 18, FY19 and FY20 LETPP grants that must be reappropriated and placed in the appropriate expenditure lines for 2021.

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

Increase:

Expenditures

01311400 01300	Overtime	\$ 19,761.38
01311400 02100	Equipment	68,705.52
01311400 04111	Trackable Durable Items	21,625.00
01311400 04115	Telephone	4,000.00
01311400 04119	Computer Software	4,691.00
01311400 04214	Utilities	400.00
01311400 043101	Internal Fleet Expense	1,460.62
01311400 04311	Gasoline & Oil	968.82
01311400 04428	Public Safety Personal Svcs - Other Govt	4,300.00
01311400 04585	Operating Supplies	17,291.00
01311400 08010	Retirement	4,147.25
01311400 08030	Social Security	3,472.20
01311400 08040	Workers Compensation	1,113.45

Appropriated Fund Balance

01000000 30599	Appropriated Fund Balance	\$151,936.24
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Seconded by Legislator: Anthony J. Doldo

Legislator Jareo voiced opposition to this resolution and because he was not opposed to the other Roll Call Vote resolutions he asked that this one be pulled out and voted on separately.

Roll Call Vote

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

Nays: Maxon, Jareo

Absent: Grant

Resolution passed.

Resolution No. 75

**Authorizing Inter-Municipal Agreement with the City of Watertown
Regarding FY 2020 Edward Byrne Memorial Justice Assistance
Program and Amending the 2021 County Budget in Relation Thereto**

By Legislator: Anthony J. Doldo

Whereas, The City of Watertown has been awarded \$12,294 in funds under the Federal Edward Byrne Memorial Justice Assistance Grant Program for law enforcement purposes, and

Whereas, The County will receive \$4,548 of these funds to be used for the purchase of tactical supplies for the Sheriff’s Department, and,

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

Whereas, Jefferson County wishes to approve the use of the funds for the program and amend the 2021 County Budget to accept and allocate said grant funds.

Now, Therefore, Be It Resolved, That if necessary, Jefferson County enter into an agreement with the City of Watertown as required by the Edward Byrne Memorial Justice Assistance Program for the purposes detailed above, and be it further

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

Resolved, That the 2021 County Budget is hereby amended as follows:

Increase:

Revenue			
01311000	94389	Federal Aid Public Safety	\$ 4,548
Expenditures			
01311000	04585	Operational Supplies	\$ 4,548

Seconded by Legislator: Robert W. Cantwell, III

See Roll Call Vote following Resolution No. 78.

Resolution No. 76

**Authorizing Agreements with the City of Watertown (Citibus)
for Transportation Services for the Elderly**

By Legislator: Robert D. Ferris

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

Now, Therefore, Be It Resolved, That pursuant to Section 95-a of the General Municipal Law, Jefferson County enter into an agreement with City of Watertown (Citibus) for the period of April 1, 2021 through March 31, 2022 for the provision of transportation services for persons 60 years of age or older, at a cost of approximately \$5,600 annually funded by NYS AAA Transportation grant as recognized in the adopted 2021 Office for the Aging Budget, and be it further

Resolved, That the Chairman of the Board be and 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: James A. Nabywaniec

All members present voted aye.

Resolution No. 77

**Authorizing Agreement with Samaritan Medical Center for
Use of Facilities to the Medical Examiner Program**

By Legislator: Anthony J. Doldo

Whereas, It is necessary for Jefferson County to utilize facilities, staff and testing in connection with the Medical Examiner (M.E.) Program, and

Whereas, Samaritan Medical Center has the ability to provide autopsies for county reimbursement of costs attributable to the County M.E. Program, and

Whereas, For autopsies, costs include use of the institutional facilities, morgue staff, other support services, laboratory tests, x-rays and supplies at an initial cost per case plus laboratory tests or x-rays as provided for per Samaritan Medical Center charge schedules.

Now, Therefore, Be It Resolved, That Jefferson County renew an agreement with Samaritan

Medical Center for autopsies for the period January 1, 2021, through December 31, 2023, 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 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. 78

Amending 2021 County Budget Relative to Additional Revenue From the Redlich Horwitz Foundation for Family First Readiness Funding

By Legislator: Anthony J. Doldo

Whereas, In response to the federal Family First Preventive Services Act (FFPSA) of 2018, grant funding was established by the Redlich Horwitz Foundation (RHF) to keep children safely at home with their families and, when that is not possible, to utilize the least restrictive placement appropriate for the needs of the child, and

Whereas, The Jefferson County Department of Social Services has been awarded Family First Readiness funding from RHF in the amount of \$10,000, and

Whereas, this funding will be used to support, recruit, and retain current and prospective foster families, including kinship caregivers.

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

Increase:

Revenue

01601000 91989	Other Economic Assistance & Opportunity	\$10,000
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Expenditure

01601000 04115	Telephone	\$ 485
01601000 04117	Printing	347
01601000 04416	Professional Fees	9,000
01601000 04613	Training	168

Seconded by Legislator: James A. Nabywaniec

Roll Call Vote for Resolution Nos. 62,67,69, 75 and 78.

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

Absent: Grant

Resolutions passed.

Legislator Jareo made a motion to waive the Standing Rules to introduce a resolution he had distributed earlier to adopt the New York State High School Athletic Association Guidelines for the return to interscholastic athletics, and Legislator Ferris seconded the motion. Legislator Maxon asked that the vote be taken by roll call.

Roll Call to Waive Standing Rules

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

Absent: Grant

Motion passed.

Resolution No. 79

Adopting NYSPHSAA Guidelines for Return To Interscholastic Athletics

By Legislator: Patrick R. Jareo

Whereas, School Districts within Jefferson County have been searching for guidance in Scholastic Athletics and spectators of athletics, and

Whereas, Athletes and parents of athletes should be able to enjoy the same joy of competition that others have had for decades, and

Whereas, Jefferson County's current guidance on spectators at athletic events is no longer applicable in the current pandemic climate, and

Whereas, School Districts have their own governing board which is charged with the safety and well being of their students and staff, and

Whereas, The New York State Public High School Athletic Association (NYSPHSAA) has brought forward a thought out set of guidelines for the return of interscholastic athletics.

Now Therefore be it Resolved, That the Jefferson County Public Health Department adopt the New York State Public High School Athletic Association (NYSPHSAA) guidelines for Return of Interscholastic Athletics dated 2/5/21, and be it further

Resolved, That School Districts and their sport organizers have the individual autonomy to decline sports practice or competition and spectators.

Seconded by Legislator: Jeremiah J. Maxon

Legislator Montigelli asked what the difference was between this resolution and the Press Release that Chairman Gray put out earlier today. Chairman Gray didn't know if there was a difference because he was not familiar with NYSPHSAA guidelines, but he said there are no provisions in the resolution for shutting things down if cases start going back up and the positivity rate increases. Legislator Montigelli said he has to vote no on the resolution not because he disagrees, but because it is last minute, it has already been addressed in a press release and he does not feel prepared to vote at this time.

Legislator Jareo said it is last minute and the provisions mentioned can certainly be added to the resolution and any amendments that are warranted can be entertained. His opinion was that decisions about sports going on pause should be up to the individual school districts as they are in different parts of the County and have different circumstances, but this gives them some guidance.

Chairman Gray suggested consulting with the Public Health Department as to their views about what should be put in the resolution concerning transmission rate and positivity rate before it is adopted as they are the experts in epidemiology, they are an authority on the virus and have to manage it and keep the community safe.

Legislator Jareo agreed that if the transmission rate is above 1% districts should be trying to work to contain it and that language can be added to the resolution, but it should be the school districts working directly with Public Health. He did not agree with using the positivity rate for anything. He said we should always be in consultation with our professionals, but we should not delegate our decision making to them. The school districts are much better equipped to be reactive to the needs of their students, staff, taxpayers and parents. The resolution does not create any barriers with Public Health, it allows the superintendents and school boards to do what they need to do to have a fully functioning school district according to the desires and the safety of their own constituents.

Legislator Peck was excused from the meeting.

Legislator Ferris said his goal is to get the schools and athletic programs open and he understood that the Chairman's goal is to do it safely. He supported the resolution because he has faith that the schools will be a partner with Public Health as to whether or not it is safe for their schools to move forward and he has faith that Public Health Director Hall will make the right decisions too, and thinks everyone can handle moving forward at this point.

Legislator Nabywaniec agreed with Legislator Montigelli and said he does not agree with last minute resolutions normally, however he supports this resolution because on *this* issue it feels like the County is being put in the middle. He has faith that the superintendents will do the right

thing and are well capable of following the guidelines that the NYSPHSAA have put out. He said the schools are more than capable of protecting their students and we should give them more ownership to run and manage this and to do a good job, and we don't have to be hovering over every decision on this.

Legislator Maxon agreed with Legislator Nabywaniec and said the most important part of the resolution is that it specifically points the responsibility at the school district. He said parents place their trust in their school boards and superintendents and they are far more capable of making nimble decisions than this Board. He said he will support the resolution as the people have asked, we have excellent guidance provided by the athletic association, and the schools are the best informed and the best on the ground to enforce whether they have sports practices, competition and attendance at their events.

Legislator McBride pointed out that the NYSPHSAA document says that if schools go 100% remote then all sports stop.

Legislator Drake said if the superintendents feel there is a health issue involving sports, regardless of this resolution, it appears they will shut everything down. He has every confidence that this resolution is the same as what was put out in the Chairman's Press Release and he has all the confidence in the world in the school administrations.

Chairman Gray said part of the problem is that there is tremendous conflict between what is in the Governor's Executive Order regarding events, guidance for school sports, wedding guidance and others, and it is all colliding with no clear and concise guidance from NYS. He called the question.

All members present voted aye except Legislator Montigelli who voted nay.

Legislator Montigelli expressed appreciation to Chairman Gray for his commitment and all the time that he has spent, on behalf of the Board, to resolve the issues of the pandemic for an entire year now. Chairman Gray said it isn't just him, there are a lot of dedicated employees, too numerous to mention, working very hard. He said we are 12 weeks into the vaccination process and that will bring everything home to a sense of normalcy.

There being no further business of the Board, on a motion by Legislator Montigelli seconded by Legislator Ferris and unanimously carried, the meeting was adjourned at 6:45 p.m.

Respectfully submitted,



Sarah H. Baldwin
Deputy Clerk of the Board