

REGULAR SESSION

TUESDAY, OCTOBER 4, 2022

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

ROLL CALL OF MEMBERS

All members present except Legislators Drake and Reed.

Public Hearing

**2022 Inclusions of Viable Agricultural Land in NYS
Certified Agricultural District**

Chairman Johnson opened the public hearing at 6:04 p.m. no one present wished to speak and the public hearing was closed.

Public Hearing

**Restore NY Grant Application for Demolition and
Revitalization of Deferiet Paper Mill**

Chairman Johnson opened the public hearing at 6:05 p.m.

Janet Zando, Mayor, Village of Deferiet said Deferiet was the birthplace of the St. Regis Paper Company however in the early 2000s the mill closed and it was sadly left to decay. She stressed the importance of the County applying for the NY Restore Grant so buildings can be demolished for aesthetic and safety reasons. The employees of Brookfield Renewable Energy are in danger every time they go in the area because the buildings that house the water turbines are crumbling and falling in. By demolishing the buildings the Village can move forward with projects like the solar project with NYSERDA, and keep Brookfield Renewable Energy on site. She said it is beneficial to the Village of Deferiet and Jefferson County to make this defunct mill property viable again. She thanked the Board for the opportunity to speak.

There being no further comments, Chairman Johnson closed the public hearing at 6:07 p.m.

PRIVILEGE OF THE FLOOR

The following individuals spoke against the Concealed Carry Improvement Act (CCIA) adopted by the NYS Legislature and signed by the Governor recently, and in support Resolution No. 270 "Affirming Support for the Second Amendment to the United States Constitution and Opposing the Recently Enacted "Concealed Carry Improvement Act" of 2022" on tonight's agenda.

Pamela Desormo, Town of Watertown resident, and the Watertown Town Clerk, who has been confined to a wheelchair since 2014 and has a conceal carry permit said the new law restricts where she can carry her weapon and makes her a sitting duck if anything happens in public because she is unable to defend herself and the people around her.

John Poggi, police officer for 27 years in Jefferson County, retired from the New York State Troopers and current local village law enforcement officer said law abiding citizens are not the people committing crimes on the streets. He said lawmakers have not made laws that will keep people safe such as conceal carry and bail reform, they have made a political statement to further their agenda which is to desecrate citizens' 2nd Amendment rights and ultimately disarm the people while empowering criminals.

Tammy Castor, Adams was opposed to the unconstitutional infringement of citizens' inalienable 2nd Amendment rights by Governor Hochul and the State Legislature in passing the CCIA, suggesting that by restricting rights to legally carry guns in certain areas makes those areas a target for gun violence. She supported the Board's decision to join other counties in opposing the anti 2nd Amendment laws that NYS has passed.

Brent Desormo, Town of Watertown resident and NYS certified police firearms instructor thanked the Board for their support in protecting citizens' 2nd Amendment rights and said politicians in Albany are purposely putting New Yorkers in danger by removing the right of self defense, and fueling the fire with bail reform, the HALT Act and as well as Less is More. He said adoption of the Law was a knee jerk reaction by the State in response to the Supreme Court's decision in the Bruen lawsuit. It is not right that a criminal in possession of an unregistered handgun can be charged with a Class A misdemeanor, but a legally permitted conceal carrier can be charged with a Class E felony if possessing their legally owned weapon in the State defined sensitive areas. The new law increases permit eligible training hours from 4 to 18, and does not recognize his eligibility to conduct such training until next year but specifically names scout leaders and chicken farmers as eligible to conduct the training. He said it seems clear that those in power are ultimately out to disarm law abiding citizens.

Lisa Wilson, Adams, was here in follow up to her prior appearances during the public comment portion of Board meetings about 9 months ago. She requested more accountability on the part of legislators in addressing concerns expressed by the public during the public comment portion of meetings.

Steven Byers, Town of Watertown resident, and legal conceal carry permit holder said he was present at a March 3, 2020 Board of Legislators meeting when citizens petitioned the County to become a 2nd Amendment Sanctuary and Resolution 92 "Opposing Infringements on the Inalienable Right to Keep and Bear Arms, and Affirming Support for the Second Amendment to the United States Constitution" was adopted, but was disappointed that the resolution lacked teeth. Now there is another resolution before the Board and he hoped they would follow through on promised action by either joining or initiating legal action against the State in response to the Conceal Carry Improvement Act passed earlier this year.

Reah Pelletier, City of Watertown resident, read a letter from Bill Kleftis who could not be at the meeting. Mr. Kleftis is a Jefferson County resident and approved pistol instructor for Jefferson, Lewis, Oswego, and St. Lawrence counties, Utah and Florida firearms instructor, and competitive, recreational shooter. He has seen citizens' 2nd Amendment rights trampled by the one-party New York political system and said legal gun owners are tired of being treated as second class citizens. He urged legislators to support Resolution No. 270 and send Albany a message that the expectation is all lawmakers in New York State uphold their pledge to uphold the Constitution of the United States, no exceptions.

Mrs. Pelletier said she is a misplaced medical worker who now works in the prison system and has seen first hand on a daily basis how the inmate population knows the many rights they have these days, and urged support for the resolution.

Scott Delafia, County resident said as of September 1st the new Law has made him a felon by him simply walking into his community store to buy morning coffee carrying his gun, even though he has a legal conceal carry permit. The store owner knew nothing of the law and was appalled, not because they are a 2nd Amendment supporter, but because New York State assumed they knew better than the business owners what kind of customers to allow. In direct contradiction to other private property restrictions, property owners now have to post signs that they want conceal carry permit holders in their business, instead of the historically traditional signs they do not want someone there (posted signs, no shoes, no shirt, no service, etc.) He said a vote in favor of the resolution is a vote in favor of the Constitution, and the ability to protect ourselves.

Paul Alteri, Watertown, JCC faculty member for over 25 years and runs the Criminal Justice (CJ) Department there said he developed and incorporated a basic firearms class into the curriculum requirements for CJ majors that consists of a semester of safely and properly handling a pistol, revolver, and/or semi automatic firearm. Since Covid and the defunding the police movement, enrollment in the CJ Department has crashed. He did not want to get political but said it seems like the current gun restrictions are making this issue political. He also teaches Jefferson County pistol permit classes and those numbers are decreasing because of the increased class hours needed. He said it seems the new laws are designed to discourage people from getting their pistol permits, puts restrictions on citizens rights, and makes decent citizens criminals.

Kurt Callahan, Philadelphia, NY, sent everyone an executive summary of the new CCIA complete with footnotes, and links they can click. He said the law is unconstitutional and directly attacks the demographic in the State who are not committing the crimes, are law abiding citizens, and jump through a lot of hoops to meet NYS compliance to carry their guns. He believes the new laws discriminate against people based on creed and financial ability. The cost of the safety training alone has increased from \$65-75 for 4 hours to \$350-\$400 for 18 hours. He has asked for clarification on the Law from the State Police, the SAFE Act hotline, and the State Attorney Generals Office and because of the subjective way it is written, they were unable to directly answer his questions. As the owner of a gun shop he has seen insurance increase by 350% along with additional costs for compliance with the new law, and it has caused other like

businesses to close.

Bart Bonner, Town of Watertown resident, expert rifleman in the United States Marine Corps, Vietnam veteran and conceal carry permit holder since 1962. He said New York State government is controlled by the Democratic party because they have more people in a two block radius of New York City than we have in the whole County, and it is their goal to destroy people like him. He said it will take a number of years for the new law to get to the Supreme Court and until that time people like him could be considered felons. He said he will fight the State and this Law to his last breath.

Bruce Mathews, Clayton, NY objected to the government restricting citizens gun rights with this new law. He is a hunter, federal employee, has driven a school bus and has done everything that has been asked of him for permit requirements, and didn't think it was fair for him to be treated as a felon. He was concerned that trap/competitive shooting may not be allowed under the new law, and was also concerned about his and others welfare because of people who do not follow the rules and will bring weapons into places they are not supposed to and attack people.

READING OF MINUTES OF LAST SESSION

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

PRESENTATION OF PETITIONS, NOTICES AND COMMUNICATIONS

There were none.

REPORTS OF STANDING COMMITTEES

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

REPORTS OF COUNTY OFFICERS AND OTHERS

The County Treasurer provided a report on Investments and Cash in Banks as of August 31, 2022.

The County Administrator provided a report on Budget Transfers for the month of September, 2022.

LOCAL LAWS, RESOLUTIONS AND MOTIONS

Chairman Johnson deviated from the Agenda and said the Board would address Resolution No. 270 first for everyone's convenience.

Resolution No. 270

Affirming Support for the Second Amendment to the United States Constitution and Opposing the Recently Enacted “Concealed Carry Improvement Act” of 2022

By Legislator: Robert D. Ferris

Whereas, Every person possesses inalienable rights, among these are life, liberty, property, and the right to keep and bear arms in defense of these inalienable rights, and

Whereas, The Supreme Court of the United States has begun restoring the Rights of the People to keep and bear arms in decisions including *District of Columbia v. Heller* and *McDonald v. City of Chicago* which held there is an individual right to keep and bear arms for use in traditionally lawful purposes, including self-defense within the home, and

Whereas, The Supreme Court’s most recent decision in *New York State Rifle and Pistol Association, Inc. et. al. v. Kevin P. Bruen*, struck down New York State’s unconstitutional “proper-cause requirement” to have and carry a pistol or revolver, and

Whereas, The “*Bruen*” decision specifically affirms the presumptively-valid , inalienable right to carry arms in public for self-defense, and

Whereas, In response to the “*Bruen*” decision, the New York State Legislature and Governor passed S51001 the “Concealed Carry Improvement Act” with a spurious message of necessity and no public debate, and

Whereas, New York State ignored both the letter and spirit of the “*Bruen*” decision by:

- amending the State’s licensing process to include requirements for poorly-defined “good moral character”,
- expanding the list of “sensitive places” firearms are restricted exponentially, and most chillingly,
- requiring a search of applicants’ private, personal social media accounts, for “character and conduct”, and

Whereas, The New York State Sheriffs’ Association recognized these new laws as “punitive licensing requirements that aim only to restrain and punish law-abiding citizens who wish to exercise their Second Amendment rights”, and

Whereas, The Jefferson County Board of Legislators has a long history of opposing New York State’s infringements on the inalienable right to self-defense including Resolution No. 82 of 2013 “Opposing the New York State Secure Ammunition and Firearms Enforcement (SAFE) Act of 2013”, and Resolution No. 92 of 2020 “Opposing Infringements on the Inalienable Right to Keep and Bear Arms, and Affirming Support for the Second Amendment to the United States Constitution”, and

Whereas, Our colleagues in Niagara, St. Lawrence, and Warren counties, as well as other Boards of Legislators and Supervisors are beginning to network to overturn these unconstitutional infringements on our citizens' right to self-defense, and

Whereas, Various lawsuits present numerous opportunities for Jefferson County to join pending litigation challenging the various provisions of the Concealed Carry Improvements Act.

Now, Therefore, Be It Resolved, That the Jefferson County Board of Legislators strongly supports the inalienable right to self-defense, the inalienable right to keep and bear arms, and the First, Second, Fourth and Fourteenth Amendments to the United States Constitution, and be it further

Resolved, The Board of Legislators stands in opposition to the Concealed Carry Improvement Act and any other unconstitutional infringements of liberty in defiance of the United States Supreme Court ruling in *NYSRPA v. Bruen*, and be it further

Resolved, The Board of Legislators calls upon the New York State Legislature to immediately and fully repeal the Concealed Carry Improvement Act and replace it with a permitting process that fully complies with both the spirit and the letter of the "*Bruen*" decision, and be it further

Resolved, The Board of Legislators is committed to pursue all legislative and legal remedies to overturn any unconstitutional infringements on the right to keep and bear arms, including joining pending litigation, and be it further

Resolved, That a certified copy of this resolution be provided to Jefferson County's State and Federal Representatives, the Speaker of the New York State Assembly, the Temporary President of the New York State Senate, the Governor of the State of New York, and every County Legislature or Board of Supervisors in the State of New York.

Seconded by Legislator: Robert W. Cantwell, III

Legislator Maxon said everyone in the room wanted to see more done to push back against the unconstitutional infringement upon our essential liberties and it would be great if the Board could waive a magic wand and not have to follow New York State Laws, but we do not have that luxury. Counties are created by the State and are empowered with limited, enumerated powers in a section of law called County Law. Board members receive requests from constituents to do things like declare ourselves a sanctuary county or not follow certain laws, but the reality is we do not have that ability. What we have is the ability to speak through resolutions and join lawsuits against the State of New York and that is what the Board should do. He said the Board should move forward and identify some lawsuits to join and suggested looking into a 2nd Amendment advocacy group called Firearms Policy Coalition. He thanked fellow legislators, Chairman Johnson, and Vice Chairman Jareo for their support of the resolution as everyone was in agreement that the State has gone too far this time and it is time to push back.

Legislator Montigelli thanked his colleagues for working together to bring a resolution

forward that communicates Jefferson County's desire to put forth our disappointment in the New York State Legislature and isn't merely a re-write from another county.

Legislator Gray thanked all the people who came out and spoke tonight on behalf of the 2nd Amendment, restoring rights to law abiding citizens, in favor of the resolution and against the Conceal Carry Improvement Act. He thanked his colleagues for putting the resolution together and for their on point comments. He requested a Roll Call Vote so each legislator could affirm their support of the resolution.

Legislator Peck appreciated his colleagues who brought the resolution forward as he was very much on board with it, and also appreciated the public who came out to speak passionately in favor of it. He said this is personal for him as his ancestor fought in the Revolutionary War. Re-enactments of that and other wars have been unjustifiably chastised by the Law because they are held on State Park land which is gun restricted under the Law. Those groups have cancelled their gatherings because no one wants to be the test case for the ambiguities in the Law and the result is economic development losses. The Law attacks citizens rights under the US Constitution and State Constitution to defend themselves as well as keep and bear arms, and treats it as a license. He passionately related that he was tired of liberal New York State officials disregarding the views of upstate residents and telling people to move out of the State if they don't like the laws. Legislator Peck said his family has been in the Town of Champion since 1803, and passionately related that he belongs in New York, it is his State, his County, his Town and he was not leaving - if that means seceding from the rest of the State, so be it! As the County has limited abilities to respond to the law he encouraged support for the resolution and joining in lawsuits against the State.

Legislator Ferris thanked Legislator Maxon for authoring the resolution and working with him on it, and all the members of the public who turned out to support it and did so respectfully. He said legislators look forward to members of the public speaking at meetings and assured them that he will keep moving forward with this issue.

Legislator Maxon added that this is not about guns and it never was about guns, it is about attacking the right to defend ourselves; its about the power of tyrants to rule over and disarm helpless citizens.

Roll Call Vote

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

Absent: Reed, Drake

Resolution passed.

Resolution No. 261

Setting Time and Place for Public Hearing on Tentative Budget for Fiscal Year 2023

By Legislator: Daniel R. McBride

Resolved, That, Pursuant to Section 359 of County Law, a public hearing on the Tentative Budget for County fiscal year 2023 be held before this Board of Legislators at 6:00 p.m. on the 15th day of November, 2022 in the Chambers of the Board of Legislators, Historic Courthouse, 195 Arsenal Street, Watertown, NY, and be it further

Resolved, That notice of said public hearing be given in accordance with law.

Seconded by Legislator: Robert D. Ferris

All members present voted aye.

Resolution No. 262

Payment of Legislators' Expenses

By Legislator: Robert D. Ferris

Whereas, This Committee to whom claims of the members of the Board were referred, has examined and audited such claims and finds the total to be \$2,318.14 we have allowed:

Legislator Expense:	\$2,318.14
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Now, Therefore, Be It Resolved, That the County Treasurer be and is hereby directed to draw checks payable to the claimants as audited.

Seconded by Legislator: Robert W. Cantwell, III

All members present voted aye.

Resolution No. 263

Appointing County Administrator

By Legislator: Robert W. Cantwell, III

Whereas, Pursuant to Local Law No. 10 of 1986, as amended, the position of County Administrator is subject to reappointment by the Board of Legislators; and

Whereas, The current term of the Administrator, Robert F. Hagemann, III will expire December 31, 2022; and

Whereas, The Jefferson County Board of Legislators wishes to reappoint Robert F. Hagemann, III for a successive term.

Now, Therefore, Be It Resolved, That, pursuant to Jefferson County Local Law No. 10 of 1986, as amended, Robert F. Hagemann, III be and is hereby appointed as County Administrator for the County of Jefferson for a two year term of office to expire December 31, 2024, consistent with all applicable resolutions and law and pursuant to the terms currently in place for said position and all other benefits afforded under the Management Personnel Policy Manual; and be it further

Resolved, That the salary of the County Administrator shall be adjusted annually during the term in accordance with the percentage increase awarded in the Management and Management Confidential Compensation Plan.

Seconded by Legislator: Robert D. Ferris

All members present voted aye.

Resolution No. 264

Approving Appointment of Deputy County Administrator

By Legislator: Robert D. Ferris

Resolved, That pursuant to Section 6 of Local Law No. 10 of 1986, upon the recommendation of the County Administrator, Sarah H. Baldwin be and is hereby appointed as Deputy County Administrator for a term consistent with that of the County Administrator, said term to expire on December 31, 2024.

Seconded by Legislator: Daniel R. McBride

All members present voted aye.

Resolution No. 265

Amending the 2022 County Budget in Relation to County Attorney Accounts

By Legislator: Robert W. Cantwell, III

Whereas, The County Attorney has advised of budget shortfalls in two account lines, and

Whereas, The cost overruns are due to a number of cases requiring outside counsel as well as consultant and expert fees, and

Whereas, Some funds are available due to a vacant position and revenues exceeding budget

estimates.

Now, Therefore, Be It Resolved, That the 2022 County Budget is hereby amended as follows:

Increase:

Revenue

01142000 91236	Tax Enforcement Fees	\$30,000
01142000 91265	Atty Fees - Tax Admin	10,000

Expenditure

01142000 04411	Legal Fees	\$85,000
01142000 04416	Professional Fees	68,000

Decrease:

01142000 01100	Personal Services	\$19,000
01199000 04963	Contingent Account	94,000

Seconded by Legislator: Robert D. Ferris

All members present voted aye.

Resolution No. 266

Amending 2022 County Budget in Relation to Employment & Training Department

By Legislator: Daniel R. McBride

Whereas, The Jefferson-Lewis Workforce Development Board has been awarded an additional \$186,544.49 in Trade Act Adjustment Assistance Program funds from Federal fiscal year 2020, and

Whereas, The 2022 County Budget must be amended to accept this New York State funding and appropriate it for clients training and relocation.

Now, Therefore, Be It Resolved, That the 2022 County Budget is amended as follows:

Increase:

Revenue

25634000 94616	Fed Aid Job Training	\$186,544.49
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Expense

25634000 046132	Clients Training	\$186,544.49
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Seconded by Legislator: Robert W. Cantwell, III

Roll Call Vote

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

Absent: Reed, Drake

Resolution passed.

Resolution No. 267

Appointing Representative to Development Authority of the North Country

By Legislator: Robert W. Cantwell, III

Whereas, Resolution 133 of 1985 ratified the County's membership in the Development Authority of the North Country, and

Whereas, Alfred Calligaris was appointed as a Jefferson County representative by Resolution 40 of 2020, and a vacancy now exists due to the death of Mr. Callagaris.

Now, Therefore, Be It Resolved, that, pursuant to Article 8, Title 29 of the Public Authorities Law, Kenneth Bibbins be and is hereby appointed as Jefferson County representative on the Development Authority of the North Country to fill an unexpired term, said term to expire December 31, 2023.

Seconded by Legislator: Robert D. Ferris

All members present voted aye.

**COUNTY OF JEFFERSON
LOCAL LAW INTRO NO. II OF THE YEAR 2022**

**A LOCAL LAW TO AMEND LOCAL LAW NO. 1 OF 2013 CREATING THE
POSITION OF DIRECTOR OF AVIATION IN THE AIRPORT DEPARTMENT.**

By Legislator: Daniel R. McBride

BE IT ENACTED by the Board of Legislators of the County of Jefferson as follows:

Section 1. Effective January 1, 2023, there is hereby created in the and for the County of Jefferson the office of Director of Aviation (hereinafter referred to as "Director") who shall be the administrative head of the Airport Department. The Director shall be appointed by the Board of Legislators for the term of the Board. Effective January 1, 2023, Grant W. Sussey is appointed Director of Aviation.

By Legislator: Robert D. Ferris

Resolved, That this Board of Legislators shall hold a public hearing on a proposed local law entitled "A Local Law to Amend Local Law No. 1 of 2013 Creating the Position of Director of Aviation in the Airport Department" on Tuesday, November 15, 2022 at 6:05 p.m. in the Board of Legislators Chambers, 195 Arsenal Street, Watertown, NY, and be it further

Resolved, That the Clerk of the Board of Legislators shall give notice of said public hearing as required by law.

Seconded by Legislator: Robert W. Cantwell, III

All members present voted aye.

Resolution No. 269

Advocating for Maintaining a Sixty (60) Hour Overtime Threshold for Farm Workers

By Legislator: Frances A. Calarco

Whereas, Farms are critical components of our regional economy, contributing \$1.4 billion to the economies of Jefferson, Lewis, Oswego and St. Lawrence Counties, and

Whereas, The Jefferson County Board of Legislators deems it critical to maintain local agriculture to ensure a safe, nutritious food supply for Jefferson County residents, and

Whereas, It is estimated lowering the threshold for overtime pay to farm workers to 40 hours a week coupled with minimum wage increases will result in a 42% increase in labor costs to farms, according to Farm Credit East, a cost they cannot pass on to their customers, and

Whereas, Farmers face a tremendous amount of problems outside of their control including changes in consumer demand leading to price change, obtaining labor, climate change, land management policies, foreign market competition, livestock and crop disease, and natural disasters, and

Whereas, Over the last year farmers have seen an increase of over 37% on the cost of feed, over 18% in labor costs, and over 50% increase in fuel costs, and

Whereas, The passage of the 2019 Farm Laborers Fair Practice Act, gives farm workers a right to overtime pay after sixty (60) hours of work each week, and the Farm Laborers Wage Board has recommended reducing that threshold to 40 hours a week over the next ten years and

Whereas, The provisions of the Act would negatively impact the farming community by either increasing costs on farms, who are operating under very tight margins, or work hours and pay for farmworkers, and

Whereas, The long term impact of reducing the overtime threshold to 40 hours a week threatens the local food supply for Jefferson County Citizens.

Now, Therefore, Be It Resolved, the Jefferson County Board of Legislators supports farms, farm workers and maintaining a supply of locally produced food for Jefferson County citizens, and be it further

Resolved, That the Jefferson County Legislature hereby advocates to maintain farm workers a right to overtime pay after sixty (60) hours of work each week in accordance with the 2019 Farm Laborer Fair Practice Act, and is opposed to lowering the threshold to 40 hours and be it further

Resolved, That a certified copy of this Resolution be sent to Governor Kathy Hochul, Senator Patty Ritchie, Assemblyman Mark Walczyk, Assemblyman Ken Blankenbush, and NYS Department of Labor Commissioner Roberta Reardon

Seconded by Legislator: Robert D. Ferris

Legislator Peck said New York State is moving ahead to enforce the 60 hour workweek for farm workers which makes the resolution almost a moot point. He said it shows the total disregard the State has for truly helping farmers and continues the horrible trail of discrimination the State began generations ago that farmers have been misusing their workers. He said derogatory comments about this issue coming from labor related individuals, the Civil Liberties Union and Commissioner Reardon have been very disingenuous to the agriculture community as a whole; they don't seem to understand the difference between manufacturing and farm, food and fibre production. He still supported sending the resolution to the State, and said farmers in the County appreciate the Board's consideration in passing this resolution.

All members present voted aye.

(Resolution No. 270 was addressed at the beginning of the Session)

Resolution No. 271

Supporting the Application for RESTORE NY Grant Funding for the Demolition and Revitalization of the Deferiet Paper Mill Site.

By Legislator: Daniel R. McBride

Whereas, New York State Empire State Development is requesting funding proposals for Restore NY Communities Initiative, a grant program for revitalizing urban and rural areas, disadvantaged communities, and stabilizing communities, and

Whereas, Jefferson County is currently partnering with the Village of Deferiet, Town of Wilna, Tug Hill Commission, Jefferson County Industrial Development Agency, and New York State Energy Research and Development Agency to redevelop the former Deferiet Paper Mill site for

solar energy production and other uses, and

Whereas, By Resolution 281 of 2021 this Board of Legislators entered into a Memorandum of Understanding with NY Energy Research and Development Authority (hereinafter “NYSERDA”) and Jefferson County Industrial Development Agency to facilitate the planning, investigation and redevelopment of the Deferiet Paper Mill site into a “Build-Ready” solar energy generation facility, and

Whereas, The proposed project to build a renewable energy generation facility, demolish the existing dilapidated manufacturing structures, and refurbish and preserve the hydro electric power canal supplying the Brookfield hydro-electric dam at the site is determined:

1. To be consistent with the policy of the Board of Legislators to rehabilitate and restore to the tax roll tax delinquent property.
2. That the proposed financing is appropriate for the scope of the work required at the site (i.e. demolition of all existing structures condemned for occupancy).
3. The proposed use of the facility as a renewable energy generation site including solar and hydro-electric generation, with possible mixed use commercial/light industrial is the most effective use of existing and future resources to promote economic development and preservation of community resources.
4. The project will enhance community infrastructure in order to attract, create and sustain employment opportunities.

Now, Therefore, Be It Resolved, That the Board of Legislators finds that the application of Jefferson County, NY for Restore NY grant funding for the Demolition and Revitalization of the Deferiet Paper Mill site is in the best interest of the people of Jefferson County and the North Country and urges the New York State Empire State Development to grant such application.

Seconded by Legislator: Robert D. Ferris

Legislator Nabywaniec thanked Deferiet Mayor Janet Zando for attending the meeting tonight and said his Dad, Uncle and Grandfather all worked at the Mill and it is a shame to see what has become of the site. He said rather than have farmland redeveloped for renewable energy he would support this project as it is a good use of the land.

Legislator Peck also thanked Mayor Zando for attending tonight and said he is excited to see this project move forward. He would rather see these kinds of projects move forward through Brownfields rather than green fields.

All members present voted aye.

Resolution No. 272

Authorizing Agreements with the Federal Aviation Administration, New York State Department of Transportation, McFarland Johnson Inc., and Baseline King Corporation in Relation to the Watertown International Airport Runway 28 Medium-Intensity Approach Lighting System with Runway Alignment Indicator Lights (MALSR) and Amending the 2022 County Budget and Capital Plan

By Legislator: Jeremiah J. Maxon

Whereas, By Resolution 117 of 2020, This Board of Legislators authorized agreements with the Federal Aviation Administration (FAA), and McFarland Johnson, Inc. for the design and bidding of the Runway 28 Medium-Intensity Approach Lighting System with Runway Alignment Indicator Lights (MALSR), related State Environmental Quality Review (SEQR) Determination thereto, and

Whereas, A Long Environmental Assessment Form was prepared for this project and a Negative Declaration was approved by Resolution 140 of 2022 by this Board of Legislators in accordance with SEQR; and an Environmental Assessment was prepared and a Finding of No Significant Impact was issued by the FAA in accordance with the National Environmental Protection Act, and

Whereas, Jefferson County anticipates grant funding from the FAA through the Airport Improvement Program in Federal Fiscal Year 2023 for the Runway 28 MALSR construction for \$2,000,000, and

Whereas, An additional grant from the FAA through the America Rescue Plan Act (ARPA) of 2021 of \$105,263 is anticipated, and

Whereas, An additional grant from the FAA through the Bipartisan Infrastructure Law (BIL) Airport Infrastructure Grants (AIG) in Federal Fiscal Year 2023 is anticipated for \$1,794,428, and

Whereas, Grant funding from New York State Department of Transportation (NYSDOT) in Federal Fiscal Year 2023 is anticipated for up to \$99,690, and

Whereas, The FAA BIL AIG grant requires a local share of \$99,691, and

Whereas, The County's selected airport consultant on this project, McFarland Johnson, Inc., has completed said design and coordinated the bidding process and recommends that the low bidder, Baseline King Corporation, be awarded the construction contract in the amount of \$3,748,519.05, and

Whereas, It is necessary to authorize agreements with Baseline King Corporation in the amount of up to \$3,748,519.05 for construction and with McFarland Johnson, Inc. for construction administration and project construction representative services in the amount of up to \$322,318, and

Whereas, The County is expected to incur up to \$28,235 in administrative, preliminary, and reimbursable expenses in relation to the project.

Now, Therefore, Be it Resolved, That Jefferson County enter into agreements with the FAA to accept grant funds through the Airport Improvement Program in the amount of \$2,000,000; grant funds through ARPA in the amount of \$105,263; and through BIL AIG in the amount of \$1,794,428, and be it further

Resolved, That Jefferson County enter into an agreement with NYSDOT to accept grant funds in an amount up to \$99,690, and be it further

Resolved, That Jefferson County enter into agreements with Baseline King Corporation for up to \$3,748,519.05 for the construction of the project and with McFarland Johnson Inc. in the amount of up to \$322,318 for construction administration and project representative services, and be it further

Resolved, Upon award of the FAA grants the Chairman of the Board is hereby authorized to execute said agreements on behalf of the County, including any change orders as recommended by the airport manager not to exceed the funding available, subject to approval by the County Attorney as to form and content, and be it further

Resolved, That the 2022 County Budget is hereby amended as follows:

Increase:

Revenue

20900600 94589	Federal Aid – Airport Capital Projects	\$3,899,691
20900600 93589	Airport State Aid – DOT	99,690

Expenditure

20561000 02097	Airfield Lighting	\$4,099,072
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Decrease:

Expenditure

20561000 02001	Airport Facility	\$ 99,691
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and be it further

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

Seconded by Legislator: Robert D. Ferris

Roll Call Vote

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

Absent: Reed, Drake

Resolution passed.

Resolution No. 273

Amending the 2022 County Budget in Relation to the Watertown International Airport

By Legislator: Jeremiah J. Maxon

Whereas, The Watertown International Airport is required to maintain runways, taxiways and aprons in accordance with the Snow and Ice Control Plan approved by the Federal Aviation Administration to comply with 14 CFR Part 139, and

Whereas, The purchase of parts and materials is required to maintain operations associated with the upcoming winter season and price increases are driving up costs, and

Whereas, Funds are available for transfer within the airport budget including revenue from fuel sales.

Now, Therefore, Be It Resolved, That the 2022 County Budget is amended as follows:

Increase:

Expenditure

01561000 04211	Building/Property Maintenance	\$16,000
01561000 043101	Internal Fleet Expense	10,000
01561000 04589	Gravel, Sand and Stone	15,000
01561100 04575	Cost of Fuel & Oil Sales	5,000

Revenue

01561000 91776	FBO Sale of Fuel & Oil	\$10,000
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Decrease:

Expenditure

01561100 04312	Automobile Rental/Leased Refueler	\$36,000
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Seconded by Legislator: Robert D. Ferris

Roll Call Vote

Ayes: Nabywaniec, Calaro, Grant, Doldo, Gray, Montigelli, McBride, Jareo, Maxon, Cantwell, Peck, Ferris, Johnson

Absent: Reed, Drake

Resolution passed.

Resolution No. 274

**Authorizing Agreement with the NYS Unified Court System
for Cleaning and Maintenance of Court Facilities**

By Legislator: John D. Peck

Whereas, Counties are required by law to furnish and maintain adequate court facilities for use by State Courts, and

Whereas, Pursuant to Chapter 686 of the Laws of 1996, New York State was designated with fiscal responsibility for managing interior cleaning and minor repairs within court facilities, and required to contract with counties for such maintenance, and

Whereas, Pursuant to Resolution 28 of 2019, Jefferson County entered into an agreement with the NYS Unified Court System for the provision of cleaning and maintenance services to the local courts during the period April 1, 2018 through March 31, 2023 in consideration of reimbursement by the NYS Unified Court System to the County for actual costs for cleaning and maintenance, and

Whereas, The maximum compensation for the 2022-2023 period shall be \$237,213.

Now, Therefore, Be It Resolved, That Jefferson County enter into an agreement with the NYS Unified Court System for the provision of cleaning and maintenance services to the local courts for the period April 1, 2022 through March 31, 2023 in consideration of reimbursement by the NYS Unified Court System to the County for actual costs for cleaning and maintenance in the amount of \$237,213, and be it further

Resolved, That the Chairman of the Board of Legislators be and is hereby authorized and directed to execute such 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. 275

Authorizing Jefferson County to be Lead Agency under the State Environmental Quality Review Act for the Purpose of the 2022 Inclusion of Viable Agricultural Land to Existing Agricultural Districts, and Making a Determination of Non-significance

By Legislator: John D. Peck

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

Whereas, The Jefferson County Board of Legislators passed Resolution 98 of 2004, Establishing an Annual Thirty Day Period from June 1 to June 30 for Landowners to Submit Proposals to Include Viable Agricultural Land within an Existing Agricultural District Before the District's Established Review Period, and

Whereas, In accordance with Section 303-b of Article 25AA of the New York State Agriculture and Markets Law, the requests for inclusion during the 2022 request period were referred to the Agriculture and Farmland Protection Board for review and recommendation, and

Whereas, The inclusion of viable agricultural land within an existing Agricultural District before the District's established review period is an action subject to environmental review in accordance with Article 8 of the New York State Environmental Conservation Law, State Environmental Quality Review (SEQR) Act, and

Whereas, An Environmental Assessment Form has been completed which reviews potential environmental impacts and determines that no significant impacts will occur.

Now, Therefore, Be It Resolved, That Jefferson County shall assume lead agency status for this action pursuant to SEQR and has determined that this is an unlisted action and will not have any adverse environmental impacts, and be it further

Resolved, That the Chairman of the Board of Legislators is hereby authorized to sign the Environmental Assessment Form\Determination of Significance and forward same to all involved agencies.

Seconded by Legislator: Philip N. Reed, Sr.

All members present voted aye except Legislator Maxon who abstained as this has to do with Environmental Conservation Law and may be seen as a conflict of interest with his employment.

Resolution No. 276

2022 Inclusion of Viable Agricultural Land in Certified Agricultural Districts Before the Districts' Established Review Periods

By Legislator: John D. Peck

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

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

Whereas, In accordance with Section 303-b of Article 25AA of the New York State Agriculture and Markets Law, the 2022 requests for inclusion were referred to the Agriculture and Farmland Protection Board for review and recommendation, and

Whereas, The recommendation of the Agriculture and Farmland Protection Board has been submitted to this Board, and

Whereas, A public hearing was held on October 4, 2022 to receive public comments, and

Whereas, The Jefferson County Board of Legislators has reviewed the requests for inclusion, the recommendation of the Jefferson County Agricultural and Farmland Protection Board, and the Public Hearing record concerning the inclusion of viable agricultural land in certified agricultural districts before the districts' established review periods.

Now, Therefore, Be It Resolved, That, pursuant to Agriculture and Markets Law Article 25 AA, Section 303-b, the Jefferson County Board of Legislators does hereby approve the inclusion of 5 parcels consisting of 672.08 acres to existing Agricultural Districts.

Seconded by Legislator: Corey Y. Grant

All members present voted aye.

Resolution No. 277

Authorizing an Agreement with the Community Action Planning Council to Promote Fair and Equal Housing

By Legislator: John D. Peck

Whereas, Jefferson County is the grant recipient of U.S. Department of Housing and Urban Development funding from the Community Development Block Grant and HOME Programs, and said funds are committed to housing assistance programs for income eligible County residents, and

Whereas, To ensure compliance with funding requirements the County is obligated to promote and further fair and equal housing opportunities for residents of Jefferson County consistent with federal legislation and regulations, and

Whereas, To accomplish this objective the County has annually entered into a contract for the provision of fair housing services including acting as the County's fair housing office for public education, information and referral, and complaint assistance, and

Whereas, Funds for a fair housing contract are appropriated in the 2022 County Budget.

Now, Therefore, Be It Resolved, That the Chairman of the Board of Legislators is hereby authorized to enter into an agreement with the Community Action Planning Council in the amount of \$8,000 for promoting and furthering fair and equal housing opportunities in the County for the period October 1, 2022 through September 30, 2023, subject to the approval of the County Attorney.

Seconded by Legislator: Jeremiah J. Maxon

All members present voted aye.

Resolution No. 278

**Amending the 2022 County Budget in Relation to
the HOME Investment Partnership Grant Program**

By Legislator: Jeremiah J. Maxon

Whereas, By Resolution 105 of 2020, Jefferson County, acting as lead County on behalf of the North Country HOME Consortium, was authorized to submit applications to the U.S. Department of Housing and Urban Development for HOME Investment Partnership Program Grants for Fiscal Years 2021, 2022 and 2023 to assist in providing affordable housing resources within the Consortium area, and

Whereas, Jefferson County, as lead County of the Consortium, has been awarded a 2022 HOME Grant in the amount of \$911,802 for the purpose outlined above.

Now, Therefore, Be It Resolved, That the 2022 County Budget be amended as follows:

Increase:

Revenue		
30866800 94995	Federal Aid - HOME Program	\$911,802
Expenditure		
30898900 04001	HOME Program	\$911,802

Seconded by Legislator: Corey Y. Grant

Roll Call Vote

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

Absent: Reed, Drake

Resolution passed.

Resolution No. 279

**Authorizing Inter-Municipal Agreement with the City of Watertown
Regarding Pedestrian Safety Improvements**

By Legislator: Philip N. Reed, Sr.

Whereas, The City of Watertown has identified a need to make pedestrian safety improvements, and

Whereas, There is a need to construct sidewalks and sidewalk ramps that impact the southeast quadrant of the intersection of Arsenal and Sherman Streets, which property is owned by Jefferson County, and

Whereas, New York State and Federal Highway Aid funding the project require the City to have an agreement in place for construction activity on all property not owned by the City, and

Whereas, The County will be required to assume ownership of all improvements following project construction.

Now, Therefore, Be It Resolved, That Jefferson County enter into an agreement with the City of Watertown as required for pedestrian safety improvements at the intersection of Arsenal and Sherman Streets, and be it further

Resolved, That the Chairman of the Board of Legislators is hereby authorized to execute said agreement on behalf of the County, 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. 280

Amending 2022 County Budget in Relation to Road Fund

By Legislator: Jeremiah J. Maxon

Whereas, The increased cost of road striping will exceed budget appropriation, and

Whereas, Funds are available for transfer within the Road Fund.

Now, Therefore, Be It Resolved, That the 2022 County Budget is amended as follows:

Increase:

05331000 04480 Highway Pavement Marking \$100,000

Decrease:

05511000 01110 Temporary \$100,000

Seconded by Legislator: Robert D. Ferris

All members present voted aye.

Resolution No. 281

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

By Legislator: Jeremiah J. Maxon

Whereas, New York State Office of Children and Family Services has awarded Jefferson County \$138,110 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 2022 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 \$4,500, for the period October 1, 2022 through September 30, 2023, 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 to execute agreements with the Jefferson County Children’s Home (\$133,610 for a term ending 9/30/23) and the Resolution Center of Jefferson and Lewis Counties (\$4,500 for a term ending 9/30/23), 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: Philip N. Reed, Sr.

Legislator Ferris said he would not support the resolution as it gives money to the Children's Home and that organization has yet to sit down and talk with County officials about concerns with their foster care program.

All members present voted aye except Legislators Ferris and Jareo who voted nay.

Resolution No. 282

Authorizing Agreement for Raise the Age Relative to Probation Department

By Legislator: Robert D. Ferris

Whereas, New York State has directed implementation of Raise the Age and has provided grant funding in the amount of \$84,114 through the Division of Criminal Justice Services (DCJS), and

Whereas, Said grant funds a Probation Officer to cover all Raise the Age related activities including related training, and

Whereas, Funding has been allocated in the Adopted 2022 County Budget, and

Whereas, An agreement needs to be authorized with DCJS for this funding for the period of April 1, 2021 through March 30, 2022.

Now, Therefore, Be It Resolved, That the Chairman of the Board is authorized to electronically execute the above referenced agreement on behalf of Jefferson County.

Seconded by Legislator: Corey Y. Grant

All members present voted aye.

Resolution No. 283

Accepting Additional Funding in Relation to Children and Youth with Special Health Care Needs (CYSHCN) Program Grant

By Legislator: John D. Peck

Whereas, By Resolution 64 of 2020 this Board of Legislators accepted a Children and Youth with Special Health Care Needs (CYSHCN) Program Grant award from NYS Department of Health (DOH) to provide information and referrals to patients and families for knowledge and use of health and related services and other insurance coverage, and

Whereas, Said grant covers the period October 1, 2020 through September 30, 2025 with an annual amount of \$27,274 and 1-year renewals within that time period, and

Whereas, Additional funding will be provided by DOH to increase community interaction for the period October 1, 2022 through September 30, 2025 with an added annual amount of \$37,516 and

Whereas, Said grant funding will partially offset budgeted salary and fringe expenditures.

Now, Therefore, Be It Resolved, that Jefferson County hereby accepts said additional funding for the period October 1, 2022 through September 30, 2025.

Seconded by Legislator: Philip N. Reed, Sr.

All members present voted aye.

Resolution No. 284

Accepting Funding in Relation to Health Care Worker Bonuses and Amending the 2022 County Budget in Relation Thereto

By Legislator: Philip N. Reed, Sr.

Whereas, Part ZZ of Chapter 56 of the Laws of New York State of 2022 requires qualified employers to submit claims to New York State for bonuses for qualified health care workers where such qualified entities and workers are defined within statute as further interpreted by NYS Department of Health, and

Whereas, Vesting periods are defined from October 1, 2021 through March 31, 2024 with the maximum bonus set at \$3,000 for a full-time employee and proportions fixed for part-time employees depending on the average hours worked, and

Whereas, Jefferson County is a qualified employer and employs certain qualified workers, and

Whereas, Employers are required to pay said bonuses to the eligible employees within 30 days of receiving the funds.

Now, Therefore, Be It Resolved, That Jefferson County hereby accepts said funding, and the 2022 County Budget is amended as follows:

Increase:

Revenue		
01405000 93488	State Aid- Other Health	\$70,000
01431000 93488	State Aid- Other Health	3,000

Expenditure		
01405000 01100	Personal Services	\$49,000
01405100 01100	Personal Services	\$21,000
01431000 01100	Personal Services	\$ 3,000

Seconded by Legislator: Corey Y. Grant

Roll Call Vote

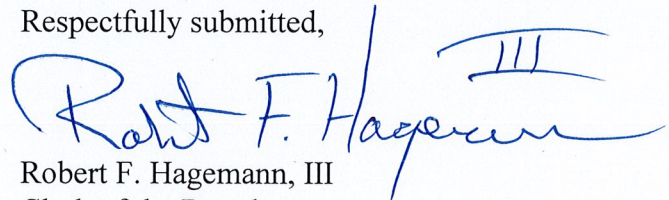
Ayes: Ferris, McBride, Jareo, Cantwell, Maxon, Peck, Gray, Grant, Doldo, Montigelli,
Nabywaniec, Calarco, Johnson

Absent: Reed, Drake

Resolution passed.

There being no further business of the Board, on a motion by Legislator Ferris seconded by Legislator Montigelli and unanimously carried, the meeting was adjourned at 7:20 p.m.

Respectfully submitted,

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

Robert F. Hagemann, III
Clerk of the Board