

REGULAR SESSION

TUESDAY, FEBRUARY 7, 2023

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

ROLL CALL OF MEMBERS

All members present except Legislators Ferris and Drake, and the vacant District 13 Legislator seat.

PRIVILEGE OF THE FLOOR

No one present wished to address the Board.

READING OF MINUTES OF LAST MEETING, IF REQUESTED

The January Regular Session and Special Session minutes stand as presented in the absence of objection or correction.

PETITIONS, NOTICES AND COMMUNICATIONS

None.

REPORTS OF STANDING COMMITTEES

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

REPORTS OF COUNTY OFFICERS AND OTHERS

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

The County Administrator provided a report on Budget Transfers for January, 2023.

The County Auditor provided a report on Erroneous Assessments for January, 2023.

2022 Annual Reports were received from the following departments: County Clerk, Board of Elections and Probation.

LOCAL LAWS, RESOLUTIONS AND MOTIONS

Resolution No. 26

Amending the 2022 County Budget for Sales Tax Distribution

By Legislator: Robert D. Ferris

Whereas, The 2022 County Budget must be amended to recognize additional sales tax for towns, villages and the City of Watertown.

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

Increase:

Revenue		
01104500 91110	State Sales Tax	\$11,626,936.60
Expenditures		
01198500 04631	Distribution of Sales Tax	\$11,626,936.60

Seconded by Legislator: Frances A. Calarco

Roll Call Vote

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

Absent: Ferris, Drake

Vacant: District 13 Legislator

Resolution passed.

Resolution No. 27

**Amending the 2022 County Budget in Relation to Highway Equipment
Capital Reserve Fund**

By Legislator: Robert D. Ferris

Whereas, Pursuant to Resolution 281 of 2011, this Board of Legislators established a Highway Equipment Capital Reserve Fund, and

Whereas, The Fund needs to be replenished in order to provide for future highway equipment needs.

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

Increase:

Fund Balance		
01000000 30599	Appropriated Fund Balance	\$500,000
Transfers		
01990100 09001	Transfer to Road Machinery Fund	\$500,000
10900400 95031	Interfund Transfers	500,000
Reserve		
10000000 30878	Highway Equipment Reserve	\$500,000

Seconded by Legislator: Daniel R. McBride

Roll Call Vote

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

Absent: Drake, Ferris

Vacant: District 13 Legislator

Resolution passed.

Resolution No. 28

Committing Fund Balance for Contingencies and Tax Stabilization and Amending the 2022 County Budget in Relation Thereto

By Legislator: Frances A. Calarco

Whereas, This Board of Legislators desires to provide for stable tax rates in the future, and

Whereas, In order to maintain stable tax rates in the face of economic downturn concerns and unanticipated expenditures, this Board desires to set aside funds to address such contingencies.

Now, Therefore, Be It Resolved, That a commitment for such purpose is established as of December 31, 2022, to be known as the "Contingencies and Tax Stabilization Commitment", and be it further

Resolved, Expenditures from this Committed Fund Balance shall be made only for the purpose for which established, and that no expenditure shall be made from this Committed Fund Balance without the approval of this Board of Legislators, and be it further

Resolved, That the 2022 County Budget and General Ledger are hereby amended as follows:

Increase:

Fund Balance
01000000 30913 Contingencies and Tax Stabl Commitment \$6,000,000

Decrease:

01000000 30909 Fund Balance \$6,000,000

Seconded by Legislator: Robert D. Ferris

Legislator Doldo asked where the dollar figure in the resolution came from. Administrator Hagemann advised that there was no real science to it, during budget discussions a \$4 million figure was identified, but looking at potential obstacles and the outlook for the economy with a possible recession looming the figure was increased. He added that with recent news about increased Medicaid costs for Counties it looks like that was a wise thing to do.

Roll Call Vote

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

Absent: Drake, Ferris

Vacant: District 13 Legislator

Resolution passed.

Resolution No. 29

**Approving Amended Jefferson County Administrative
Policies and Procedures Relative to Travel and Credit Card Policy**

By Legislator: Robert D. Ferris

Whereas, Local Law No. 10 of 1986, as amended, provides that the County Administrator shall promulgate such administrative regulations and procedures as may be authorized by the Board of Legislators, and

Whereas, It is the desire of the Board of Legislators to authorize the amendment of administrative policies and procedures for Travel and Credit Card, which will replace those policies and procedures revised in 2013.

Now, Therefore, Be It Resolved, That the amended Administrative Policy Section 1.11, **Travel and Credit Card**, is hereby approved and by reference incorporated herein, and its promulgation and implementation by the County Administrator is authorized, effective immediately.

Authorization process. In accordance with County Audit Policy the County Auditor will forward exceptions to the County Administrator on a monthly basis for his review and information. A copy will also be sent to the respective Department Head.

- When a traveler separates from service with the County, it is the responsibility of the Department Head and the Department of Human Resources to ensure that prior to the employee's last day of employment, s/he has submitted all expense claims and receipts prior to termination; the County Travel Card account has been reconciled and all required documentation submitted in support of any outstanding balance; and payment is obtained from the employee for any amount owing to the County for non-reimbursable expenses charged or a signed authorization is obtained to deduct from final reimbursement.

TRAVEL AUTHORIZATION

All travelers must submit an electronic Travel Authorization request prior to attending a conference or other County related function that will require them to be out of the office overnight, whether or not an expenditure is involved in the form of fees, mileage, meals, lodging, or other transportation costs that will require reimbursement or payment by the County. Travel for periods of a single day where no overnight stay is required and which will require reimbursement for mileage, fees, etc. do not require a prior travel authorization and are reported using the County expense claim form.

Department Heads or designees are initially responsible for approval of all travel requests; which are subsequently approved by the County Administrator and Board Chair. The information on the Travel Authorization should include the purpose of the trip, destination, times and dates, and itemized estimates of all costs related to the event, including whether the credit card will be used. Changes of a significant nature will require an amended travel authorization be submitted. Explaining the necessity and benefit of the trip to the County is also required. The Travel Authorization may be amended should conditions warrant with the concurrence of the Department Head and County Administrator. Original/official Travel Authorizations shall reside at the County Auditor's office.

In addition to travel by County employees and other individuals under the official protection or jurisdiction of Jefferson County, the County credit card may be used by the Department of Social Services to provide emergency housing and associated costs for clients. The Commissioner of DSS will approve the use of the card for this purpose.

TRAVEL ARRANGEMENTS

- All air travel, hotel, car rental and rail travel reservations, including en-route changes, may be booked by the traveler if the traveler elects to use their personal credit card according to the details of the approved Travel Authorization. If the traveler does not wish to use a personal credit card and prefers to have charges billed directly to the County, all travel arrangements MUST be made through the County's authorized Travel Agent Contract. If the Travel Agent contract is used, a copy of the approved Travel Authorization will be forwarded to the Travel Agent by Purchasing Staff. Any changes to the travel arrangements not covered by the Travel Authorization must receive the same approvals as the original order. Last minute changes (within 48 hours of the commencement of the trip) which require amendment to the Travel Authorization will be paid by the traveler and reimbursed once the amended Travel Authorization is approved.
- En-route changes, during business hours, must be made by contacting the Department Head for approval to amend the Travel Order/Authorization. In cases where obtaining prior approval is not possible a detail of the events will be required upon the Travelers return. All circumstances that occurred requiring the change will need to be presented for approval of an amended Travel Authorization. It is understood that circumstances occur during travel that are beyond the control and planning of the Traveler and every attempt possible will be made to reimburse the additional expenses that result.
- If the traveler requires accommodation beyond that permitted by the Travel and Expense Policy due to special needs or circumstance, the special requirements must be approved through the Travel Authorization prior to booking any travel arrangements.

LODGING

- If the cost of lodging exceeds the cost of commuting, lodging may be disallowed by Administration through

the Authorization process. Arrangements for lodging in connection with an approved conference should be made in the most economical manner possible. An itemized bill detailing the expenses incurred at the hotel must be attached to the Expense Claim Voucher submitted to the County Auditor. Expenses of a spouse or companion who accompanies a traveler will not be reimbursed.

- All hotel reservations must be made through the Travel Agent working through Purchasing, unless the traveler elects to pre-pay the cost of the hotel and submit the expense for reimbursement. If staying in New York State, the traveler should make the hotel aware that they are tax exempt and present a tax exempt certificate at check in. If a traveler must cancel a reservation, they are responsible for obtaining a cancellation number from the hotel or travel agency working through Purchasing.
- Hotel costs must be paid upon departure. Travelers require a zero-balance receipt/folio statement upon checkout and must submit this documentation with the Travel Expense Claim Voucher.
- In general, hotels will provide health and fitness facilities at no additional charge. Additional hotel and fitness center charges will not be reimbursed.

MEALS

- Business meals are defined as meal expenses incurred by the individual traveler while traveling on County business and will be paid or reimbursed in accordance with County Audit Policy for actual costs. No reimbursement will be allowed for expenses submitted without a receipt, and an itemized receipt is encouraged. Charges for alcohol will not be reimbursed.
- The traveler will be required to pay meal costs out of pocket and submit the appropriate charges for reimbursement within the guidelines of this policy. In no event will the County prepay meal costs unless such costs are included in an event registration. Travelers will be reimbursed for actual, reasonable documented meal expenses (i.e. with proper receipts).
- Taxes and tips are covered with tips of 15% of the total bill recommended and a limit of 20%. This does not supersede any existing department policy that may establish more restrictive gratuity guidelines.
- With prior approval of the Department Head, travelers may be reimbursed for business-related meals taken with other travelers or non - travelers if participating in work groups where business is conducted during a working lunch, business needed to be conducted off County premises for confidentiality reasons, or otherwise considered necessary in meeting the mission of the County.
- Business lunches with non-travelers will be reimbursed only if such meeting will promote a County purpose. Such event would include the County paying for both the employee and non-employee. Meal expense guidelines will apply to this event as well as the requirement for appropriate approvals and documentation.
- When travelers dine together at a business meal, one employee may pay the bill and submit the receipt. The detail shall include the names of those included on the bill and all parties must have approved Travel Authorizations in place if the meal was part of travel costs.
- Travelers may have meal expenses covered for in-county functions where meals are an integral part of the function if the meeting is directly related to the employee's job and is representing his/her department; the primary purpose of the meeting is to conduct business and the meal is incidental; or the meal is an integral part of the business-related function and it would not be practical to attend and not participate.

OTHER REIMBURSABLE / PAYABLE TRAVEL EXPENSES

- Other incidental expenses, when directly related to business travel, may be reimbursable provided they are appropriate, and are identified separately and supported, such as: Parking & Tolls, Gasoline for rental vehicles, Business phone calls, Taxis, Personal car mileage, Seminar fees, Ground transportation, Emergency Housing and associated costs for clients of the Department of Social Services , and other expenses not otherwise identified and having received prior approval as meeting the intent of this policy.
- Jefferson County will NOT reimburse travel and entertainment expenses incurred by a spouse or other individual that may accompany an employee on business.

AIR TRAVEL

- Unless an employee elects to utilize their personal credit card, all business travel arrangements must be made using the County's contract for Travel Agent Services. Through the use of various reports issued by

the Travel Agent, the Purchasing Department will periodically compare the costs of using the Travel Agent services with direct booking arrangements. Air travel should be the most direct route possible subject to department head approval. Requests for air travel reservations are required to be made as far in advance as possible to take advantage of economy seating and discounts.

- All airline tickets will be issued in Coach/Economy Class only. Upgrades at the expense of the County are not permitted.
- To take advantage of the cost benefits and convenience the traveler will be e-mailed the confirmation number and itinerary once travel arrangements are complete. E-Ticket receipts must be maintained and attached to the Travel Expense Claim Voucher submitted for reimbursement.
- Should an airline delay or cancellation necessitate an unscheduled overnight stay the traveler should make every effort to contact their Department Head and make reasonable alternate arrangements.
- Travelers are responsible for cancelling air reservations by using the same method as their booking procedure (travel agent).
- Unused airline tickets or flight coupons must never be discarded or destroyed as these documents may have a cash value. To expedite refunds if booked through the Travel Agent, unused or partially used airline tickets must be returned immediately to the travel agency. If self-booked, Travelers must not submit unused tickets with the expense reimbursement report.
- For unused e-tickets and non-refundable or penalty fares, the circumstances and associated costs must be detailed and approved by the Department Head.
- Immediately upon discovery of a lost or stolen airline ticket, the traveler is required to report the loss to the appropriate air carrier. The traveler is responsible for ensuring the security of all travel related documents including passport, tickets, etc.
- Travelers should use general, long term or offsite parking if available, and provide receipts for reimbursement. In all cases, the availability of airport shuttle service needs to be considered and used whenever possible.

AUTOMOBILE TRAVEL

- Any vehicles must be rented using the current New York State Contract vendor.
- When obtaining a rental car, employee will need to accept and will be reimbursed for the Loss Damage Waiver/Collision Damage Waiver insurance option. Otherwise, there will not be insurance coverage and Jefferson County will not reimburse employee for any damages incurred.
- The rental vehicle must be returned with a full tank of gas to avoid refueling fees by the car rental company. Fuel charges are reimbursable, but fill-up option must not be purchased.
- When deciding on the use of their personal vehicle, travelers should consider if it is less expensive than renting a car, taking a taxi or alternate transportation; and if it is more timely than taking public transportation.
- Travelers will be reimbursed for business usage of personal cars at the IRS rate in effect at the time of travel. Personal mileage reimbursement is intended to cover all costs related to operation of the vehicle including service, maintenance (gas, oil), insurance and depreciation. Mileage reimbursement excludes normal round trip to and from work. Under no circumstances will the County reimburse a traveler for insurance premiums for a personal vehicle used for business purposes.
- To be reimbursed for use of a personal car for business, travelers must submit a Travel Expense Claim Voucher which includes the Purpose of the trip, Date and location, Receipts for tolls and parking; and submit all information pursuant to County policy.
- Travel by County car may be an option available in lieu of the personal use of an automobile. Car pooling is recommended when more than one traveler has the same destination.
- Necessary parking and toll charges are reimbursable whether operating a rental, County or a personal vehicle for business purposes. Receipts must be provided for parking detailing location and duration.
- Traffic and parking violations while operating a rental, County or a personal vehicle for business purposes are NOT reimbursable.

OTHER TRANSPORTATION

- All rail travel reservations should be made through the Travel Agent or by the Traveler. Travelers are responsible for cancelling rail reservations using the same method as their booking procedure (i.e. Travel

- Agent). Rail travel must be booked in Coach/Economy class.
- The most economical mode of transportation should be used and all charges must be supported by itemized receipts.
- Travelers going to the same location should share ground transportation whenever possible.
- The use of taxis or ridesharing/ride-hailing services is encouraged for local travel, where no other more economical means of transportation is available (i.e. airport shuttle/private car) where ground transportation is anticipated to be only required for the trip to and from the airport and hotel.
- Travelers should consider the most economic option for parking and provide receipts for reimbursement.

REIMBURSEMENT

- All claims for reimbursement for authorized travel and that have been approved by the Department Head on the Travel Expense Claim Voucher shall be reimbursed.
- The Department Head, by signature assures that all expenses claimed comply with established travel rules and regulations, and that all travel was necessary, in the best interest of the County and was for the purpose stated on the Travel Authorization and Expense Voucher.
- All approved travel expense claims should be submitted to the County Auditor within ninety (90) days of the expenses being incurred.
- The County will take all necessary steps to reclaim any illegal payment and to prosecute those making such claims.

LOSS/THEFT OF VALUABLES WHILE TRAVELING

- If a loss of Jefferson County property occurs, the incident must be reported to the County Insurance and Purchasing Departments.
- If the loss is the result of theft, a written report should be made to local law enforcement authorities and a copy of the report submitted to the Insurance Department.
- For the loss or theft of personal property, Travelers must file a claim with their personal property insurance Company/agent to determine policy coverage. The County will not reimburse expenses for the loss or theft of personal items or valuables while traveling.

REFERENCE:

1. Resolution No. 106 of 2011
2. Resolution No. 224 of 2013
3. Resolution No. 29 of 2023

ISSUED: June 7, 2011
REVISED: November 12, 2013, February 7, 2023

Robert F. Hagemann III
 County Administrator

**ACKNOWLEDGMENT OF RECEIPT
 JEFFERSON COUNTY TRAVEL & CREDIT CARD POLICY**

I hereby acknowledge that I have received, read, and understand the Jefferson County Travel & Credit Card Policy dated February 7, 2023 and agree to abide by its terms.

Name _____

Title _____

License # _____

Signature _____

Date _____

Department Head Signature _____

Copies to: Department Head
Employee

All members present voted aye.

Resolution No. 30

Amending the 2023 County Budget to Reappropriate Funds for the County Clerk’s Office for Local Government Records Management Improvement Fund Grant

By Legislator: Frances A. Calarco

Whereas, By Resolution 225 of 2022, This Board of Legislators accepted \$27,988 of New York State Education Department funding from the Local Government Records Management Improvement Fund (LGRMIF) for the period July 1, 2022 through June 30, 2023, and

Whereas, The purpose of said grant is to facilitate the County Clerk’s Office to scan and index 155 deed books covering the years 1901 through 1945, and

Whereas, Said funds were only partially expended in 2022 due to staffing challenges, and there remain unspent LGRMIF funds to be re-appropriated and allocated to the proper account.

Now, Therefore Be It Resolved, That the 2023 County Budget is hereby amended as follows:

Increase:

01000000 30599	Appropriated Fund Balance	\$24, 080.31
Expenditure		
01141000 01300	Overtime	\$19,000.00
01146000 01300	Overtime	5,080.31

Seconded by Legislator: Daniel R. McBride

Roll Call Vote

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

Absent: Drake, Ferris

Vacant: District 13 Legislator

Resolution passed.

Resolution No. 31

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

By Legislator: Robert D. Ferris

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 January 1, 2023 through December 31, 2023 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: Daniel R. McBride

All members present voted aye.

Resolution No. 32

**Authorizing Agreement with New York State Department of Labor in Relation
to the Employment and Training Department**

By Legislator: Robert D. Ferris

Whereas, The Jefferson-Lewis Workforce Development Board has been awarded additional funding through the New York State Department of Labor in the amount of \$72,924.88 for the New York Systems Change and Inclusive Opportunities Network (NYSCION), and

Whereas, This funding will build on past programs supported by the Disability Employment Initiative to ensure workers of every background have job opportunities, and

Whereas, This funding was anticipated, and as such, is already included in the 2023 County Budget.

Now, Therefore Be It Resolved, That Jefferson County hereby accepts said grant award for the period January 1, 2023 through December 31, 2023, 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, subject to approval of the County Attorney as to form and content

Seconded by Legislator: Frances A. Calarco

All members present voted aye.

Resolution No. 33

Amending the 2023 County Budget for Insurance

By Legislator: Daniel R. McBride

Whereas, Insurance coverage costs have increased unexpectedly by an average of 29% over last year, compared to anticipated 15% budgeted.

Now, Therefore, Be It Resolved, That the 2023 County Budget is hereby amended as follows:

Increase:

Revenue		
01143600 91292	Internal Charges Due	\$ 22,800

Expenditure		
01191000 04219	Insurance	\$125,000

Decrease:

Expenditure		
01199000 04963	Contingent Account	\$102,200

Seconded by Legislator: Robert D. Ferris

All members present voted aye.

Resolution No. 34

Amending the 2022 County Budget in Relation to Health Benefits

By Legislator: Robert D. Ferris

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

Whereas, 2022 Health Benefits claims costs are trending higher than the Adopted Budget line, and

Whereas, A deficit is projected when all claims expenses are accrued.

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

Increase:

Expenditure		
40906000 08001	Payment of Benefit Claims	\$600,000
Revenue		
40902100 92401	Interest & Earnings	\$144,000
40902100 92701	Refund Prior Years Expense	144,800
Fund Balance		
40000000 30599	Health Benefits Appropriated Fund Balance	\$311,200

Seconded by Legislator: Frances A. Calarco

Roll Call Vote

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

Absent: Drake, Ferris

Vacant: District 13 Legislator

Resolution passed.

Resolution No. 35

Re-Appointing Member to the Regional Fish and Wildlife Management Board

By Legislator: Robert D. Ferris

Pursuant to Section 11-0501 of the Environmental Conservation Law, this Board hereby approves the following reappointment by the Chairman of the Board of Legislators to the Regional Fish and Wildlife Management Board:

<u>Name</u>	<u>Term to Expire</u>
Linda Sicley, Landowner Representative	12/31/24

Seconded by Legislator: Daniel R. McBride

All members present voted aye.

Resolution No. 36

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

By Legislator: Frances A. Calarco

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

<u>Name</u>	<u>Term to Expire</u>
Allen T. Drake	12/31/2023
Daniel R. McBride	12/31/2023

Seconded by Legislator: Robert D. Ferris

All members present voted aye.

Resolution No. 37

Authorizing the County of Jefferson's Participation in the Proposed Settlement of Opioid-Related Claims Against Teva and its Related Corporate Entities.

By Legislator: Frances A. Calarco

Whereas, The Opioid epidemic that has cost thousands of human lives across the country also impacts Jefferson County, New York by adversely impacting the delivery of emergency medical, law enforcement, criminal justice, mental health and substance abuse services, and other services by Jefferson County's various departments and agencies, and

Whereas, Jefferson County has been required and will continue to be required to allocate substantial taxpayer dollars, resources, staff energy and time to address the damage the opioid epidemic has caused and continues to cause the residents of Jefferson County, and

Whereas, Jefferson County has filed suit against Teva, along with certain of its related entities for its role in the distribution, manufacture, and sale of the pharmaceutical opioid products that have fueled the opioid epidemic that has harmed Jefferson County, and

Whereas, The County's suit seeks recovery of the public funds previously expended and to be expended in the future to abate the consequences and harms of the opioid epidemic, and

Whereas, Settlement proposals have been negotiated that will cause Teva to pay \$550,000,000 statewide to resolve opioid-related claims against them, and

Whereas, Jefferson County's outside opioid litigation counsel has recommended that the County participate in the settlements in order to recover its share of the funds that the settlement would provide, and

Whereas, The County Attorney has reviewed the available information about the proposed settlements and concurs with the recommendation of outside counsel.

Now, Therefore, Be It Resolved, That the Board of Legislators hereby approves the County's participation in the proposed settlement of opioid-related claims against Teva and its related corporate entities, and directs the County Attorney and/or outside litigation counsel to execute the documents necessary to effectuate the County's participation in the settlements, including the required release of claims against settling entities.

Seconded by Legislator: Robert D. Ferris

All members present voted aye.

Resolution No. 38

Electing a Cents per Gallon Rate of Sales and Compensating Use Taxes on Motor Fuel and Diesel Motor Fuel, in Lieu of the Percentage Rate of Such Taxes, Pursuant to the Authority of Article 29 of the Tax Law of the State of New York.

By Legislator: Daniel R. McBride

Whereas, The New York State Legislature amended NYS Tax Law §1111 as part of the 2022 State budget to allow the imposition of a cents per gallon rate of compensating use tax on gasoline and diesel motor fuel, subject to a maximum amount of consideration, and

Whereas, Enacting a cents per gallon form of compensating use tax, limited by a maximum amount of consideration, will result in a reduction in consumer cost for motor fuels, especially during times when the price of said fuel increases due to market forces, and

Whereas, The Board of Legislators desires to exercise its discretion to adopt a cents per gallon method of computation for motor fuel to benefit the people of Jefferson County, and

NOW, THEREFORE, BE IT RESOLVED, as follows:

SECTION 1. Resolution No. 113 of 1965, is amended by adding a new section 4-B to read as follows:

Section 4-B. Cents per gallon rate of sales and compensating use taxes on motor fuel and diesel motor fuel.

Notwithstanding any provision of this enactment to the contrary, in lieu of the percentage rate of sales and compensating use taxes imposed on receipts from the retail sale of and consideration given or contracted to be given for, or for the use of, motor fuel and diesel fuel, such taxes shall be imposed at a rate of cents per gallon of such motor fuel or diesel motor fuel, in the manner prescribed by subdivision (m) of section 1111 of the New York Tax Law, provided that, for purposes of calculation the cents per gallon rate of tax, such receipts or consideration shall be limited to *Three* (\$3.00) dollars per gallon of either such fuel. Provided that, if the average price of such fuels changes as described in such subdivision (m) of section 1111 of the Tax law, the Commissioner of Taxation and Finance shall adjust the cents per gallon tax rate on such fuels in the manner prescribed in such subdivision (m) of section 1111 of the Tax Law.

SECTION 2. This resolution shall take effect on June 1, 2023 and shall expire and deemed repealed on December 1, 2023.

Seconded by Legislator: Robert D. Ferris

Legislator Jareo made a motion to amend the resolution to change the tax cap to \$2.00 per gallon, and the motion was seconded by Legislator Maxon. Legislator Jareo said he made this amendment in response to discussion at the Committee level saying that the resolution did not do enough to help citizens.

Legislator Montigelli said it seems like a bit of a shuffle because we have already budgeted the revenue that would come from this tax and we will have to make up for the loss with resources from another source. Also, in his discussions with Legislator Doldo last week it seems that gas station owners have to do an awful lot of paperwork for this exemption and it does little to help taxpayers. He said the \$2.00 cap would make that better, but it would further tax the budget. He added that there is no way to prove the savings of the sales tax actually ends up in the pockets of consumers.

Legislator McBride said he was in favor of the \$3.00 per gallon exemption and would love to see it go to the \$2.00 per gallon, but he could not support the amendment if it would be at the expense of being able to balance the budget this year. Unfortunately, he said the State only allows us to do \$3.00 or \$2.00, nothing in between.

Legislator Doldo said it looks like gas prices are coming down so either a \$3.00 or a \$2.00 exemption is not going to make that much of a difference, and the paperwork required of business owners is very onerous. He is not in favor of the gas tax exemption at all in part

because the sales tax on gas is prepaid, and because sales tax exemptions on natural gas, utility bills, phone bills or everyday items sold at stores would make more of a difference to taxpayers.

In response to budget concerns because of the exemption, Legislator Jareo pointed out that the Board just set aside \$6 million in order to cover any shortfalls such as this, so the County can afford the exemption. He acknowledged that we do not have a way to track the savings for consumers, but said we have to trust in the market.

Legislator Maxon said everyone's heart is in the right place and everyone wants to save the taxpayer money, it is just a question of how much. He said capping the gas tax at \$2.00 would be important for returning dollars to tax payers particularly in light of inflation being the #1 concern of taxpayers in the tri county area as exhibited in the JCC Center for Community Studies survey this year. He said the County Administrator conservatively estimates sales tax projections in the budget and for many years we have gone over and created fund balance. Those conservative estimates coupled with inflation should produce a surplus in sales tax this year, more than enough to cover this exemption. Due to economic conditions he felt gas prices may rise and supported the amendment as well as the resolution in whatever manner it is passed to save taxpayers money and urged legislators to support it.

Legislator Reed asked when it would take effect, and if there is a way to do the math to see what the impact on the budget would be. Administrator Hagemann explained the exemption has to include a quarter of the year and needs to be enacted 90 days ahead of the effective date according to the State so it would be effective June 1 - November 30, 2023. Chairman Johnson said he did crunch some numbers but did not get that detailed. He took information provided by NYSAC for the past four years and averaged it; gasoline is 6.5% - 7% of our sales tax revenues and knowing that he took 6% of the budgeted sales tax and continued to do the math backwards which worked out to the County needing tax on \$2.84 per gallon of gas in order to make budget. Therefore, he recommended staying at the \$3.00.

Following brief discussion concerning how long the exemption would be in effect, Legislator McBride said he would support the amendment because it would only be in effect for six months and would not take a full year of sales tax away. Legislator Maxon advocated for supporting the amendment because the exemption for six months and very conservative sales tax estimates would average out very close to \$2.84 per gallon for the year. Legislator Jareo added that inflationary revenues would drive sales tax up anyway and controlling this one portion of it would be doing a justice to our constituents. Legislator Doldo said people spend more money on utility and phone bills then on gas and sales tax exemptions on those would make more of a difference to constituents. Legislator Maxon called the question.

Roll Call Vote on Amendment to cap sales tax at \$2.00 per gallon

Ayes: Calarco, Jareo, Maxon, Cantwell, Reed, McBride

Nays: Montigelli, Doldo, Nabywaniec, Peck, Grant, Johnson

Absent: Drake, Ferris

Vacant: District 13 Legislator

Amendment defeated.

Legislator Peck expressed concern with the original resolution on a philosophical basis as everyone that comes into the County and makes a purchase pays sales tax so the exemption does not necessarily have an impact on all residents of Jefferson County. He felt meaningful tax related benefit to people of the County is based on property tax, our primary funding source, and the Board did that by reducing the tax rate and tax levy for the 2023 Budget. He said the County shares sales tax with the towns, villages and City who have already set their budgets for this year, and what happens if we don't receive the budgeted sales tax to give them. When instituted he said the gas tax was supposed to fund infrastructure improvements of roads, and he took issue with the fact that electric vehicles are currently not taxed in that manner and use the highway for free. In terms of gas prices he said predictions can shift and things can change, and some places may not even lower their price for gas even with the exemption. At this time he could not support enacting this exemption for a minuscule benefit that includes people who are not our residents. He also felt it was asking a lot of the property tax payers of the County and to make up the difference that is lost in sales tax.

Legislator Jareo pointed out that the County's portion of the gas tax was never specifically set aside for roads, it has always been included with all of the other sales tax. He said the benefit of the exemption to our residents/constituents is significant, and he is always in favor of pushing off property tax in favor of sales tax. He said the exemption can act as an economic enticement to attract people to the area. Legislator McBride said if it entices people to come and buy gas here, the better it is for County residents.

Legislator Maxon said certain expenses of gas stations are fixed, so you will see differences in prices among stores because their costs are different. This resolution as proposed may be more symbolic than anything else, but with the exemption set at \$3.00 a gallon the County will not lose sales tax according to the projections of the Chairman that the County needs \$2.84 per gallon to make budget. He prefers to err on the side of saving constituents money when it is within our power to do so, and said we would be doing a justice to our taxpayers and visitors by capping the tax at \$3.00.

Roll Call Vote on Resolution No. 38

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

Nays: Doldo

Absent: Ferris, Drake

Vacant: District 13 Legislator

Resolution passed.

Resolution No. 39

Amending the 2022 County Budget and Capital Plan to Recognize 2022 Revenue from the American Rescue Plan Act Funding for the Watertown International Airport

By Legislator: Robert D. Ferris

Whereas, Pursuant to Resolution 41 of 2022, This Board of Legislators accepted a grant from the Federal Aviation Administration for American Rescue Plan Act, and

Whereas, The County expects to receive \$1,110,954 in reimbursement for purposes as defined in the American Rescue Plan Act (Public Law 117-2), Title IV (Department of Transportation) Paragraph 1.

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

Increase:

Revenue		
01561000 94599	Federal Stimulus Transportation	\$1,110,954
Transfers		
01995000 09006	Transfer to Capital Projects Fund	\$1,110,954
20900600 95031	Transfer from General Fund	\$1,110,954
Expenditure		
20561000 02001	Airport Facility	\$1,110,954

Seconded by Legislator: Corey Y. Grant

Roll Call Vote

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

Absent: Drake, Ferris

Vacant: District 13 Legislator

Resolution passed.

Resolution No. 40

Amending the 2023 County Budget and Capital Plan to Recognize 2022 Revenue from the Passenger Facility Charges at the Watertown International Airport

By Legislator: Corey Y. Grant

Whereas, Pursuant to Resolution 289 of 2016, the Board of Legislators authorized an application to the Federal Aviation Administration (FAA) for the Passenger Facility Charge (PFC) program at the Watertown International Airport, and

Whereas, The FAA approved the application and the PFC funds collected in 2017, 2018, 2019, 2020 and 2021 were recognized by Resolutions 155 of 2018, 168 of 2019, 128 of 2020, 84 of 2021 and 68 of 2022 respectively, and

Whereas, The County collected \$82,815.86 PFC in 2022, to be appropriated for use in projects that enhance safety, security, operations or capacity; reduce noise; or increase air carrier competition.

Now, Therefore, Be It Resolved, That the 2023 County Budget is hereby amended as follows:

Increase:

Revenue

Fund Balance

01000000 30599	Appropriated Fund Balance	\$82,815.86
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Transfers

01995000 09006	Transfer to Capital Projects Fund	\$82,815.86
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20900600 95031	Transfer from General Fund	\$82,815.86
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Expenditure

20698900 02071	PFC Projects	\$82,815.86
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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: Maxon, Montigelli, Doldo, Calarco, Jareo, Cantwell, McBride, Reed, Peck, Grant, Nabywaniec, Johnson

Absent: Ferris, Drake

Vacant: District 13 Legislator

Resolution passed.

Resolution No. 41

Reappropriating Funds from Various Unspent Grants Relative to the Fire and Emergency Management Department and Amending the 2023 County Budget in Relation Thereto

By Legislator: Robert D. Ferris

Whereas, By Resolutions 183 of 2019, 197 of 2020 and 199 of 2021, This Board of Legislators recognized State Homeland Security Program (SHSP) grants for FY19, FY20 and FY21, respectively, and

Whereas, By Resolution 151 of 2021, This Board recognized Federal Domestic Preparedness Equipment Program funding for the FY19 Hazmat Grant, and

Whereas, By Resolutions 81 of 2020, 67 of 2021 and 70 of 2022, This Board re-appropriated unspent funds from SHSP and Hazmat grants, and

Whereas, There remain unspent amounts in the FY19, FY20 and FY21 SHSP grants, and the FY19 Hazmat grant to be reappropriated and placed in the appropriate expenditure lines for 2023.

Now, Therefore, Be It Resolved, That the 2023 County Budget is amended as follows:

Increase:

Fund Balance		
01000000 30599	Appropriated Fund Balance	\$89,652.97
Expenditure		
01341400 02101	Computer Equipment	\$ 5,000.00
01341400 04111	Trackable Durable Items	41,453.42
01341400 04114	Equipment Maintenance	21,118.66
01341400 04115	Telephone	3,000.00
01341400 04119	Computer Software	2,351.94
01341400 04416	Professional Fees	7,003.00
01341400 04585	Operating Supplies	9,725.95

Seconded by Legislator: John D. Peck

Roll Call Vote

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

Absent: Drake, Ferris

Vacant: District 13 Legislator

Resolution passed.

Resolution No. 42

**Authorizing Agreement and Amending the 2023 County Budget
in Relation to the Domestic Terrorism Prevention Program**

By Legislator: Robert D. Ferris

Whereas, The New York State Division of Homeland Security and Emergency Services (DHSES) provides grants to local governments including the State-funded Domestic Terrorism Prevention Grant Program to prevent targeted violence and domestic terrorism, and

Whereas, Jefferson County has been awarded \$172,413 from the FY22 Domestic Terrorism Prevention Grant, and

Whereas, Said funds will be used to develop a domestic terrorism prevention plan and a county threat assessment and management team for outreach and awareness training for communities in Jefferson County, and

Whereas, DHSES now processes grants through an electronic format.

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

Resolved, That the Chairman of the Board of Legislators is hereby authorized to execute any and all documents as may be required of this grant award on behalf of Jefferson County, and be it further

Resolved, That The 2023 County Budget is amended as follows:

Increase:

Revenue

01341000 93389	State Aid - Other Public Safety	\$172,413
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Expenditures

01341400 04117	Printing	\$ 2,413
01341400 04313	Travel	14,000
01341400 04416	Professional Services	155,000
01341400 04613	Training	1,000

Seconded by Legislator: Corey Y. Grant

Roll Call Vote

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

Absent: Ferris, Drake

Vacant: District 13 Legislator

Resolution passed.

Resolution No. 43

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 87 (Sandy Creek Road) over Lindsey Creek, Appropriating Funds Therefor and Amending the 2023 County Budget and Capital Plan

By Legislator: John D. Peck

Whereas, A Project for the Replacement of CR 87 (Sandy Creek Road) over Lindsey Creek, H018, PIN 775385 (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 90 of 2019, 41 of 2021 and 72 of 2022, the County of Jefferson approved the above Project by making a commitment of \$1,867,622 for the cost of various phases of 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 the Construction Phase 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 the Construction Phase of the Project or portions thereof, and be it further

Resolved, That the additional sum of \$345,046, which includes the Construction Phase of the Project, or so much thereof as is necessary is hereby appropriated from Account 20511300 02846 in the 2023 County Budget, and made available to cover the cost of participation in the above phases 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 2023 County Budget is amended as follows:

Increase:

Revenue		
20900600 93592	State Aid Bridges	\$ 6,900

Decrease:

Revenue		
20900600 94592	Federal Aid Bridges	\$149,866

Expenditure		
20511300 02846	CR 87 over Lindsey Creek (H018)	\$142,966

and be it further

Resolved, That the six year Capital Plan is amended accordingly.

Seconded by Legislator: Robert D. Ferris

Roll Call Vote

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

Absent: Drake, Ferris

Vacant: District 13 Legislator

Resolution passed.

Resolution No. 44

Approving Re-Appointments to the Jefferson County Planning Board

By Legislator: Robert D. Ferris

Resolved, That pursuant to Section 239-c of the General Municipal Law, the following individuals are hereby re-appointed to the Jefferson County Planning Board for terms to expire December 31, 2025.

Randy Lake
Deb McAtee
David Prosser

Seconded by Legislator: John D. Peck

All members present voted aye.

Resolution No. 45

Amending the 2023 County Budget to Reappropriate New York State Septic System Replacement Program Funds

By Legislator: Robert D. Ferris

Whereas, By Resolution 97 of 2018, the Jefferson County Board of Legislators accepted a New York State Septic System Replacement grant award, and

Whereas, By Resolutions 27 of 2019, 57 of 2020, 47 of 2021 and 76 of 2022, this Board reappropriated the balance of grant award funds remaining at that time, and

Whereas, There remains a grant award balance and it is necessary to reappropriate these funds in order to provide for the continuation of the program in 2023.

Now, Therefore, Be It Resolved, That the 2023 County Budget is hereby amended as follows:

Increase:

01000000 30599	Appropriated Fund Balance	\$21,538.50
Expenditure		
01802000 04025	Septic System Replacement	\$21,538.50

Seconded by Legislator: Corey Y. Grant

Roll Call Vote

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

Absent: Ferris, Drake

Vacant: District 13 Legislator

Resolution passed.

Resolution No. 46

Authorizing Agreements in Connection with New York State Snowmobile Trails Grant-in-Aid Program and Amending 2023 County Budget in Relation Thereto

By Legislator: John D. Peck

Whereas, Jefferson County has been notified by New York State Office of Parks, Recreation, and Historic Preservation that it has received an award of \$88,704 through the 2022-2023 Snowmobile Trails Grant-In-Aid Program, based upon a grant application submitted by the County in cooperation with the Winona Forest Recreation Association, Barnes Corners Sno-Pals Snowmobile Club, Pulaski-Boylston Snowmobile Club, Thousand Islands Snowmobile Club, and Missing Link Snowmobile Club.

Now, Therefore, Be It Resolved, That Jefferson County does hereby accept the above referenced funding and authorizes the Chairman of the Board of Legislators to execute such grant agreements and other documents as may be required to receive the funding from the State of New York, and be it further

Resolved, That the Chairman of the Board is further authorized to execute agreements between the County of Jefferson, the Winona Forest Recreation Association, Barnes Corners Sno-Pals, Pulaski-Boylston, Thousand Islands, and Missing Link snowmobile clubs, subject to approval by the County Attorney as to form and content, which provides for said organizations to conduct snowmobile trail development and maintenance consistent with the referenced grant application and grant program requirements, and be it further

Resolved, That the 2023 County Budget be amended as follows:

Increase:

Revenue		
01802000 93889	State Aid Snowmobile Trail	\$88,704
Expenditure		
01802000 04681	Snowmobile Trail Maintenance	\$88,704

Seconded by Legislator: Robert D. Ferris

Roll Call Vote

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

Absent: Ferris, Drake

Vacant: District 13 Legislator

Resolution passed.

Resolution No. 47

Accepting Grant for Ignition Interlock Device Monitoring Program Funding

By Legislator: Robert D. Ferris

Whereas, By Resolution 74 of 2011, this Board authorized agreement with New York State Division of Criminal Justice Services Governor's Traffic Safety Committee to receive funding with respect to Leandra's Law Implementation, and

Whereas, New York State Division of Criminal Justice Services Governor's Traffic Safety Committee has transitioned this Ignition Interlock Device Monitoring project to formula-based funding, and

Whereas, Jefferson County has been awarded \$13,557 to support probation supervision and monitoring services during the period October 1, 2022 through September 30, 2023, and

Whereas, Said funds are already contained within the 2023 County Budget.

Now, Therefore, Be It Resolved, That the County of Jefferson hereby accepts the \$13,557 grant award.

Seconded by Legislator: John D. Peck

All members present voted aye.

Resolution No. 48

Accepting Funding and Amending the 2023 County Budget in Relation to State Funding for Pretrial Services

By Legislator: Corey Y. Grant

Whereas, New York State Division of Criminal Justice Services is awarding grants to offset costs associated with the provision of certified pretrial services including screening, assessment, supervision and reporting, and

Whereas, Jefferson County received \$218,787 in October, 2022 for the period April 1, 2022 through March 31, 2023, some of which offsets costs in the 2022 Budget and some of which needs to be recognized into the 2023 Budget to accomplish the funding objectives.

Now, Therefore, Be It Resolved, That Jefferson County hereby accepts the \$218,787, and authorizes the Chairman of the Board of Legislators to execute any and all documents as may be required to fulfill the requirements of this grant award subject to approval by the County Attorney as to form and content, and be it further

Resolved, That the 2023 County Budget is amended as follows:

Increase:

Revenue

01314000 93389	State Aid - Other Public Safety	\$91,000
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Expenditure

01314000 01300	Overtime	\$10,000
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01314000 02401	Automotive Equipment	65,000
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01314000 04118	Computer Hardware	1,000
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01310400 04419	Electronic Home Detention	15,000
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Seconded by Legislator: John D. Peck

Roll Call Vote

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

Absent: Drake, Ferris

Vacant: District 13 Legislator

Resolution passed.

Resolution No. 49

**Authorizing Agreement with the New York State Office of Indigent Legal Services
(Distribution #13)**

By Legislator: Robert D Ferris

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 #13” has been accepted by the Office of Indigent Legal Services, which covers the period January 1, 2023 through December 31, 2025 in the amount of \$194,358 (\$64,786 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 \$194,358 grant, and that the Chairman of the Board 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: John D. Peck

All members present voted aye.

Resolution No. 50

Authorizing Agreement and Amending the 2023 County Budget in Relation to the State FY22 State Law Enforcement Terrorism Prevention Program Grant

By Legislator: Robert D. Ferris

Whereas, The New York State Division of Homeland Security and Emergency Services (DHSES) provides grants to local governments to prepare for terrorist events through funding from the U.S. Department of Homeland Security’s Office for Domestic Preparedness, and

Whereas, Jefferson County has been awarded \$33,290 from the FY22 State Law Enforcement Terrorism Prevention Program (CFDA 97.067), and

Whereas, Said funds will be used to upgrade/sustain existing mobile data terminal equipment and modems to enhance data security for patrol vehicles for the Sheriff’s Department, and

Whereas, DHSES now processes grants through an electronic format.

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

Resolved, That the Chairman of the Board of Legislators is hereby authorized to execute any and all documents as may be required of this grant award on behalf of Jefferson County, and be it further

Resolved, That The 2023 County Budget is amended as follows:

Increase:

Revenue

01311000 943201	Federal Homeland Security - Sheriff	\$ 33,290
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Expenditures

01311400 04111	Trackable Durable Items	\$ 15,025
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01311400 04585	Operating Supplies	18,265
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Seconded by Legislator: Corey Y. Grant

Roll Call Vote

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

Absent: Ferris, Drake

Vacant: District 13 Legislator

Resolution passed.

Resolution No. 51

Re-Appointing Members to the Office for the Aging Advisory Council

By Legislator: Corey Y. Grant

Resolved, That, pursuant to Title III of the Older Americans Act, as amended, the below listed individuals be and are hereby reappointed as members of the Advisory Council of the Jefferson County Office for the Aging for three (3) year term to expire as follows:

<u>Members</u>	<u>Term Expires</u>
<u>Reappointments:</u>	
Sheila Barry-Pullus	12/31/2025
Wanda Phelps	12/31/2025

Seconded by Legislator: John D. Peck

All members present voted aye.

Resolution No. 52

**Amending the 2023 County Budget to Reappropriate Funds for
Veterans Peer Support (P2P) Program**

By Legislator: John D. Peck

Whereas, Funds for the Veterans Peer Support (P2P) Program need to be reappropriated in the amount of \$305,000 to be used by the Mental Health Association and River Hospital for the period covering January 1 through December 31, 2023.

Now, Therefore, Be It Resolved, That the 2023 County Budget is amended as follows:

Increase:

01000000 30599	Appropriated Fund Balance	\$305,000
Expenditure		
01432000 04735	Veterans Peer Support	\$305,000

Seconded by Legislator: John D. Peck

Roll Call Vote

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

Absent: Drake, Ferris

Vacant: District 13 Legislator

Resolution passed.

Resolution No. 53

Amending the 2023 County Budget Relative to Community Services Department State Aid

By Legislator: Frances A. Calarco

Whereas, Current State Aid funding levels from the NYS Office of Addiction Services and Supports and Office of Mental Health for Community Services Department programs include increases since the 2023 County Budget was adopted.

Now, Therefore, Be It Resolved That, the 2023 County Budget is amended as follows:

Increase

Revenue		
01431000 93484	State Aid Alcohol & Substance Abuse	\$366,019
01431000 93489	State Aid - OMH - Children's Home	8,862
01431000 93490	State Aid Mental Health	66,526

Expenditures		
01431000 04732	Children's Home - Jeff Co	\$ 8,862
01432000 04702	CREDO Foundation	366,056
01432000 04707	CMHC Outpatient Clinic	937
01432000 04708	NRCIL FSS RIV	18,581
01432000 04711	Carthage Area Hospital	715
01432000 04712	Contracted Mental Health Programs	639
01432000 04714	NCTLS Reinvestment	23,690
01432000 04717	CMH Forensics	1,817
01432000 04718	JRC Employment	4,933
01432000 04721	Mental Health Assn	4,087
01432000 04728	Samaritan Medical Center	1,098
01432000 04732	Children's Home - Jeff. Co.	9,992

and be it further

Resolved, That the Board of Legislators does hereby grant its approval for the Community Services Board to enter into any necessary amended agreements related to these changes.

Seconded by Legislator: John D. Peck

Roll Call Vote

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

Absent: Drake, Ferris

Vacant: District 13 Legislator

Resolution passed.

Resolution No. 54

Amending the 2022 County Budget in Relation to Community Services Program for Preschool Children with Disabilities

By Legislator: Frances A. Calarco

Whereas, by Resolution 156 of 2022 this Board of Legislators authorized agreements for provision of services related to the Program for Preschool Children with Disabilities subject to approval by New York State Education Department (NYSED), and

Whereas, Approvals through NYSED's System to Track and Account for Children (STAC) have been delayed, and some 2022 approvals have just been received, and

Whereas, Payment now has to be made for the cost of services rendered in 2022 which now have approvals, and

Whereas, Some funds, for which revenue has already been budgeted, are available for transfer, and additional costs will be reimbursed 59.5% through the normal claiming process.

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

Increase:

Revenue		
01431000 93823	State Aid - Preschool Tuition	\$119,595

Expenditure		
01296000 04401	Tuition-Handicapped Children	\$301,000

Decrease:

Expenditure		
01199000 04964	Salary Adjustment	\$ 81,405
01296000 04402	Transport-Handicapped Children	100,000

Seconded by Legislator: Corey Y. Grant

Legislator Montigelli

Roll Call Vote

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

Absent: Ferris, Drake

Vacant: District 13 Legislator

Resolution passed.

Resolution No. 55

**Amending the 2023 County Budget in Relation to Community Services –
Early Intervention**

By Legislator: John D. Peck

Whereas, The new position of Senior Children’s Disability Services Specialist was included in the Early Intervention unit 2023 Adopted County Budget, and

Whereas, The promotion of a current staff person to the new position and then backfilling the vacant position with a new employee will result in a budget shortfall, and

Whereas, Funds are available in the Salary Adjustment account to make up the difference.

Now, Therefore, Be it Resolved, That the position of Senior Children’s Disability Services Specialist (4311-008) be fully funded, and be it further

Resolved, That the 2023 County Budget is hereby amended as follows:

Increase:

014311000 01100	Personal Services	\$17,481
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Decrease:

01199000 04964	Salary Adjustment	\$17,841
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Seconded by Legislator: Corey Y. Grant

All members present voted aye.

Resolution No. 56

**Amending the 2023 County Budget and Authorizing Amended Agreement
in Relation to New York State Public Health Corps Fellowship Program**

By Legislator: Frances A. Calarco

Whereas, By Resolutions 208 of 2021 and 86 of 2022, this Board of Legislators accepted eligible funding for a New York State Public Health Corps Fellows grant award for the period of September 1, 2021, through July 31, 2023 to support improved preparedness for future public health emergencies, and

Whereas, The New York State Department of Health (NYSDOH) has notified Jefferson County of additional funding in the amount of \$145,614 and of an amendment extending period of said agreement through June 30, 2024, and

Whereas, Most of the funding will reimburse salary and benefit costs already authorized in the 2023 Budget and further training and supplies.

Now, Therefore Be It Resolved, That the 2023 County Budget is hereby amended as follow:

Increase:

Revenue

01405000 93452	State Aid PH Other Grants	\$145,614
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Expenditures

01405100 04110	Office Expense	\$ 300
01405100 04313	Travel	1,600
01405100 04613	Training	600

Decrease

01000000 30599	Appropriated Fund Balance	\$143,114
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and be it further

Resolved, That Jefferson County hereby accepts such additional funding and authorizes the Chairman of the Board of Legislators to execute any and all documents necessary to extend said agreement with the NYSDOH, subject to approval by the County Attorney as to form and content.

Seconded by Legislator: John D. Peck

Roll Call Vote

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

Absent: Ferris, Drake

Vacant: District 13 Legislator

Resolution passed.

Resolution No. 57

Amending the 2023 County Budget and Authorizing Amended Agreement in Relation to Epidemiology and Laboratory Capacity Reopening Schools Grant Award

By Legislator: John D. Peck

Whereas, By Resolutions 165 and 308 of 2021, this Board of Legislators accepted an Epidemiology and Laboratory Capacity grant award to maintain open schools by implementing and supporting school-based COVID-19 screening and testing for the period of June 1, 2021 through July 31, 2022, and

Whereas, By Resolution 205 of 2022, this Board accepted an extension of said agreement through July 31, 2023, and

Whereas, The New York State Department of Health (NYSDOH) has notified Jefferson County of additional enhancement funding in the amount of \$344,241, and

Whereas, Jefferson County Public Health Service will collaborate with Jeff-Lewis Child Care Project operated by the Community Action Planning Council to provide mitigation resources to registered child care sites.

Now, Therefore, Be It Resolved, That the 2023 County Budget is hereby amended as follows:

Increase:

Revenue

01405000 93452	Federal Aid - Other Health	\$344,241
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Expenditure

01405100 04416	Professional Fees	\$344,241
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and be it further

Resolved, That Jefferson County hereby accepts such additional funding and authorizes the Chairman of the Board of Legislators to execute any and all documents to amend said agreements with the NYSDOH and HRI, subject to approval by the County Attorney as to form and content.

Seconded by Legislator: Frances A. Calarco

Legislator Maxon understood this was to support testing in Jefferson County schools in order to keep them open, but questioned why the money was going into the Professional Fees account. Deputy Public Health Director Steve Jennings advised that the program is done through the Community Action Planning Council.

Roll Call Vote

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

Absent: Drake, Ferris

Vacant: District 13 Legislator

Resolution passed.

Resolution No. 58

Accepting Funding in Connection with NYSDOH Local Health Department Performance Incentive Initiative and Amending the 2023 County Budget in Relation Thereto

By Legislator: John D. Peck

Whereas, The Jefferson County Public Health Service – Preventive Services unit has been recognized by the New York State Department of Health for Covid-19 Pandemic Response, and

Whereas, The Jefferson County Public Health Service is eligible to receive an incentive award for this achievement, and

Whereas, The clinic will use the funds to support costs associated with Public Health Law Article 6 eligible services for disease prevention and population health activities.

Now, Therefore, Be It Resolved That Jefferson County hereby accepts the incentive award funding, and the 2023 County Budget is hereby amended as follows:

Increase:

Revenue

01405000 93401	State Aid Public Health	\$22,208
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Expenditure:

01405100 04415	Advertising	\$ 8,104
01405100 04509	Medical Expenses	3,500
01405100 04510	Medical Supplies	2,500
01405100 04585	Operating Expenses	8,104

Seconded by Legislator: Frances A. Calarco

Roll Call Vote

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

Absent: Drake, Ferris

Vacant: District 13 Legislator

Resolution No. 59

Authorizing Amended Agreement with Netsmart for Hosting Service in Relation to Electronic Visit Verification System and Amending the 2023 County Budget in Relation Thereto

By Legislator: John D. Peck

Whereas, By Resolutions 164 of 2007 and 104 of 2014, Jefferson County entered into a purchase and maintenance agreement with MISYS/Allscripts (now Netsmart) for electronic medical record software and ALLDocs homecare systems, and

Whereas, All New York State Medicaid programs are now required to implement Electronic Visit Verification (EVV) for personal care and home health care services requiring additional security measures of Jefferson County’s protected health information, and

Whereas, Netsmart hosting service stores, protects and manages access to data via 24/7/365 reactive and proactive monitoring to meet required security measures for an additional annual maintenance fee of \$62,759.

Now, Therefore, Be It Resolved, That Jefferson County amend the existing agreement with Netsmart to add hosting services effective February 8, 2023, and be it further

Resolved, That the Chairman of the Board of Legislators is hereby authorized to execute such amended agreement on behalf of Jefferson County subject to approval of the County Attorney as to form and content, and be it further

Resolved, That the 2023 County Budget is hereby amended as follows:

Increase

01405000 04416	Professional Fees	\$62,759
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Decrease

01405000 01100	Personal Services	\$62,759
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Seconded by Legislator: Corey Y. Grant

All members present voted aye.

Resolution No. 60

Authorizing Agreement and Amended Agreement for Provision of Certain Professional Services to the Medical Examiner’s Office

By Legislator: John D. Peck

Whereas, By Resolution 240 of 2020, this Board of Legislators authorized an agreement with Twin Tiers Pathology Associates, PC, to provide backup to support the operation of the Jefferson

County Medical Examiner (M.E.) Program, particularly during those times when the Jefferson County M.E. is out of the area on vacation, on medical leave or other unexpected absences, and in instances involving complicated deaths, and

Whereas, Twin Tiers Pathology Associates, PC, has notified Jefferson County of an increase in professional autopsy and testing services rate for the period of January 1 through December 31, 2023, to a rate of \$1,100, and

Whereas, Another provider, Riverside Forensic Pathology PLLC, has been identified for further backup support for the period of January 1 through December 31, 2023 at a rate of \$1,100.

Now, Therefore, Be It Resolved, That Jefferson County amend its agreement with Twin Tiers Pathology Associates, PC, on an as needed provision of professional autopsy and testing services for said period, and be it further

Resolved, That Jefferson County enter into an agreement with Riverside Forensic Pathology, PLLC on an as needed provision of professional autopsy and testing services for said period, and be it further

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

Seconded by Legislator: Corey Y. Grant

All members present voted aye.

Resolution No. 61

Authorizing 2023 Comprehensive Planning Resource Allocation Agreement with the NYS Office of Children & Family Services and Authorizing Contractual Youth Program Agreements

By Legislator: Frances A. Calarco

Whereas, The Jefferson County Youth Advisory Board has endorsed the allocation of State Aid Funding for 2023 Youth Development Programs to be operated and administered by various eligible organizations in Jefferson County, and

Whereas, The following constitutes the list of endorsed State Aid allocations for 2023 Youth Development Programs which require an agreement between the County and the respective Agency or Municipality and provision for pass-through funding:

Youth Development Program (YDP)

Agency/Program

State Aid Allocation

ACR Health/The Q Center	\$ 7,500
Children's Home of Jefferson County/Sozo Teen Center	15,000
Hearts for Youth, Inc./Hearts for Youth	7,500
Lyme Central School/Summer Theater Institute	4,500
Resolution Center of Jefferson & Lewis Counties/Youth Court and Restorative Practices	3,750
Resolution Center of Jefferson & Lewis Counties/Family Visitation Program (FVP)	3,375
YMCA/YMCA BOLD	3,787
Jefferson-Lewis BOCES/Career Camp 2023	10,838
Jefferson County DSS/Recreation Scholarships	7,500

Now, Therefore, Be It Resolved, That Jefferson County enter into a Resource Allocation Agreement with the NYS Office of Children and Family Services for the year 2023 which contains applications for State Aid funding for County YDP Administration and for the above listed Youth Development Programs, and be it further

Resolved, That upon final approval and execution of said Resource Allocation Agreement by the appropriate State officials, Jefferson County enter into agreements with the above Contractual Agencies/Municipalities for provision of Youth Development Programs for the youth of Jefferson County during 2023 and with Cornell Cooperative Extension in the amount of \$6,050 to provide support for the Youth Advisory Board for 2023-2024, and be it further

Resolved, That the Chairman of the Board of Legislators is hereby authorized to execute the Resource Allocation Agreement and the various contractual Agency/Municipality Agreements on behalf of Jefferson County, subject to approval by the County Attorney as to form and content.

Seconded by Legislator: Corey Y. Grant

All members of present aye.

Resolution No. 62

Amending the 2023 County Budget Relative to Additional Revenue from the NYS Office of Children and Family Services for Youth Sports and Education Opportunity Funding

By Legislator: Frances A. Calarco

Whereas, Jefferson County has received notification from the NYS Office of Children and Family Services (OCFS) of the allocation of Youth Sports and Education Opportunity funds in the amount of \$29,965 to advance programming for youth ages 6-17, and

Whereas, This funding will support a variety of sports/organized activities for a broad range of youth in under-resourced communities to effect positive youth development and family

engagement, improve the lives of young people by promoting positive social, emotional, health, and educational outcomes, and

Whereas, Youth sports have important life-long impacts and enable opportunities for young people to succeed economically through leadership roles; and coaching education greatly improves the sports experience and development outcomes of young people, and

Whereas, The Jefferson County Youth Advisory Board has endorsed the following State Aid allocations for 2023 Youth Sports and Education Opportunity programs which require an agreement between the County and the respective Agency and provision of pass-through funding:

Youth Sports and Education Opportunity Program

<u>Agency/Program</u>	<u>State Aid Allocation</u>
YMCA/Sports & STEM	\$ 5,500
Encompass Recreation	6,000
Augustinian Academy	12,615
Children's Home of Jefferson County/Recreation	5,850

Now, Therefore Be It Resolved, That Jefferson County enter into a 2023 Resource Allocation Agreement with the NYS OCFS containing applications for State Aid funding for County Youth Sports and Education Opportunity Program Administration and for the above listed Youth Sports and Education Opportunity programs, and be it further

Resolved, That upon final approval and execution of said Resource Allocation Agreement by the appropriate state officials, Jefferson County enter into agreements with the above Contractual Agencies for provision of Youth Sports and Education Opportunity Programs for the youth of Jefferson County for the period of January 1 through September 30, 2023, and be it further

Resolved, That the Chairman of the Board of Legislators is hereby authorized to execute the Resource Allocation Agreement and the various contractual Agency Agreements on behalf of Jefferson County, subject to approval of the County Attorney as to form and content, and be it further

Resolved, That the 2023 County Budget is hereby amended as follows:

Increase:

Revenue		
01731000 93820	State Aid Youth Programs	\$29,965
Expenditure		
01731000 04781	Youth Development Program Funding	\$29,965

Seconded by Legislator: John D. Peck

Roll Call Vote

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

Absent: Ferris, Drake

Vacant: District 13 Legislator

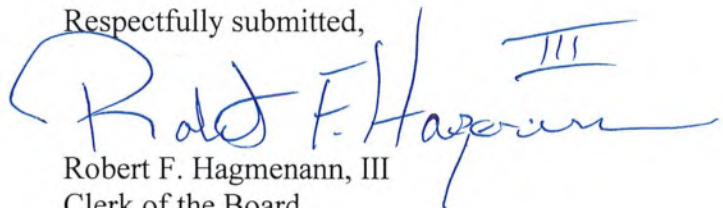
Resolution passed.

Chairman Johnson reported that he is still awaiting a nominee from the Republican Party to replace former Legislator Scott Gray on the Board for the District 13 seat.

With regard to the homeless issue Mr. Hagemann advised that the Warming Center at the Salvation Army is open from 8:00 p.m. to 8:00 a.m. for those who need it, and dinner is also being offered free of charge to this population, or anyone else who needs it, at various churches in the area seven days a week.

There being no further business of the Board, on a motion by Legislator Reed seconded by Legislator Cantwell and unanimously carried, the meeting was adjourned at 7:10 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". The name "Hagemann" is written in a slightly larger font than "Robert F.", and "III" is written as a superscript at the end of the signature.

Robert F. Hagemann, III
Clerk of the Board