

REGULAR SESSION

TUESDAY, AUGUST 6, 2024

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

ROLL CALL OF MEMBERS

All members present except Legislator Cantwell.

Public Hearing

Local Law Intro No. I of 2024

Chairman Johnson called the public hearing to order at 6:01 p.m. No one present wished to speak and the public hearing was closed.

PRIVILEGE OF THE FLOOR

Elizabeth Cooper, 22 Lambs Lane, Lake Placid, NY, Executive Director, Adirondack North Country Association (ANCA) a non-profit that offers services to 14 counties so that all have opportunities to live and thrive in our region. She said their focus is on small business and entrepreneurship, local food systems, clean energy, and welcoming and belonging. She outlined the various services they provide, and updated the Board as to business they are helping in Jefferson County. She said they have 8 counties as members and will be sharing an opportunity for Jefferson County to join as a member and hoped the Board would see the value of including ANCA membership in their 2025 County Budget. She encouraged legislators to contact her if ANCA can better serve Jefferson County residents in any way.

READING OF MINUTES OF LAST SESSION, IF REQUESTED

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

PRESENTATION OF PETITIONS, NOTICES AND COMMUNICATIONS

None.

REPORTS OF STANDING COMMITTEES

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

REPORTS OF COUNTY OFFICERS AND OTHERS

The County Treasurer provided a report on Investments and Cash in Banks as of June 30th.

The County Administrator provided a report on Budget Transfers for the month of June

LOCAL LAWS, RESOLUTIONS AND MOTIONS

Local Law Intro No I of 2024

A LOCAL LAW AUTHORIZING BEST VALUE AWARD METHODOLOGY IN THE COMPETITIVE BIDDING PROCESS FOR PUBLIC CONTRACTS.

By Legislator: John D. Peck

BE IT ENACTED by the County Legislature of the County of Jefferson as follows:

Section 1. Findings and Intent

Enactment of this legislation provides additional procurement options to localities in ways that may expedite the procurement process and result in cost savings. The “best value” standard for selecting goods and services vendors, including janitorial and security contracts, is critical to efforts to use strategic sourcing principals to modernize the supply chain and ensure that taxpayers obtain the highest quality goods and services at the lowest potential cost, while also ensuring fairness to all competitors. . . Taxpayers are not well served when a public procurement results in low unit cost at the onset, but ultimately engenders cost escalations due to factors such as inferior quality, poor reliability and difficulty of maintenance. Best value procurement links the procurement process directly to the municipality's performance requirements, incorporating selection factors such as useful life span, quality and options incentives for more timely performance and/or additional services. Even if the initial expenditure is higher, considering the total value over the life of the procurement may result in a better value and long-term investment of public funds. Best value procurement also encourages competition and, in turn, often results in better pricing, quality and customer service. Fostering healthy competition ensures that bidders will continue to strive for excellence in identifying and meeting municipalities' needs, including such important goals as the participation of small, minority and women-owned businesses, and the development of environmentally-preferable goods and service delivery methods. Best value procurement will provide much-needed flexibility in obtaining important goods and services at favorable prices, and will reduce the time to procure such goods and services. (NYS Assembly Bill Memo A08692, 2012)

Section 2. Definitions.

“Best Value” means the basis for awarding contracts for good and services to the offerer which optimizes quality, cost, and efficiency, among responsive and responsible offerers. In assessing best value, non-price factors can be considered when awarding the purchase contract. Non-price factors can include, but are not limited to, reliability of a product, efficiency of operation, difficulty/ease of maintenance, useful lifespan, ability to meet needs regarding timeliness of performance, and experience of a service provider with similar contracts. Such

basis shall reflect, whenever possible objective and quantifiable analysis. Such basis may also identify a quantitative factor for offerers that are small businesses or certified minority or women-owned enterprises as defined in subdivision one, seven, fifteen and twenty of section three hundred ten of the Executive Law to be used in evaluation of offers for awarding of contracts for services. NYS Finance Law §163.

Section 3. Requirements

- A. Where the basis for award is the best value offer, the Jefferson County Purchasing Director (hereinafter "Purchasing Director") shall document, in the procurement record and in advance of the initial receipt of offers, the determination of the evaluation criteria, which whenever possible, shall be quantifiable, and the process to be used in the determination of best value and the manner in which the evaluation processes and selection shall be conducted.
- B. The Purchasing Director shall establish a formal sealed competitive bidding procurement procedure in accordance with General Municipal Law and the County of Jefferson's procurement policy and document its determination in the procurement record. The process shall include, but is not limited to, a clear statement of need; a description of the required specifications governing performance and related factors; a reasonable process for ensuring a competitive field; a fair and equal opportunity for offerers to submit responsive offers; and a balanced and fair method of award. Where the basis of the award is best value, documentation in the procurement record shall, where practicable, include qualifications of the application of the criteria to the rating of proposals and the evaluation results, or, where not practicable, such other justification which demonstrates that best value will be achieved.
- C. The solicitation shall prescribe the minimum specifications or requirements that must be met in order to be considered responsive and shall describe and disclose the general manner in which the evaluation and selection shall be conducted. Where appropriate, the solicitation shall identify the relative importance and/or weight of cost and the overall technical criterion to be considered by the County of Jefferson in its determination of best value.
- D. Purchasing Director shall develop procedures that will govern the award of contracts on the basis of "best value". These procedures shall be included in the Jefferson County Administrative Code. Best value awards shall not be used for public works purchase contracts under Article 8 of the Labor Law, where otherwise prohibited by state law or in any circumstances where federal or state funding or contractual requirements contain separate competitive bidding requirements.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by a court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstances directly involved in the controversy in which such order or judgement shall be rendered.

Section 5. Effective Date.

This Local Law Shall be effective immediately upon its filing with the New York State Secretary of State.

Seconded by Legislator: Robert D. Ferris

Chairman Johnson entertained a motion and second to take Local Law Intro No. I of 2024 off the table for action. Such motion was made by Legislator Peck seconded by Legislator Ferris and unanimously carried. There being no debate, all members present voted aye on the Local Law.

Resolution No. 193

**Approving Amended Jefferson County Administrative Policies and Procedures
Relative to Purchasing Policy and Control**

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 Purchasing Policy and Control which will replace those policies and procedures revised in 2018.

Now, Therefore, Be It Resolved, That the amended Administrative Policy Section: Purchasing, Subsection: 4.01 **Policy and Control** is hereby approved and by reference incorporated herein, and its promulgation and implementation by the County Administrator is authorized, effective immediately.

Seconded by Legislator: Daniel R. McBride

(Policy is added as an Addendum to the minutes)

Chairman Johnson entertained a motion to take Resolution No. 193 off the table for action. Such motion was made by Legislator Montigelli seconded by Legislator Bartlett-Bearup and unanimously carried. There being no debate, all members present voted aye on the Resolution.

Resolution No. 217

Amending 2024 County Budget Relative to County Administration Accounts

By Legislator: Philip N. Reed, Sr.

Whereas, County Administration has experienced higher than normal turnover due to the retirements of long-tenured staff, and

Whereas, Due to the unpredictable nature of retirements, Jefferson County does not budget for certain employee liabilities related to earned benefits payable upon separation of service within individual departments, and

Whereas, Due to vacancies, the department has experienced an operational need for additional personnel, overtime, and temporary costs to ensure the continuity of operations, and

Whereas, It is necessary to amend the 2024 County Budget to fund the Personnel Services, Temporary, and Overtime accounts through the end of 2024.

Now, Therefore, Be It Resolved, that the 2024 County Budget is hereby amended as follows:

Increase:

Expenditure		
01104000 01100	Personal Services	\$66,000
01104000 01110	Temporary	25,000
01104000 01300	Overtime	3,000
01104000 08030	Social Security	5,500

Decrease:

Expenditure		
01199000 04964	Salary Adjustment	99,500

Seconded by Legislator: Robert D. Ferris

All members present voted aye.

Resolution No. 218

Amending the 2024 County Budget in Relation to County Attorney Account

By Legislator: Robert W. Cantwell, III

Whereas, The County Attorney has requested additional funds to supplement the account for legal fees utilized for retention of outside counsel to handle legal matters subject to litigation, and

Whereas, Pending litigation matters to date has exhausted the annual budget appropriation for such fees.

Now, Therefore, Be It Resolved, That the 2024 County Budget is hereby amended as follows:

Increase:

Fund Balance			
01000000	30599	Appropriated Fund Balance	\$100,000
Expenditure			
01142000	04411	Legal Fees	\$100,000

Seconded by Legislator: Philip N. Reed, Sr.

Roll Call Vote

Ayes: Ferris, Potter, Doldo, Nabywaniec, Calarco, Bartlett-Bearup, McBride, Reed, Grant, Jareo, Boulio, Peck, Montigelli, Johnson

Absent: Cantwell

Resolution passed.

Resolution No. 219

Authorizing an Agreement with the New York State Office of Information Technology Services and the New York State Division of Homeland Security and Emergency Services in Relation to an Event Information and Event Management Solution

By Legislator: Robert D. Ferris

Whereas, New York State Office of Information Technology Services (ITS) and the New York State Division of Homeland Security and Emergency Services (DHSES) has offered shared services, at no cost to Jefferson County, for the purpose of increasing the county’s cybersecurity posture, and

Whereas, Jefferson County benefits from sharing existing resources as opposed to purchasing

and maintaining its own Security Information and Event Management (SIEM) solution, and

Whereas, The purpose of the solution is to collect machine data to detect cybersecurity threats and abnormalities and monitor activity 24/7 through New York State's Joint Security Operations Center (JSOC), and

Whereas, Said service requires an agreement with the New York State DHSES & ITS.

Now, Therefore, Be It Resolved, That the Chairman of the Board of Legislators is hereby authorized to execute any and all documents as may be required of the agreement on behalf of Jefferson County to utilize the aforementioned shared service, subject to the approval of the County Attorney as to form and content.

Seconded by Legislator: Robert W. Cantwell, III

All members present voted aye.

Resolution No. 220

Authorizing an Addendum with the New York State Office of Information Technology Services and the New York State Division of Homeland Security and Emergency Services in Relation to Endpoint Detection Response Service

By Legislator: Robert D. Ferris

Whereas, New York State Office of Information Technology Services (ITS) and the New York State Division of Homeland Security and Emergency Services (DHSES) have an Intergovernmental Agreement in place for Endpoint Detection Response, and

Whereas, ITS and DHSES are requiring an addendum to the current Intergovernmental Agreement that provides the county, at no cost, with the Endpoint Detection Response service (EDR), and

Whereas, This addendum is to acknowledge the monetary value of \$135,600 for three years associated with EDR service that has been provided to the county, to comply with NYS Finance Law.

Now, Therefore, Be It Resolved, That the Chairman of the Board of Legislators is hereby authorized to execute any and all documents as may be required of the aforementioned addendum on behalf of Jefferson County to acknowledge the monetary value of the service, subject to the approval of the County Attorney as to form and content.

Seconded by Legislator: Daniel R. McBride

All members present voted aye.

Resolution No. 221

Amending the 2024 County Budget in Relation to Treasurer’s Office Accounts

By Legislator: Frances A. Calarco

Whereas, the County Treasurer’s Office Overtime account is overspent due to initiation and training of newly elected and appointed management staff at the beginning of 2024, additional departmental staffing vacancies with subsequent hiring, and realignment of duties.

Now, Therefore, Be It Resolved, that the 2024 County Budget is hereby amended as follows:

Increase:

Expenditure		
01132500 01300	Overtime	\$1,500

Decrease:

Expenditure		
01132500 04115	Telephone	\$ 250
01132500 04117	Printing	300
01132500 04110	Office Expense	200
01132500 04116	Postage	750

Seconded by Legislator: Robert W. Cantwell, III

All members present voted aye.

Resolution No. 222

Authorizing an Agreement with Development Authority of the North Country in Relation to Broadband and Amending the 2024 County Budget in Relation Thereto

By Legislator: Daniel R. McBride

Whereas, The Development Authority of the North Country applied for and received a Northern Border Regional Commission (NBRC) Catalyst Grant to complete a multi-jurisdictional telecommunications project bringing affordable, high-speed broadband to unserved households in rural communities in Jefferson, Lewis, and St. Lawrence Counties, and

Whereas, The NBRC will provide a grant of \$2,455,079 or 77.63% of the total project costs for the \$3,162,599 Project, and

Whereas, Each county is required to provide a local match calculated based on the pro-rated number of miles for the project, which shall not to exceed a combined total contribution of \$707,520.00, including the Authority's contribution of \$31,250.00, and

Whereas, Other sources of federal funds are prohibited from being utilized as part of the local match, and

Whereas, The County's local contribution will leverage approximately three times its value in federal funding to serve County residents with broadband.

Now, Therefore, Be It Resolved, That the Chairman of the Board of Legislators is hereby authorized to execute an Agreement with the Development Authority of the North Country for an amount not to exceed \$250,000 for broadband project administration and infrastructure for the term of October 1, 2023 through September 30, 2026, subject to approval of the County Administrator and County Attorney as to form and content, and be it further

Resolved, That the 2024 County Budget is hereby amended as follows:

Increase:

Fund Balance		
01000000 30599	Appropriated Fund Balance	\$250,000
Expenditure:		
01760000 04600	Other Authorized Agency Contrib	\$250,000

Seconded by Legislator: Philip N. Reed, Sr.

Roll Call Vote

Ayes: Boulio, McBride, Reed, Montigelli, Grant, Peck, Doldo, Calarco, Bartlett-Bearup, Nabywaniec, Jareo, Ferris, Potter, Johnson

Absent: Cantwell

Resolution passed.

Resolution No. 223

Authorizing the Purchase of Real Property at 1000 Coffeen Street in the City of Watertown and Amending the 2024 County Budget in Relation Thereto

By Legislator: Robert W. Cantwell, III

Whereas, The Jefferson County Board of Legislators is authorized to purchase real property

pursuant to County Law §215 for lawful county purposes, and

Whereas, The County has heretofore leased the premises of 1000 Coffeen Street for the location of the Department of Employment and Training, otherwise known as “The Workplace” and said parcel consists of 2.18 acres of land with a two story building thereon, and

Whereas, The premises has been appraised by the County and negotiations had with the owner; Watertown Savings Bank regarding a purchase price, and

Whereas, The County and Watertown Savings Bank have arrived at an agreed upon purchase price for the premises of \$1,220,000.00.

Now, Therefore, Be It Resolved, That the purchase, in fee, of 1000 Coffeen Street, Tax Map Parcel No. 8-29-103.001 is authorized and the Chairman of the Board is further authorized to execute a contract of sale on behalf of the County of Jefferson and any other documents necessary for the conveyance of title to the County, subject to approval as to form and content by the County Attorney, and subject to the results of a satisfactory inspection of the building and its components by the County.

Decrease:

Expenditure:

20698900 02064	Property Acquisition/Improvement	\$1,220,000
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Increase:

Expenditure:

20162000 02006	Employment & Training Building	\$1,220,000
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Seconded by Legislator: Robert D. Ferris

All members present voted aye.

Resolution No. 224

Authorizing Agreements and Amending the 2024 County Budget in Relation to NYSWIMS Grant Application to Incentivize Lifeguard Recruitment and Retention for Eligible Municipalities

By Legislator: Robert D. Ferris

Whereas, A NYS Department of State Statewide Investment in More Swimming (SWIMS) grant in the amount of \$50,000 has been allocated to Jefferson County to pass through to local municipalities for the recruitment and retention of lifeguards, and

Whereas, The City of Watertown, Town of Clayton, Village of Alexandria Bay, and the Village of Chaumont have expressed interest in the funds, and

Whereas, Jefferson County will be the recipient of the grant, and the County will contract with The City of Watertown, Town of Clayton, Village of Alexandria Bay, and the Village of Chaumont, and

Whereas, It is necessary to authorize agreements with New York State Department of State and the local participating municipalities to receive and distribute the funds.

Now, Therefore, Be It Resolved, That the Chairman of the Board of Legislators is hereby authorized and directed to execute agreements on behalf of Jefferson County with the NYS Department of State, The City of Watertown, Town of Clayton, Village of Alexandria Bay, and the Village of Chaumont for the New York State Department of State 2024 Statewide Investment in More Swimming Program, subject to the review and approval of the County Attorney as to form and content, and be it further

Resolved that the 2024 County Budget is amended as follows:

Increase:

Revenue		
01802000 93889	State Aid Other Culture & Recreation	\$50,000
Expense		
01799000 04600	Culture & Recreation Payment & Contributions	\$50,000

Seconded by Legislator: Frances A. Calarco

All members present voted aye.

Roll Call Vote

Ayes: Boulio, Calarco, Reed, Jareo, McBride, Peck, Nabywaniec, Ferris, Bartlett-Bearup, Doldo, Grant, Montigelli, Potter, Johnson

Absent: Cantwell

Resolution passed.

Resolution No. 225

Authorizing Agreements in Relation to Construction of the Airport Fuel Farm at the Watertown International Airport and Modifying the 2024 Budget and Capital Plan in Relation Thereto

By Legislator: Robert D. Ferris

Whereas, By Resolution 184 of 2022, the Board of Legislators authorized a grant agreement with the New York State Department of Transportation for construction of a modern above ground Airport Fuel Farm and related State Environmental Quality Review (SEQR) Determination, and

Whereas, By Resolution 135 of 2023, this Board of Legislators allocated additional funding for the project through the American Rescue Plan Act, and

Whereas, By Resolution 312 of 2023, this Board of Legislators authorized an agreement with McFarland Johnson Inc. for preparing bid documents, construction oversight and administration, and grants administration for the project, and

Whereas, By Resolution 142 of 2024, the Board of Legislators authorized an agreement with Lavalley Brothers Construction, Inc for the general construction of the project for bid construction package number one, and

Whereas, McFarland Johnson has since completed said design, coordinated the bidding process and recommends that the following low bidder be awarded the construction contracts for the bid package number two to Lavalley Brothers Construction, Inc., for general construction in the amount of \$1,618,731.52, and

Whereas, McFarland-Johnson has submitted documentation to request an amendment to their agreement for design and construction phase services to account for subconsultant scope for services related to cost estimating that were necessary to adhere to requirements under the grant provided by NYSDOT, but where the expenses were not included as part of the authorization provided under Resolution 312 of 2023, in the amount of \$20,842, and

Whereas, It is necessary to authorize the contracts with Lavalley Brothers Construction, Inc. and McFarland-Johnson, and

Whereas, Additional local share funds are required to complete the project in the amount of \$113,805 and additional ARPA funds originally appropriated by Resolution 38 of 2022 are available to be repurposed for ARPA eligible uses.

Now, Therefore, Be It Resolved, That Jefferson County enter into agreements with Lavalley Brothers Construction, Inc., for general construction for bid package two in the amount of \$1,618,731.52 and McFarland-Johnson for additional services related to design and construction phase services in the amount of \$20,842, and be it further

Resolved, That the Chairman of the Board of Legislators, be and is hereby authorized and directed to execute said agreements on behalf of the County, including any changes orders as recommended by the Director of Aviation not to exceed the funding available, subject to review

of the County Attorney as to form and content, and contingent on the concurrence of award from the New York State Department of Transportation, and be it further

Resolved, That the 2024 County Budget is hereby amended as follows:

Decrease:

21104500 04976	Negative Economic Impacts	\$113,805
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Increase:

Transfers:

21995000 09006	Transfer to Capital Projects Fund	\$113,805
20900600 95031	Interfund Transfers	113,805

Expenditure:

20561000 02093	Airport Fuel Farm	\$113,805
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and be it further

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

Seconded by Legislator: Frances A. Calarco

Roll Call Vote

Ayes: Potter, Grant, Boulio, Ferris, Nabywaniec, Bartlett-Bearup, Reed, Peck, Doldo, Calarco, Jareo, Montigelli, McBride, Johnson

Absent: Cantwell

Resolution passed.

Resolution No. 226

Authorizing Agreements with Arnold K. Crump, Patrick K. Crump, Christine Spencer, Margaret Moore, Daniel and Rebecca Crosby, the Federal Aviation Administration, and the New York State Department of Transportation in Relation to Watertown International Airport Land Acquisition Services (Runways 7, 10, 25, and 28) and Amending the 2024 County Budget and Capital Plan

By Legislator: Philip N. Reed, Sr.

Whereas, By Resolution 65 of 2022, this Board of Legislators authorized agreements with the Federal Aviation Administration (FAA), New York State Department of Transportation

(NYSDOT), and McFarland-Johnson, Inc for the completion of formulation steps for the acquisition of avigation easements or property in fee, and

Whereas, The acquisition process will adhere to the requirements of Title 49 of the Code of Federal Regulations, Part 24, *Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs* and FAA Advisory Circular (AC) 150/5100-17, *Land Acquisition and Relocation Assistance for Airport Improvement Program (AIP) Assisted Projects*, and

Whereas, The formulation process has progressed and the Consultant has completed appraisals and received review appraisals from NYSDOT for three of the subject parcels, and

Whereas, the review appraisals identified a fair market value for acquisition in fee of the three parcels, and

Whereas, The fair market value for the acquisition in fee of Tax Parcel 81.00-1-12.3 was presented to, and accepted by, the owner, Christine Spencer, in the amount of \$120,000, and

Whereas, The fair market value of the acquisition in fee of Tax Parcel 81.00-1-12.1 was presented to, and accepted by, the owner, Arnold K. Crump, in the amount of \$120,000, and

Whereas, The fair market value of the acquisition in fee of Tax Parcel 81.00-1-12.2 was presented to, and accepted by, the owner, Patrick K. Crump, in the amount of \$105,000 and

Whereas, Tax Parcels 81.00-1-12.3, 81.00-1-12.2 and 81.00-1-12.1 are currently occupied by residents who will qualify for relocation assistance, payments for moving and related expenses, and replacement housing payments, and

Whereas, The Consultant has estimated that relocation assistance for Christine Spencer, as calculated per 49 CFR 24 and FAA AC 150/5100-17, should not exceed \$199,900; the relocation assistance for Patrick K. Crump and Margaret Moore should not exceed \$199,900; and the relocation assistance for Daniel and Rebecca Crosby should not exceed \$214,900, and

Whereas, The Consultant has estimated that Jefferson County will expend up to \$30,000 in expenses related to closing costs and other legal fees required to close on the properties to be acquired, and

Whereas, The FAA is anticipated to provide a grant to reimburse for the acquisition of the three parcels, as well as eligible relocation assistance, payments for moving and related expenses, replacement housing, and legal expenses, in the amount not to exceed \$940,215, and

Whereas, NYSDOT is anticipated to provide a grant to reimburse for the acquisition of the three parcels in the amount of \$24,742, and

Whereas, The County is expected to incur up to \$24,743 in relation to the project as local share requirements on the grants, and

Whereas, An Environmental Assessment was prepared and approved by the FAA with the issuance of a Finding of No Significant Impact in accordance with the National Environmental Policy Act, and

Whereas, a Negative Declaration was issued as part of Resolution 65 of 2022 pursuant to 6 NYCRR 617.5.

Now, Therefore, Be it Resolved, That Jefferson County enter into an agreements with the FAA to accept said grant funds not to exceed \$911,715, with NYSDOT to accept said grant funds not to exceed \$23,992.50, with Christine Spencer for the purchase of real property, relocation assistance, payments for moving and related expenses, and replacement housing, not to exceed \$319,900, with Arnold K. Crump for the purchase of real property, not to exceed \$120,000, with Patrick K. Crump and Margaret Moore for relocation assistance, payments for moving and related expenses, and replacement housing, not to exceed \$199,900, with Patrick K. Crump for the purchase of real property, not to exceed \$105,000, and with Daniel and Rebecca Crosby for relocation assistance, payments for moving and related expenses, and replacement housing, not to exceed \$214,900, and be it further

Resolved, That Jefferson County enter into agreements with the FAA, NYSDOT, Christine Spencer, Patrick K. Crump, Arnold K. Crump, Patrick K. Crump and Margaret Moore, and Daniel and Rebecca Crosby for said project and that the Chairman of the Board is hereby authorized and directed to execute said agreements on behalf of the County, including any change orders as recommended by the Director of Aviation and County Administrator not to exceed the funding available, subject to review of the County Attorney as to form and content, and be it further

Resolved, That the 2024 County Budget is hereby amended as follows:

Increase:

Revenue

20900600 94589	Federal Aid – Airport Capital Projects	\$940,212
20900600 93589	Airport State Aid – DOT	24,742

Expenditure

20561000 020995	RPZ Land Acquisition	\$989,700
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Decrease

20698900 02064	Property Acquisition/Improvements	\$ 24,743
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and be it further

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

Seconded by Legislator: Frances A. Calarco

Roll Call Vote

Ayes: Boulio, Reed, Nabywaniec, Grant, Bartlett-Bearup, Potter, Ferris, McBride, Montigelli, Calarco, Doldo, Peck, Jareo, Johnson

Absent: Cantwell

Resolution passed.

Resolution No. 227

Authorizing an Agreement with Jefferson County Soil and Water Conservation District Relative to Management of and Recreation in County Forest Lands

By Legislator: Daniel R. McBride

Whereas, Pursuant to Resolutions 328 of 1998, 304 of 2005, and 210 of 2010, Jefferson County and the Jefferson County Soil and Water Conservation District entered into agreements for the management of County forest lands, and

Whereas, Pursuant to Resolutions 305 of 2005 and Resolution 28 of 2011, Jefferson County and its Soil and Water Conservation District entered into agreements for County trail coordination services, and

Whereas, Pursuant to Resolution 80 of 2014, Jefferson County and the Soil & Water District combined the two agreements into one agreement, terminating December 31, 2018, with the option for an additional term, and

Whereas, The agreement has since expired.

Now, Therefore, Be It Resolved, That Jefferson County enter into an agreement with the Jefferson County Soil and Water Conservation District for the management of and recreation in County forest lands for the period August 1, 2024 through December 31, 2028, and be it further

Resolved, That said agreement include as base payment of \$90,000 per year, plus an additional \$10,000 for trail development and professional services as needed, and be it further

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

Seconded by Legislator: Robert W. Cantwell, III

All members present voted aye.

Resolution No. 228

**Authorizing an Agreement with Jefferson County Soil and Water Conservation
In Relation to the Harvest Of White Ash on County Lands**

By Legislator: Daniel R. McBride

Whereas, The Jefferson County Soil and Water Conservation District (SWCD), via an agreement with Jefferson County, is responsible for the management of County forest lands, and

Whereas, The Emerald Ash Borer (EAB) is an invasive beetle species native to Asia that has caused significant damage to ash trees in North America, and

Whereas, EAB continues to expand in the North Country, working its way inland with no feasible solution for large scale forest management for affected ash trees, and

Whereas, County forest lands have an inventory of white ash that is not contiguously located, making it unattractive in traditional timber harvesting bid, and

Whereas, SWCD has the equipment and expertise necessary to harvest the white ash resources on County lands, prior to destruction by EAB, and

Whereas, SWCD will retain \$300 per one thousand board feet of the timber sale proceeds for the harvesting, bucking, forwarding, and sale of salvaged logs, and proceeds above the \$300 per thousand board feet will go to Jefferson County.

Now, Therefore, Be It Resolved, That Jefferson County enter into an agreement with the Jefferson County Soil and Water Conservation District for the harvest of white ash trees on County forest lands for the period August 1, 2024 to December 31, 2027, and be it further

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

Seconded by Legislator: Philip N. Reed, Sr.

All members present voted aye.

Resolution No. 229

**Authorizing an Amendment to the Civil Service Employees Association Collective
Bargaining Agreement and a Memorandum of Understanding in Relation to Caseworker**

Recruitment and Retention

By Legislator: Robert D. Ferris

Whereas, County Departments of Social Services across the State of New York are experiencing difficulty in recruiting and retaining caseworker titles, resulting in a large number of vacancies and employee turnover, and

Whereas, Jefferson County shares these challenges and has been working diligently to address such challenges at the local level through a multi-faceted approach, and

Whereas, This multi-faceted approach includes adjustment to the qualifications for caseworkers to expand the pool of applicants, development an internship program to provide workload assistance and build relationships with potential future applicants, soliciting ideas from counties that have experienced some level of success in recruiting and retaining, and actively seeking ideas from the County's valued employees, and

Whereas, As part of this approach, Jefferson County Management and the Civil Service Employees Association (CSEA) have worked collaboratively through the labor-management process to discuss potential solutions to the challenges and have reached a tentative agreement on a Memorandum of Understanding (MOU) for recruitment and retention incentives, and

Whereas, By Resolution 105 of 2022, this Board of Legislators authorized a Collective Bargaining Agreement with CSEA, and

Whereas, it is advantageous to change the grades of certain caseworker titles within said Agreement in order to increase recruiting competitiveness to fill vacant positions in order to provide mandated services within the Department of Social Services to the best of the County's ability.

Now, Therefore, Be It Resolved, That the Human Resources Director is authorized to execute said MOU to include recruitment and retention incentives, and be it further

Resolved, That the Grades for the following positions will be as indicated below, effective the pay period of August 18, 2024:

Caseworker	Grade 18
Senior Caseworker	Grade 19
Child Protective Caseworker	Grade 19
Senior Child Protective Caseworker	Grade 20
Case Supervisor, Grade B	Grade 21

Seconded by Legislator: Philip N. Reed, Sr.

Legislator Jareo asked for a roll call vote.

Legislator Boulio said he worked in county government for 32 years and this resolution is so close to what he used to do that he cannot support it because of the process that the Board went through to get it to this point, because he does not support doing MOUs in the middle of negotiations, and because he didn't believe a half a million dollars will address the problem.

Legislator Potter did not support the resolution because he did not believe giving money to these individuals would solve the problems at DSS, he said more people continue to leave and felt there were bigger issues in the department that have been ongoing for some time.

Roll Call Vote

Ayes: Nabywaniec, Jareo, Ferris, Montigelli, Peck, Bartlett-Bearup, Reed, Johnson

No: Doldo, McBride, Grant, Calarco, Boulio

Absent: Cantwell

Resolution passed.

Resolution No. 230

Authorizing a Retention Bonus for Certain Children's Services Management Titles

By Legislator: Robert W. Cantwell, III

Whereas, County Departments of Social Services across the State of New York are experiencing difficulty in recruiting and retaining certain titles within Children's Services, resulting in a large number of vacancies and employee turnover, and

Whereas, Jefferson County shares these challenges and has been working diligently to address such challenges at the local level through a multi-faceted approach, and

Whereas, As part of this approach, Jefferson County would like to recognize certain management titles within Children's Services in the form of a retention bonus, and

Whereas, In order to be eligible for said retention bonus, employees will be required to commit to County employment for a three-year period.

Now, Therefore, Be It Resolved, That employees in the following management titles receive a retention bonus of \$6,000, subject to the terms and conditions of a commitment letter:

Case Supervisor, Grade A
Director of Social Services

Seconded by Legislator: Philip N. Reed, Sr

Legislator Jareo asked for a roll call vote.

Legislator McBride said the Board should hold appointed management staff accountable for maintaining proper department level staffing updates and it is unacceptable to have a department lose this amount of staff and notify county administration that they are now in crisis mode. Even if the news is bad, it still should be shared so it can be addressed, and for those reasons he is not supporting the resolution.

Roll Call Vote

Ayes: Ferris, Peck, Reed, Boulio, Nabywaniec, Bartlett-Bearup, Montigelli, Jareo, Johnson

No: McBride, Calarco, Potter, Grant, Doldo

Absent: Cantwell

Resolution passed.

Resolution No. 231

Authorizing Agreements with the Federal Aviation Administration and New York State Department of Transportation for the Watertown International Airport Runway 10-28 Rehabilitation Construction, State Environmental Quality Review Determination and Amending the 2024 County Budget and Capital Plan Related Thereto

By Legislator: Christopher S. Boulio

Whereas, By Resolution 110 of 2022, the Board of Legislators authorized agreements with the Federal Aviation Administration (FAA), New York State Department of Transportation (NYSDOT), and McFarland Johnson, Inc. for the design and bidding of the Runway 10-28 Rehabilitation Design, and

Whereas, The Watertown International Airport anticipates grant funding from the FAA through the Airport Improvement Program (AIP) in Federal Fiscal Year 2024 for Runway 10-28 Rehabilitation Construction for \$3,415,728, and

Whereas, The Watertown International Airport anticipates a NYSDOT grant in Federal Fiscal Year 2024 for an amount up to \$189,763, and

Whereas, The local cost share of AIP grant is \$189,763, and

Whereas, A Categorical Exclusion Determination was prepared and approved by the Federal Aviation Administration on July 20, 2022 in accordance with the National Environmental Protection Act, And a subsequent review was completed pursuant to 6 NYCRR Part 617 in relation to the State Environmental Quality Review Act (SEQR), and

Whereas, The proposed improvements are classified as a Type II action under SEQR per NYCRR Part 617.5(c)(2), “replacement, rehabilitation, or reconstruction of a structure of facility, in kind, on the same site, including upgrading buildings to meet energy, or fire codes, unless such action meets or exceeds any of the thresholds in section 617.4”, and section 617.5(c)(9), “Construction or expansion of primary or accessory/appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or use variance and is consistent with local land use controls, but not radio communication or microwave transmission facilities”.

Now, Therefore, Be It Resolved, That Pursuant to 6 NYCRR Part 617, Jefferson County has determined the proposed improvements are classified as a Type II action and no further action is required, and be it further

Resolved, That Jefferson County enter into an agreement with the FAA to accept said grant funds through AIP in the amount of \$3,415,728, and be it further

Resolved, That Jefferson County enter into an agreement with NYSDOT to accept said grant funds in an amount up to \$189,763, and be it further

Resolved, That Jefferson County, upon award of the FAA grant, enter into agreements with the FAA, NYSDOT for said project and that the Chairman of the Board is hereby authorized and directed to execute said agreements on behalf of the County, subject to review of the County Attorney as to form and content, and be it further

Resolved, That the 2024 County Budget is hereby amended as follows:

Increase:

Revenue

20900600 94589	Federal Aid – Airport Capital Projects	\$3,415,728
20900600 93589	Airport State Aid – DOT	189,763

Expenditure

205610000 02087	Runway 10-28	\$3,795,254
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Decrease

20698900 02064	Property Acquisition/Improvements	\$ 189,763
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and be it further

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

Seconded by Legislator: Steel E. Potter

Roll Call Vote

Ayes: Boulio, Jareo, Montigelli, Nabywaniec, Ferris, Coldo, Bartlett-Bearup, Grant, Reed, Peck, McBride, Potter, Calarco, Johnson

Absent: Cantwell

Resolution passed.

Resolution No. 232

Authorizing Agreements with McFarland Johnson and Baseline King Corporation in relation to the Installation of Backup Weather Equipment, State Environmental Quality Review Determination and Amending the 2024 County Budget and Capital Plan in Relation Thereto

By Legislator: Philip N. Reed, Sr.

Whereas, By Resolution 121 of 2023, the Board of Legislators authorized agreements with the Federal Aviation Administration to enter the Non-Federal Weather Observation Program and McFarland Johnson Inc. for design services associated with the project, and

Whereas, By Resolution 111 of 2023 the Board of Legislators approved \$105,000 of American Rescue Plan Act (ARPA) funding for the project, and

Whereas, McFarland Johnson has since completed said design, coordinated the bidding process and recommends that the low bidder, Baseline King Corporation be awarded contracts for general construction in the amount of \$138,118, and

Whereas, The County's selected airport consultant on the project, McFarland Johnson Inc., will assist in construction inspection and oversight at a cost not to exceed \$15,000, and

Whereas, A review was completed pursuant to 7 NYCRR Part 617 in relation to the State Environmental Quality Review Act (SEQR), and

Whereas, The proposed improvements are classified as a Type II action under SEQR per NYCRR Part 617.5(c)(9), "Construction or expansion of primary or accessory/appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or use variance and is consistent with local land use controls,

but not radio communication or microwave transmission facilities”, and

Whereas, Additional local funds are needed in the amount of \$48,118 to fully fund the project.

Now, Therefore, Be It Resolved, That Jefferson County enter into an agreement with Baseline King Corporation, for general construction in the amount of \$138,118, and be it further

Resolved, That Jefferson County enter into an agreement with McFarland Johnson Inc. for an amount not to exceed \$15,000, and be it further

Resolved, That Pursuant to 6 NYCRR Part 617, Jefferson County has determined the proposed improvements are classified as a Type II action and no further action is required, and be it further

Resolved, That the Chairman of the Board of Legislators, be and is hereby authorized and directed to execute said agreements on behalf of the County, including any changes orders as recommended by the Director of Aviation and County Administrator, not to exceed available funding, subject to review of the County Attorney as to form and content, and be it further

Resolved, that the 2024 County Budget is hereby amended as follows:

Increase:

Expenditure

20561000 02076	Weather Equipment System	\$48,118
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Decrease:

20698900 02064	Property Improvements	\$48,118
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and be it further

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

Seconded by Legislator: Steel E. Potter

Roll Call Vote

Ayes: Bartlett-Bearup, Boulio, Peck, McBride, Calarco, Montigelli, Doldo, Nabywaniec, Potter, Reed, Grant, Ferris, Jareo, Johnson

Absent: Cantwell

Resolution passed.

**Authorizing Agreements with Municipal Emergency Services for Acquisition of Aircraft
Rescue and Firefighting Equipment for the Watertown International Airport**

By Legislator: Corey Y. Grant

Whereas, By Resolution 309 of 2023, the Board of Legislators authorized an agreement with McFarland-Johnson, Inc for the completion of formulation steps for the acquisition of Aircraft Rescue and Firefighting Equipment (Protective Clothing, SCBA, & Equipment) for the Watertown International Airport, and

Whereas, The County's selected airport consultant on this project, McFarland Johnson, Inc., has coordinated the bidding process and recommends that the lower bidder, Municipal Emergency Services, Inc., be awarded the purchase contract in the amount of \$251,643.98, and

Whereas, Funding is available in the airport capital account established for said purchase.

Now, Therefore, Be it Resolved, That Jefferson County, enter into agreements with Municipal Emergency Services, Inc., for said project and that the Chairman of the Board is hereby authorized and directed to execute said agreements on behalf of the County, including any change orders as recommended by the Director of Aviation and County Administrator, not to exceed the funding available, subject to review of the County Attorney as to form and content.

Seconded by Legislator: Steel E. Potter

All members present voted aye.

Resolution No. 234

Amending the 2024 County Budget in Relation to Highway Office Complex

By Legislator: Philip N. Reed, Sr.

Whereas, By Resolution 279 of 2021, The Board of Legislators allocated American Rescue Plan Act (ARPA) funding including \$500,000 towards the construction of a new Highway Administration Building, and

Whereas, By Resolution 135 of 2023, The Board allocated \$500,000 additional in ARPA funding towards the project, and

Whereas, By Resolution 53 of 2024, The Board entered into agreements for the construction of the building and appropriated an additional \$100,000 for the project, and

Whereas, The purchase and install of a new generator for the Highway Office Complex has been recommended by the Superintendent of Buildings & Grounds and Superintendent of Highway, as opposed to repurposing a used and undersized generator, and

Whereas, Funds are available for transfer in the Road Machinery Fund to pay for the cost of the generator.

Now, Therefore, Be It Resolved, That the 2024 County Budget is hereby amended as follows:

Increase:

Transfers

10995000 09006	Transfer to Capital Projects	\$35,000
20900600 95031	Interfund Transfer	\$35,000

Expenditure

20501000 02052	Highway Office Complex	\$35,000
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Decrease:

10513000 02600	Shop Equipment	\$35,000
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Seconded by Legislator: Christopher S. Boulio

All members present voted aye.

Resolution No. 235

Authorizing an Intergovernmental Agreement with the Town of Henderson to Exchange Ownership and Jurisdiction of County Road 123 and Military Road with said Town, Amending the County Highway Map and Amending the 2024 County Budget in Relation Thereto

By Legislator: Philip N. Reed, Sr.

Whereas, By Resolution 76 of 1999 this Board authorized the “Jurisdictional Road Reclassification Program” providing for the transfer of certain roads and parts thereof to the Town in which the road is located upon the recommendation of the Highway Superintendent, and

Whereas, Sections 115-b and 115-c of New York Highway Law provide the County Board of Legislators with the authority, upon the recommendation of the Highway Superintendent and pursuant to a written agreement with the governing body of a town, to remove portions of roads from the highway system upon the adoption of a resolution, and

Whereas, The Jefferson County Highway Superintendent has recommended the removal of County Road 123 from the County Highway System and that ownership of said road be transferred to the Town of Henderson as hereinafter set forth, and

Whereas, The Jefferson County Highway Superintendent has further recommended that Jefferson

County assume ownership of Military Road, which is located in the Town of Henderson, as hereinafter set forth.

Now, Therefore, Be it Resolved, that the Chairman of the Board and the Highway Superintendent be and hereby are authorized to execute an intergovernmental agreement with the Town of Henderson to transfer ownership of County Road 123 a/k/a Harbor Road, including all drainage structures located thereon (and which road commences at the intersection with New York State Route 3 at mile marker 0.00, thence runs northerly and thence northeasterly through the hamlet of Henderson Harbor to the intersection with New York State Route 3 at mile marker 3.81, for a total distance of 3.81 miles) to the Town of Henderson, and be it further

Resolved, That upon conveyance of the above described County Road 123 to the Town of Henderson, it shall be deleted from the Jefferson County Highway System Map, and be it further

Resolved, That as part of the transfer of ownership of County Road 123 to the Town of Henderson, Jefferson County shall pay the amount of \$768,000.00 to the Town of Henderson from Jefferson County Road Account #0551120004930, for the specific purpose of rehabilitating County Road 123 and for which Jefferson County would otherwise be responsible in the absence of such transfer of ownership, and be it further

Resolved, That said agreement also transfer ownership of a portion of the town road called Military Road located in the Town of Henderson, including all drainage structures located thereon (and which road commences at the intersection with North School House Road at mile marker 0.00, thence runs southerly and thence easterly to the intersection of Snowshoe Road and County Road 178 at mile marker 1.37, for a total distance of 1.37 miles) to the County, and be it further

Resolved, That upon conveyance of the above described Military Road to the County, it shall be added to the Jefferson County Highway System Map, and be it further

Resolved, That the Chairman of the Board and County Attorney are hereby authorized to execute all necessary documents to effectuate the transfer of ownership as above described, and be it further

Resolved, That the 2024 County Budget is hereby amended as follows:

Increase:

Transfers		
20990100 09005	Interfund Transfer to County Road Fund	\$768,000
05900300 95031	Interfund Transfer From Capital Fund	\$768,000
Expenditure		
05511200 04930	Paving County Roads	\$768,000

Decrease:

20511200 02723 CR 123 \$768,000

Seconded by Legislator: Corey Y. Grant

Legislator Jareo thanked Highway Superintendent Lawrence for all the work he did on this project as it is a good deal for the County and the town.

All members present voted aye.

Resolution No. 236

Recognizing NYS Division of Criminal Justice Services GIVE Grant Award to the Probation Department and Amending the 2024 County Budget in Relation Thereto

By Legislator: Philip N. Reed, Sr.

Whereas, The Jefferson County Probation Department has been awarded an NYS Division of Criminal Justice Services Gun Involved Violence Elimination (GIVE) Grant in the amount of \$187,650, and

Whereas, The GIVE initiative provides for preventative and enforcement strategies to focus efforts on hot spot policing, deterrence through community outreach and resource alignment, and specialized training, and

Whereas, Said grant will be used to partially offset salary and fringe benefits of existing positions and for overtime costs, electronic monitoring and training.

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

Resolved, That the 2024 County Budget is hereby amended as follows:

Increase:

Revenue		
01314000 93389	State Aid - Other Public Safety	\$187,650
Expenditure		
01314000 01300	Overtime	\$ 18,600
01314000 04419	Electronic Home Detention	10,000

01314000 04613 Training 3,100

Decrease:

01000000 30599 Appropriated Fund Balance \$155,950

Seconded by Legislator: Steel E. Potter

Roll Call Vote

Ayes: Jareo, Reed, Grant, Calarco, Montigelli, Cantwell, Boulio, McBride, Potter, Peck,
Nabwyaniec, Doldo, Ferris, Bartlett-Bearup, Johnson

Absent: Cantwell

Resolution passed.

Resolution No. 237

Authorizing an Agreement with AutoMon, LLC

By Legislator: Steel E. Potter

Whereas, The Probation Department utilizes a web-based software program for case management services through AutoMon, LLC known as Caseload Explorer to provide technical support services to Probation related to the program, and

Whereas, AutoMon, LLC has been awarded the contract to provide software associated with the program, and funds are included in the Adopted 2024 County Budget.

Now, Therefore, Be It Resolved, That Jefferson County desires to enter into an agreement with AutoMon, LLC for said services for the period August 10, 2024 through August 9, 2025, 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 the review of the County Attorney as to form and content.

Seconded by Legislator: Christopher S. Boulio

All members present voted aye.

Resolution No. 238

Reclassifying a Position in the Office for the Aging

By Legislator: Frances A. Calarco

Whereas, The Office for the Aging has an increased number of clients requiring assistance with services to meet the older adults needs in Jefferson County, and

Whereas, A vacant Account Clerk position exists within the Office for the Aging, and

Whereas, Sufficient funds are available due to vacancies within the Office for the Aging budget to accommodate a position reclassification for Position No. 6772011 in the department budget from Account Clerk to Specialist, Services for the Aging to better meet the needs of increased clients, and

Whereas, Due to the nature of the Specialist role, the County will be able to claim a greater amount of allocated funding, as opposed to the Account Clerk.

Now, Therefore, Be It Resolved, that the Board of Legislators concurs with the recommendation to reclassify Position No. 6772011 in the Office for the Aging budget from Account Clerk to Specialist, Services for the Aging.

Seconded by Legislator: Robert W. Cantwell, III

All members present voted aye.

Resolution No. 239

Amending the 2024 County Budget Relative to Community Services Department Court Commitments and Calling for New York State to Enact Necessary Reforms for Determining the Capacity of a Defendant to Stand Trial

By Legislator: Christopher S. Boulio

Whereas, Section §730 of the Criminal Procedure Law (CPL) provides that defendants charged with felonies who are mentally ill and/or developmentally disabled and who are determined by a court to be unable to understand the charges against them or participate in their own defense (often called “730’s”) are sent to New York State-operated forensic hospitals solely for the purpose of trying to restore them to competency so they can stand trial, and

Whereas, Since enactment of the State FY 2020-21 Budget, the State has required counties to pay 100 percent of the OMH State Operations costs for individuals receiving court-ordered mental health competency restoration services at State-operated Forensic Psychiatric Centers, and

Whereas, County cost of these services has risen to over \$1,600 per day and the current statute does not require a timeline be established for when a defendant is unable to be restored, and

Whereas, Pursuant to Resolution 174 of 2024, the Board of Legislators requested that CPL §730.10 be modified to make clear that restoration is not mental health treatment, CPL §730.20 be reformed to establish specific criteria for 730 examiners, OMH consistently follow their agreements with the county mental health commissioners/directors of community services to provide specific and timely information on the clients/defendants ordered to and released from restoration, CPL §730.20 adjust the fee for services provided to be much more reasonable and total costs shared equally at 50% for NYS and the impacted county, CPL §730.50 limit the time defendants are ordered for restoration services, and that MHL §9.33 allow individuals to be transferred to Article 9 facilities if it is determined that a defendant is unable to be restored, and

Whereas, Additional appropriations are needed to cover current maintenance and examination services to patients placed in NYS Office of Mental Health psychiatric facilities pursuant to County Criminal or Family Court Orders.

Now, Therefore, Be It Resolved, That, the Jefferson County Board of Legislators reaffirms its request that CPL §730.10 be modified to make clear that restoration is not mental health treatment, so the judiciary is better informed that a 730 order does not treat underlying mental health conditions, and be it further

Resolved, That the Jefferson County Board of Legislators reaffirms its request that CPL §730.20 be reformed to establish specific criteria for 730 examiners, streamlining the process to establish equity across the system, and that the psychiatrist or psychologist conducting the psychiatric exam tell the court whether or not there is a reasonable chance of restoration, thereby granting the court an opportunity to allow diversion to mental health treatment, and be it further

Resolved, That the Jefferson County Board of Legislators reaffirms its request that OMH consistently follow their agreements with the county mental health commissioners/directors of community services to provide specific and timely information on the clients/defendants ordered to and released from restoration, and be it further

Resolved, That the Jefferson County Board of Legislators reaffirms its request that CPL §730.20 shall adjust the fee for services provided to be much more reasonable and total costs shared equally at 50% for NYS and the impacted county, and be it further

Resolved, That the Jefferson County Board of Legislators reaffirms its request that CPL §730.50 limit the time defendants are ordered for restoration services, and be it further

Resolved, That the Jefferson County Board of Legislators reaffirms its request that MHL §9.33 allow individuals to be transferred to Article 9 facilities if it is determined that a defendant is unable to be restored, and be it further

Resolved, That copies of this resolution be sent to Governor Kathy Hochul and the New York State Legislature encouraging them to enact definitive reforms to Section 730 of the Criminal Procedure Law, and be it further

Resolved, That the 2024 County Budget is hereby amended as follows:

Increase:

Fund Balance		
01000000 30599	Appropriated Fund Balance	\$366,078
Expenditure		
01439000 04413	Medical Fees - Court Commitments	\$366,078

Seconded by Legislator: Tina M. Bartlett-Bearup

Legislator Peck said the resolution was well written but he still did not agree with the State's process in handling these commitments as it is a disservice to everyone involved. The County is on course for paying \$1.16 million as of the end of July, 2024 and if the Governor was really interested in crime and any type of reform she would pay attention to this. He will continue to vote no on these resolutions until the State comes to the table and revises the program.

Roll Call Vote

Ayes: Nabywaniec, Bartlett-Bearup, Calarco, Boulio, Reed, Montigelli, Johnson

No: McBride, Ferris, Potter, Grant, Doldo, Peck, Jareo

Absent: Cantwell

Resolution defeated.

Resolution No. 240

**Accepting Donation on Behalf of the Jefferson County Public Health Service
and Amending the 2024 County Budget**

By Legislator: Tina M. Bartlett-Bearup

Whereas, The Garden Conservancy, Inc., of Garrison, NY, has donated funds to the Jefferson County Public Health Service in memory of a former patient, and

Whereas, The 2024 County Budget must be amended to recognize this donation.

Now, Therefore, Be It Resolved, That Pursuant to County Law Section 215 (3), this Board of Legislators gratefully accepts said donation, and be it further

Resolved, That the 2024 County Budget is amended as follows:

Increase:

Revenue:
01405000 92705 Gifts/Donations \$200

Expenditure:
01405000 04585 Operating Supplies \$200

Seconded by Legislator: Robert W. Cantwell, III

Roll Call Vote

Ayes: Calarco, Jareo, Boulio, Doldo, Potter, McBride, Nabwyaniec, Bartlett-Bearup,
Ferris, Grant, Montigelli, Peck, Reed, Johnson

Absent: Cantwell

Resolution passed.

Resolution No. 241

Amending 2024 County Budget Relative to Social Services Department Accounts

By Legislator: Tina M. Bartlett-Bearup

Whereas, The Jefferson County Department of Social Services has experienced a higher number of vacancies than anticipated in 2024, and

Whereas, Due to the current competitive job market, vacancies are also remaining unfilled for longer periods of time, and

Whereas, The shortage in staff has resulted in more employees working additional hours/overtime to meet program mandates, and

Whereas, The Department has also employed Retirees as True Temporary employees to assist with workflow and meeting mandates, and

Whereas, The Department has implemented and continues to explore various ways to recruit and retain employees, and

Whereas, Due to the significant vacancies, funds are available within the personal services line, and

Whereas, It is necessary to amend the 2024 County Budget to fund the Temporary and Overtime accounts through the end of 2024.

Now, Therefore, Be It Resolved, that the 2024 County Budget is hereby amended as follows:

Increase:

01601000 01110	Temporary	\$ 70,000
01601000 01300	Overtime	225,000

Decrease:

01601000 01100	Personal Services	\$295,000
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Seconded by Legislator: Corey Y. Grant

All members present voted aye.

Chairman Johnson entertained a motion and second to waive Standing Rules 35 and 60 to permit the introduction of two additional items for consideration. Such motion was made by Legislator Jareo seconded by Legislator Ferris and unanimously carried

COUNTY OF JEFFERSON

Local Law Intro. No. II of the Year 2024

A LOCAL LAW AUTHORIZING 12 AND 13 YEAR OLD LICENSED HUNTERS TO HUNT DEER WITH A FIREARM OR CROSSBOW DURING HUNTING SEASON WITH THE SUPERVISION OF AN ADULT LICENSED HUNTER

By Legislator: Corey Y. Grant

Be it Enacted, by the Jefferson County Board of Legislators as follows:

Section 1. Legislative Intent

The intent of this Local Law is to authorize Jefferson County to permit 12 and 13 year old individuals to participate in the new hunting opportunities provided by Environment Conservation Law § 11-0935. The enacted 2021-2022 New York State Budget, included a pilot program, allowing the opportunity for young hunters, ages 12 and 13, to hunt deer with firearms and crossbow through 2023 if a county authorizes such action within their municipality by local law. An extender has since been enacted extending the pilot through 2025, and requiring the passage of an additional local law. Jefferson County is passing this local law as hunting is a valued tradition for many families, and this new opportunity allows experienced, adult hunters to introduce the values of hunting to the next generation. Furthermore, teaching young people safe, responsible, and ethical hunting practices will ensure a rewarding experience for the youth, while providing quality food to families and contributing to important deer population control

practices.

Section 2. Pilot Program Authorization

Pursuant to Environmental Conservation Law § 11-0935, Jefferson County elects to participate in the temporary program to allow for young hunters, ages twelve (12) and thirteen (13), to hunt deer with a firearm, to include rifles, shotguns, and muzzle loaded firearms or crossbow through 2025.

Section 3. State Requirements

Twelve (12) and thirteen (13) year old licensed hunters shall be allowed to hunt deer subject to the following requirements:

- Twelve (12) and thirteen (13) year old licensed hunters shall be accompanied by a parent or legal guardian, or person designated in writing by such parent or legal guardian on a form prescribed by the NYS Department of Environmental Conservation, who is twenty one years of age or older; and
- Such parent, guardian or person has had at least three years experience in deer hunting; and
- Such parent, guardian or person holds a hunting license; and
- Such parent, guardian or person maintains physical control over the minor at all times while hunting. For purposes of this paragraph “physical control” shall mean that the physical proximity of such minor to the parent, guardian, or person is such that the parent, guardian or person is reasonably able to issue verbal directions and instructions, maintain constant visual contact, and otherwise provide guidance and supervision to the minor; and
- Such parent, guardian, or person and the minor remain at ground level at all times while hunting; and
- Such parent, guardian or person and the minor shall each display either a minimum total of two hundred fifty square inches of solid fluorescent orange or pink or patterned fluorescent orange or pink consisting of no less than fifty percent fluorescent orange or pink material worn above the waist and visible from all directions, or a hat or cap with no less than fifty percent of the exterior consisting of solid fluorescent orange or pink material and visible from all directions.

Section 4. Local Law Filing Requirements

A copy of this local law shall be sent to the New York State Department of Environmental Conservation as well as the NYS Department of State.

Section 5. Severability Clause

If any part of this local law is for any reason held to be unconstitutional or invalid, such decision shall not effect the remainder of this law. The County hereby declares that it would have passed this local law and each section or subsection thereof, irrespective of the fact that any one or more of these sections, subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

Section 6. Effective Date

This local law shall take effect immediately upon filing with the Office of the Secretary of State of the State of New York in accordance with Section 27 of the Municipal Home Rule.

Seconded by Legislator: Robert D. Ferris

Administrator Soper explained that the County has previously adopted a Local Law to do this but it had a sunset date that has now expired and the County needs to adopt a new Local Law if it wishes to continue the practice. He said the NYSDEC maintains a map that shows the counties that have enacted this legislation so there are no misconceptions and it currently shows Jefferson County as not having this program.

Legislator Montigelli pointed out that this is certainly an appropriate reason to waive Standing Rules.

Chairman Johnson entertained a motion and second to lay the Local Law on the table pending a public hearing. Such motion was made by Legislator Peck seconded by Legislator McBride and unanimously carried.

Resolution No. 242

Setting Time and Place for Public Hearing on Local Law Intro. No. II of 2024

By Legislator: John D. Peck

Resolved, That this Board of Legislators shall hold a public hearing on a proposed local law entitled " A Local Law Authorizing 12 and 13 Year Old Licensed Hunters to Hunt Deer With a Firearm or Crossbow During Hunting Season With the Supervision of an Adult Licensed Hunter" on September 3, 2024 at 6:00 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: Daniel R. McBride

All members present voted aye.

In response to questions about using ARPA funds to address the homelessness issue, Administrator Soper explained that there needs to be an obligation of the funds as of December 31, 2024 and that means an actual signed contract, or PO for the services, and the funds have to be expended by December 31, 2026 in most cases. He said they are going through a forensic of the RFP with organizations that may have had an interest as to what the barriers were that kept them from responding, and the funding can be used to work directly with our partners. DSS Housing Director Jillian Redder is combing through that data and they will be regrouping to determine options. He is confident that the County does have other options and we will not lose the money, and as long as it is a priority of the Board for those funds to go toward solutions for homelessness that is what will be done with the funds.

Chairman Johnson said this was the last Board meeting before County Attorney David Paulsen will be retired and he thanked him for his service to Jefferson County and wished him well in retirement.

There being no further business, on a motion by Legislator Montigelli seconded by Legislator Bartlett-Bearup and unanimously carried, the meeting was adjourned at 6:43 p.m.

Respectfully submitted,



Dylan M. Soper
Clerk of the Board