

REGULAR SESSION

TUESDAY, JUNE 4, 2024

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

ROLL CALL OF MEMBERS

All members present except Legislators Calarco and Peck.

PRIVILEGE OF THE FLOOR

No one present wished to address the Board

Andrea Tipping, Co-Founder & CEO, and Greg Tipping, Co-Founder & Chief Strategy Officer of TIPCO Automated Systems made a presentation to the Board concerning TIPCO and their AI powered eligibility verification assistant (EVA). Their company has 70 years experience in the social services and IT space and they like to think in terms of “allow the machines to be better machines to allow the humans to be better humans”. EVA is designed to be a support to the social services agency as they face workforce challenges just like everyone else these days. EVA can take care of a lot of repetitive tasks that take place in the agency, and it has three components; EVA Phone (taking calls answering questions, change in circumstance), EVA rights and responsibilities (can read required rights and responsibilities), EVA Companion (answers for workers to all local, state and federal policies and procedures). They outlined each component in detail, how it can help the workers and clients, and did a demonstration of EVA phone. Mr. Tipping explained where TIPCO is in the process with approvals from New York State (NYS) in order to process more complicated questions related to data collection and client information and how their program will grow with the NYS approval. They answered questions of legislators related to this AI technology.

READING OF MINUTES OF LAST SESSION, IF REQUESTED

The minutes of the May Board 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 and on Legislators expenses.

REPORTS OF COUNTY OFFICERS AND OTHER

The County Treasurer provided report on Investments and Cash in Banks as of April 30, 2024

The County Administrator provided a report on Budget Transfers for the month of May, 2024.

The County Auditor provided a report on Erroneous Assessments for the month of May, 2024.

LOCAL LAWS, RESOLUTIONS AND MOTIONS

Resolution No. 156

Amending the 2024 County Budget Relative to Advertising in County Administration

By Legislator: John D. Peck

Whereas, County Administration has experienced higher than normal turnover due to retirements, and

Whereas, This turnover has led to higher than anticipated expenses in advertising due to efforts to reach and attract highly qualified candidates to fill positions, and

Whereas, The vacancies related to the turnover has led to lower than anticipated expenses in personnel services, and

Whereas, It is necessary to amend the 2024 County Budget to fund the increase in advertising.

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

Increase:

01104000 04415	Advertising	\$7,500
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Decrease:

01104000 01100	Personal Services	\$7,500
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Seconded by Legislator: Philip N. Reed, Sr.

All members present voted aye.

Resolution No. 157

Payment of Legislators' Expenses

By Legislator: Robert D. Ferris

Whereas, The Finance & Rules Committee is responsible for examining and auditing claims made by members of the Board, and

Whereas, Claims in the amount of \$371.19 have been audited and deemed allowable.

Now, Therefore, Be It Resolved, That the County Treasurer be and is hereby directed to draw checks payable to the claimants as audited.

Seconded by Legislator: Robert W. Cantwell, III

All members present voted aye.

Resolution No, 158

Setting and Reporting Standard Work Day Hours to the New York State and Local Employees' Retirement System for Certain Elected Officials

By Legislator: Philip N. Reed, Sr.

Be It Resolved, That the County of Jefferson/10022 10 hereby establishes the following as the standard work days for these titles and will report the officials to the New York State and Local Employees' Retirement System based on the record of activities. maintained and submitted by this official to the Clerk of this body:

ELECTED OFFICIALS

Title	Standard Work Day (Hrs/day) Min. 6 hrs Max 8 hrs	Name	Social Security Number (Last 4 digits)	Registration Number	Tier 1 (Check only if member is in Tier 1)	Current Term Begin & End Dates (mm/dd/yy-mm/dd/yy)	Record of Activites Result	Not submitted (Check only if official did not submit their Record of Activities)
Elected Officials								
District Attorney	8 hrs	Kristyna S. Mills	3854	37937893		01/01/24-12/31/27	20.39	

Seconded by Legislator: Robert D. Ferris

All members present voted aye.

Resolution No. 159

**Authorizing An Agreement for Statewide Expansion of the Hurrell-Harring Settlement
Relative to Indigent Defense**

By Legislator: John D. Peck

Whereas, Resolution No. 251 of 2019 authorized a five-year agreement for the implementation of the statewide expansion of the Hurrell-Harring settlement through the Office of Indigent Legal Services (ILS), and

Whereas, The expansion is intended to improve the quality of public criminal defense by ensuring counsel at arraignments, caseload relief and quality improvement initiatives, and

Whereas, The term of the original five-year agreement, and a subsequent one-year extension, has now expired and a second round of funding has been awarded to Jefferson County in the amount of \$9,308,891.07, and

Whereas, The term of the new agreement will be for three years and run from April 1, 2024 to March 31, 2027, and

Whereas, Funding has been allocated in the County Budget.

Now, Therefore, Be It Resolved, That the Chairman of the Board is hereby authorized and directed to execute said agreement on behalf of Jefferson County, subject to approval by the County Attorney as to form and content.

Seconded by Legislator: Philip N. Reed, Sr.

All members present voted aye.

Resolution No. 160

**Authorizing FY2021 Cybersecurity Grant Agreement and
Amending the 2024 County Budget in Relation Thereto**

By Legislator: Robert D. Ferris

Whereas, The Information Technology Department has been awarded a \$50,000 FY2021 Cybersecurity Grant from the New York State Division of Homeland Security and Emergency Services (NYSDHSES) for the purpose of increasing Jefferson County's cybersecurity posture, and

Whereas, Funds will be utilized to enhance security for virtual remote access, and

Whereas, Said grant requires an agreement with the NYSDHSES, which now processes grants through an electronic format, and

Whereas, The 2024 County Budget must be amended to recognize the revenue and appropriate it to expenditure accounts.

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 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:

20900600 94320	Fed Aid Homeland Security Grants	\$50,000
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Expenditures:

20168000 02012	Computer Mainframe	\$50,000
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Seconded by Legislator: John D. Peck

Roll Call Vote

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

Absent: Calarco, Peck

Resolution passed.

Resolution No. 161

**Setting Time and Place for Public Hearing on Tentative
2024-2025 Jefferson Community College Budget**

By Legislator: Philip N. Reed, Sr.

Resolved, That a public hearing on the Tentative Jefferson Community College Budget for College Fiscal Year 2024-2025 be held before this Board of Legislators on Tuesday, July 2, 2024 at 6:00 p.m. in the Chambers of the Board of Legislators, 195 Arsenal Street, Watertown, NY, and be it further

Resolved, That the Clerk of the Board be and is hereby directed to give notice of said public hearing as required by law.

Seconded by Legislator: Robert W. Cantwell, III

All members present voted aye.

Resolution No. 162

**Amending the 2024 County Budget and Capital Plan in Relation to
Maintenance and Revitalization Projects for Jefferson Community College**

By Legislator: Robert W. Cantwell, III

Whereas, By Resolution 136 of 2023, this Board of Legislators allocated American Rescue Plan Act (ARPA) funding of \$1,000,000 for Jefferson Community College (JCC) to serve as the local match for anticipated New York State funding to remedy deteriorating pavement of two campus parking lots, and

Whereas, By Resolution 302 of 2023, this Board of Legislators authorized JCC to use \$350,000 of its capital reserve to serve as the local match for anticipated NYS funding to revitalize campus tennis courts, and

Whereas, The budget and capital plan already reflects the ARPA \$1,000,000 from Resolution 36 of 2023, however, there is a need to recognize NYS and JCC local match funds to fully fund the projects.

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

Increase:

Revenue		
20900600 92240	JCC Capital Costs	\$ 350,000
20900600 93097	State Aid College	1,350,000
Expenditure		
20249000 02056	JCC Campus Revitalization	\$1,700,000

and be it further

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

Seconded by Legislator: Robert D. Ferris

Roll Call Vote

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

Absent: Peck, Calarco

Resolution passed.

Resolution No. 163

Accepting a Donation for Veterans Monument and Amending the 2024 County Budget in Relation Thereto

By Legislator: Robert D. Ferris

Whereas, A Veterans Monument was placed in front of the County Office Building and funded through a private Veterans Memorial Monument Committee, and

Whereas, The Committee has now disbanded but desires to donate the remaining funds to the County in the amount of \$748.95 to pay for upkeep of the monument, and

Whereas, The funds need to be allocated to the Buildings Department for that purpose.

Now, Therefore, Be It Resolved, That Jefferson County gratefully accepts the \$748.95 and appreciates the efforts of the Veterans Memorial Monument Committee, and be it further

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

Increase:

Revenue		
01162000 92705	Gifts and Donations	\$748.95
Expenditure		
01162000 04211	Building/Property Maintenance	\$748.95

Seconded by Legislator: John D. Peck

Roll Call Vote

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

Absent: Peck, Calarco

Resolution passed.

Resolution No. 164

Authorizing Agreements with the Federal Aviation Administration, New York State Department of Transportation and McFarland Johnson, Inc. for a Safety Management

**System Manual and Implementation Plan and Amending the 2024 County Budget and
Capital Plan in Relation Thereto**

By Legislator: Philip N. Reed, Sr.

Whereas, As an International Port of Entry certificated under 14 CFR Part 139, the Airport Safety Management System (SMS) Final Rule, as published in the Federal Register in February 2023, requires Watertown International Airport to adhere to a SMS, and

Whereas, As qualifying under this criterion, the airport is required to submit a SMS implementation plan to the Federal Aviation Administration no later than February 2025, and

Whereas, A grant offer is anticipated from the Federal Aviation Administration (FAA) and New York State Department of Transportation (NYSDOT) for the SMS in the Amount of \$243,630 and \$13,535, respectively, and

Whereas, The County’s selected airport consultant on this project, McFarland Johnson, Inc., can assist in preparing the SMS Manual and Implementation Plan and has provided a scope of work and estimate at a cost not to exceed \$263,753, and

Whereas, The County is expected to incur \$6,947 in reimbursable administrative and preliminary expenses in relation to the project.

Now, Therefore, Be it Resolved, That Jefferson County, upon award of the FAA grant, enter into agreements with the FAA and NYSDOT to accept said grant funds in the amounts of \$243,630 and \$13,535, respectively, and be it further

Resolved, That Jefferson County, upon award of the FAA grant, enter into an agreement with McFarland Johnson for preparing the SMS Manual and Implementation Plan, and be it further

Resolved, That the Chairman of the Board of Legislators is hereby authorized and directed to execute said agreements on behalf of the County, including any change orders as recommended by the Airport Director and the County Administrator, not to exceed the funding available, subject to the 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	\$243,630
20900600 93589	Airport State Aid – DOT	13,535
Expenditure		
20561000 020993	Airport Planning Projects	\$270,700

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

Increase:

Revenue		
01341000 943204	Federal Homeland Security - Fire/EMO	\$56,300
Expenditures		
01341400 02100	Equipment	\$18,650
01341400 04111	Trackable Durable Expendables	4,500
01341400 04416	Professional Services	28,150
01341400 04585	Operating Supplies	5,000

Seconded by Legislator: Robert D. Ferris

Roll Call Vote

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

Absent: Peck, Calarco

Resolution passed.

Resolution No. 166

Authorizing an Agreement with the New York State Division of Homeland Security and Emergency Services in Relation to FY 2022 Hazardous Materials Targeted Grant Program and Amending the 2024 County Budget in Relation Thereto

By Legislator: Robert D. Ferris

Whereas, New York State Division of Homeland Security and Emergency Services (DHSES) has awarded Jefferson County a grant from the FY22 Hazardous Materials Targeted Grant Program through funding from the Department of Homeland Security's State Homeland Security Program, and

Whereas, The Grant totals \$56,300 and is provided to Jefferson County as the lead in a consortium with Lewis County, and

Whereas, The funding will be utilized for a small unmanned aircraft system, and a consultant to write a Jefferson/Lewis Hazmat Plan and Lewis County Decontamination Plan, and

Whereas, DHSES processes grants through an electronic format.

Now, Therefore, Be It Resolved, That Jefferson County hereby accepts said \$56,300 grant and the Chairman of the Board 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		
01341000 943204	Federal Homeland Security - Fire/EMO	\$56,300
Expenditures		
01341400 02100	Equipment	\$15,650
01341400 04416	Professional Services	28,150
01341400 04428	Public Safety Services - Other	12,500

Seconded by Legislator: Robert W. Cantwell, III

Roll Call Vote

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

Absent: Peck, Calarco

Resolution passed.

Resolution No. 167

Authorizing the Implementation and Funding in the First Instance 100% of the Federal Aid and State "Marchiselli" Program Aid Eligible Costs of a Transportation Federal-Aid Project (Noble Street over West Creek) and Appropriating Funds Therefor and Amending the 2024 County Budget and Capital Plan

By Legislator: Philip N. Reed, Sr.

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

Whereas, By Resolutions 209 of 2019, 290 and 295 of 2021, and 363 of 2022 the County of Jefferson approved the above project by making a commitment for the cost of the Right of Way Acquisition Phase for \$45,305, the Preliminary Design Phases I-IV, Right of Way Acquisition Phase and Design Phases V-VI of the project authorizing \$310,000 to cover the rest of these Phases, and \$177,000 for the Final Design Phase, and

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

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

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

Resolved, That the sum of \$3,360,000, which includes the Construction Phase of the Project, or so much thereof as is necessary is hereby appropriated from Account 20511300 02904 in the 2024 County Budget, and made available to cover the cost of participation in the above phase of the Project, and be it further

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

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

Resolved, That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and be it further

Resolved, That this Resolution shall take effect immediately, and be it further

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

Increase:

Revenue		
20900600 94592	Federal Aid Bridges	\$2,688,000
20900600 93592	State Aid Bridges	530,550
Fund Balance		
05000000 30599	Appropriated Fund Balance	\$ 141,450

Transfers		
05995000 09007	Transfer to Capital Bridges	\$ 141,450
20900600 950315	Interfund Transfer Roads	141,450
Expenditures		
20511300 02904	K019 Evans Mills	\$3,360,000

and be it further

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

Seconded by Legislator: Robert W. Cantwell, III

Roll Call Vote

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

Absent: Peck, Calarco

Resolution passed.

Resolution No. 168

Authorizing the Implementation and Funding of 100% of the Costs of a Transportation Project (Replacement of Noble Street over West Creek), of Which Qualified Costs May Be Reimbursed from Bridge NY Funds, Appropriating Funds Therefor and Amending the 2024 County Budget and Capital Plan

By Legislator: John D. Peck

Whereas, A Project for the Replacement of Noble Street over West Creek, PIN 775377 (the “Project”) is eligible for reimbursement of qualified costs from Bridge NY funding that calls for the post-reimbursement apportionment of the qualified costs to be borne at the ratio of 100% Bridge NY funds, and 0% non-Bridge NY funds, and

Whereas, By Resolutions 209 of 2019, 290 and 295 of 2021 and 363 of 2022, the County of Jefferson approved the above project by making a commitment of 100% of the cost of the Right of Way Acquisition Phase, Preliminary Design Phases I-IV and Right of Way Acquisition, and Final Design Phase of the project, and

Whereas, New York State has assigned a separate contract for the Bridge NY \$2,064,000 funding, and

Whereas, By Resolution of 2024, Jefferson County advanced the Project by making a commitment of 100% of the federal and 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 authorizes the Jefferson County Treasurer to pay in the first instance 100% of cost of the Construction Phase of the Project or portions thereof, with the understanding that qualified costs will be reimbursed from Bridge NY funding, and be it further

Resolved, That the sum of \$2,064,000, is hereby appropriated from Account 20511300 02904 in the 2024 County Budget, and made available to cover the cost of participation in the above phase of the Project, and be it further

Resolved, That the Jefferson County Board of Legislators hereby agrees that the County of Jefferson shall be responsible for all costs of the Project, including costs which exceed the amount of reimbursement available from the NY Bridge funding awarded to the County of Jefferson, and be it further

Resolved, That in the event 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 Jefferson County Board of Legislators hereby agrees that the County of Jefferson hereby commits that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months, 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 with NYSDOT for State Aid and/or Bridge NY funding, 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 be it further

Resolved, That the County of Jefferson will be responsible for all maintenance of the Project, 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 2024 County Budget is hereby amended as follows:

Increase:

Revenue

20900600 93592	State Aid Bridges	\$2,064,000
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Expenditure

20511300 02904	K019 Evans Mills	\$2,064,000
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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: Ferris, Grant, Nabywaniec, Potter, Bartlett-Bearup, Reed, Cantwell, Jareo, Boulio, Doldo, McBride, Montigelli, Johnson

Absent: Calarco, Peck

Resolution passed.

Resolution No. 169

Authorizing a Participation Agreement, State Environmental Quality Review Act (SEQR) Determination, and Amending the 2024 County Budget in Relation to a 2024 New York State Septic System Replacement Program Award

By Legislator: Philip N. Reed, Sr.

Whereas, New York State, through the Clean Water Infrastructure Act of 2017 established the State Septic System Replacement Fund, and

Whereas, New York State allocated \$30 million for Round 4 of the multi-year program, and

Whereas, The County has been awarded \$400,000 to assist landowners located within the priority areas of Chaumont Bay, Lake Ontario shoreline, Guffin Bay, Hart Brook, Skinner Creek, Minor tributaries to Black River, Pleasant Lake and tributaries, St. Lawrence River and tributaries, Moon Lake, Oswegatchie River, Indian River and tributaries, and West Creek and tributaries, and

Whereas, A Participation Agreement between the New York State Environmental Facilities Corporation and the County is necessary to access the funds, and

Whereas, The 2024 County Budget requires an amendment for revenue and expenditure line items associated with the Septic System Replacement award and program.

Now, Therefore, Be It Resolved, That the Chairman of the Board of Legislators is authorized to execute a Participation Agreement with the New York State Environmental Facilities Corporation, subject to the approval of the County Attorney as to form and content, and be it further

Resolved, That the County has determined that this Septic System Replacement project is a Type II Action under the State Environmental Quality Review Act and requires no further State environmental review, and be it further

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

Increase:

Revenue		
01802000 04025	Septic System Replacement	\$ 400,000

Expenditure		
01802000 93989	State Aid – Home & Community Service	\$ 400,000

Seconded by Legislator: John D. Peck

Roll Call Vote

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

Absent: Calarco, Peck

Resolution passed.

Resolution No. 170

Amending the 2024 County Budget to Allocate Additional State Aid for Comprehensive Substance Use Disorder Treatment for Correctional Facilities

By Legislator: Fances A. Calarco

Whereas, The New York State Office of Addiction Services and Supports has approved additional State Aid in the amount of \$160,000 to be allocated to the Jefferson County Sheriff's Department, and

Whereas, This funding is provided to correctional facilities to help with the cost of a Comprehensive Substance Use Disorder Treatment to include a Medication-Assisted Treatment Program, and

Whereas, The 2024 County Budget needs to be amended to transfer the funds to the Jefferson County Sheriff's Department.

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

Increase:

Revenue

01431000 93484	State Aid - Alcohol & Substance Abuse	\$160,000
01311000 91292	Sheriff Interdepart. Services Reimbursement	160,000

Expenditure:

01432000 04414	Supporting Services - Internal	\$160,000
01315000 04413	Jeff. Co. Corrections - Medical Fees	160,000

Seconded by Legislator: John D. Peck

Roll Call Vote

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

Absent: Peck, Calarco

Resolution passed.

Resolution No. 171

**Authorizing Agreement for Provision of Related Services
in Connection with the Program for Preschool Children with Disabilities
for the Period of July 1, 2024 through June 30, 2025**

By Legislator: Corey Y. Grant

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

Whereas, Chapter 243 of the Laws of 1989 requires that counties maintain a list of appropriately certified or licensed professionals to deliver related services to preschool children with disabilities and set a reasonable reimbursement rate for such services, subject to the approval of the New York State Education Department, and

Whereas, By Resolution Nos. 130 and 154 of 2024 Jefferson County authorized agreements with providers for the provision of related services and set rates for the period July 1, 2024 through June 30, 2025, and

Whereas, An agreement for an additional provider and services needs to be authorized.

Now, Therefore, Be It Resolved, That, pursuant to Section 4410 of the Education Law, Jefferson County enter into an agreement with the following party for the provision of the indicated service(s) for the period July 1, 2024 through June 30, 2025 in accordance with the requirements of the State Education Law and regulations:

<u>Provider</u>	<u>Service</u>
South Jefferson Central School District	Speech Therapy Physical Therapy Occupational Therapy

and be it further

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

Seconded by Legislator: Robert W. Cantwell, III

All members present voted aye.

Resolution Nol. 172

Authorizing Agreement with NYS Department of Education Approved Agencies for the Provision of Special Education Services for Preschool Children with Disabilities for the Period of July 1, 2024 through June 30, 2025

By Legislator: Christopher S. Boulio

Whereas, New York State Education Law requires that municipalities enter into agreements with agencies approved by the NYS Commissioner of Education to offer special education services to preschool children with disabilities who are determined by the Board of Education of local school districts to require placement in such special education programs, and

Whereas, The New York State Commissioner of Education has approved a number of providers of services and has set rates for all special education program services, and

Whereas, By Resolution Nos. 129 and 153 of 2024 Jefferson County authorized agreements with providers for the provision of special education services for preschool children with disabilities for the period of July 1, 2024 through June 30, 2025, and

Whereas, An agreement for an additional provider and services needs to be authorized.

Now, Therefore, Be It Resolved, Pursuant to Section 4410 of the New York State Education Law, Jefferson County is hereby authorized to enter into an agreement for the term July 1, 2024

through June 30, 2025, for the provision of special education services to children ages three through five with disabilities with the following New York State Education Department approved service provider:

<u>Provider</u>	<u>Service</u>
South Jefferson Central School District	Evaluations

and be it further

Resolved, That the Chairman of the Board of Legislators and the Director of Community Services are hereby authorized and directed to execute such agreement on behalf of Jefferson County, subject to approval by the County Attorney as to form and substance.

Seconded by Legislator: Frances A. Calarco

All members present voted aye.

Resolution No. 173

Authorizing Agreements for Bi-County Mobile Crisis Program Development and Implementation and Amending the 2024 County Budget in Relation Thereto

By Legislator: John D. Peck

Whereas, The New York State Office of Mental Health has identified counties within the state where mobile crisis services are presently unavailable, and

Whereas, Jefferson County and Lewis County have been identified lacking mobile crisis services and as such, have been awarded \$600,000 each for the development and start up costs of a mobile crisis program, and

Whereas, The Fort Drum Regional Health Planning Organization (FDRHPO) is uniquely positioned to manage the development of bi-county mobile crisis program due to its expertise in Medicaid billing, stakeholder engagement, and data collection, and

Whereas, An MOU will be developed between Jefferson County Community Services and Lewis County Community Services in the amount of \$150,000, the Lewis County share, for contracted services with FDRHPO, and

Whereas, Jefferson County Community Services has been designated as the lead agency and as such, will enter into a contract with FDRHPO.

Now, Therefore, Be It Resolved, That the Chairman of Board of Legislators is hereby authorized and directed to execute an MOU with Lewis County Community Services and an agreement with Fort Drum Regional Health Planning Organization for an amount not to exceed \$300,000 for a

term of two years, subject to the approval 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

01431000 93490	State Aid Mental Health	\$150,000
01431000 92280	Health Services for Other Governments	150,000

Expense

01431000 04416	Professional Fees	\$300,000
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Seconded by Legislator: Robert W. Cantwell, III

Roll Call Vote

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

Absent: Peck, Calarco

Resolution passed.

Resolution No. 174

Calling for New York State to Enact Necessary Reforms for Determining the Capacity of a Defendant to Stand Trial

By Legislator: John D. Peck

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, Competency restoration provides necessary medications but primarily focuses on services such as courtroom training to familiarize the defendant with courtroom procedures so they can participate in their trial, and

Whereas, In the cases for which restoration is appropriate, defendants can generally be restored within 90-150 days but there are many situations where defendants have been kept in restoration for periods of three, six, potentially ten years or two thirds the maximum length of the crime alleged to have been committed, and

Whereas, These lengthy confinements have been declared to be unconstitutional by the U.S. Supreme Court as shown in the case of *Jackson v. Indiana* (1972), which provides that states may not indefinitely confine criminal defendants solely on the basis of incompetence to stand trial, and

Whereas, Many judges incorrectly believe that by ordering a 730 commitment, they are helping the mentally ill or developmentally disabled person to get treatment, and

Whereas, The Office of Mental Health (OMH) has diverged from agreements with the county mental health commissioners/directors of community services to provide specific and timely information on the clients/defendants ordered to restoration, 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, The Jefferson County cost of restoration for FY 2024 is anticipated to exceed \$2,000,000 to cover 4 - 5 defendants, and

Whereas, In New York State, counties, through the county tax levy, already bear an overwhelming portion of the financial burden for supporting individuals suffering from serious mental illness, and the requirement to assume 100% of 730.20 competency restoration costs has taken away millions of dollars from critical behavioral health programming in the community, and

Whereas, Given the advances in the behavioral health and the modernization of the criminal justice system, it is time for the State to reform the statutory authority governing competency restoration.

Now, Therefore, Be It Resolved, That, the Jefferson County Board of Legislators requests 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 requests 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 requests 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 requests 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 requests CPL §730.50 limit the time defendants are ordered for restoration services, and be it further

Resolved, That the Jefferson County Board of Legislators requests 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 NYSAC and to the counties of New York encouraging member counties to enact similar resolutions, 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.

Seconded by Legislator: Christopher S. Boulio

All members present voted aye.

Resolution No. 175

Authorizing Agreement with Miracles by the Acre CSA for the Provision of Fresh Produce to Underserved Older Adults Living in Food Deserts

By Legislator: Frances A. Calarco

Whereas, Community Supported Agriculture (CSA) shares are a subscription model where consumers purchase a share of farm harvests in advance, and

Whereas, Office for the Aging has agreed to purchase 20 CSA shares at a rate of \$360 per share for a total of \$7,200 using Title IIIB Funding, and

Whereas, Jefferson County Office for the Aging (OFA) contracts to provide CSA shares of fresh, local produce to Jefferson County residents in underserved areas located in food deserts, and

Whereas, The program provides and delivers fresh produce weekly for 13 weeks to designated underserved senior housing locations in Jefferson County.

Now, Therefore, Be It Resolved, That Jefferson County enter into an agreement with Miracles by the Acre CSA to provide and deliver CSA food shares effective July 1, 2024 to December 31, 2024, and be it further

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

Seconded by Legislator: Robert W. Cantwell, III

All members present voted aye.

Resolution No. 176

Authorizing Agreement for Use of Facility for Professional Services to the Medical Examiner's Office

By Legislator: John D. Peck

Whereas, It is necessary to have Pathologists/Forensic Pathologists available for backup to support the operation of the Jefferson County Medical Examiner (M.E.) Program while the medical examiner position is vacant, or during times when the Jefferson County M.E. is unavailable, or in instances involving complicated deaths, and

Whereas, Jefferson County contracts for the provision of professional autopsy and testing services, and

Whereas, In an effort to ensure services are provided in an acceptable and timely manner Jefferson County has sought multiple facilities in strategic locations for contracted providers to perform services, and

Whereas, By Resolution 282 of 2023, this Board of Legislators authorized agreements with Albany and Binghamton facilities, and

Whereas, An additional facility, Glens Falls Hospital, has been deemed to be beneficial to the program for a morgue facility use fee of \$1,200 per case, with additional services outlined per the fee schedule.

Now, Therefore, Be It Resolved, That Jefferson County enter into agreement with Glens Falls Hospital where Pathologists/Forensic Pathologists perform the professional autopsy and testing services for the period of June 1, 2024, through December 31, 2025, and, be it further

Resolved, That the Chairman of the Board is hereby authorized and directed 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: Frances A. Calarco

All members present voted aye.

Resolution No. 177

**Authorizing an Agreement in Connection with
the New York State Public Health Corps 2.0 Fellowship Program**

By Legislator: John D. Peck

Whereas, The New York State Public Health Corps (NYSPHC), established in 2021 as a program of the New York State Department of Health (NYSDOH), built public health capacity statewide through 2-year fellowship assignments, facilitated by local health departments (LHDs) with grant funding (Resolution No. 208, for the year 2021), to support COVID-19 response operations and increased preparedness for future public health emergencies, and

Whereas, The NYSDOH will continue the program with LHDs and community partners to recruit and deploy a second round of public health fellows across the state who will commit to full-time, paid positions for a two-year term, and

Whereas, the NYSDOH will no longer award grants to LHDs to fund the program, and instead fund Staffing Solutions Organization (SSO), LLC and Public Consulting Group (PCG), LLC to hire all fellows on behalf of LHDs, and

Whereas, The NYSDOH has designated 3 fellow positions to the Jefferson County Public Health Service through the NYSPHC 2.0 Fellowship Program for the period August 5, 2024 – July 31, 2026 that will be hired and paid directly by SSO/PCG via contract with the NYSDOH, and

Whereas, the Jefferson County Public Health Service will work with SSO/PCG to establish the position types needed and select the candidates to be placed in the department.

Now, Therefore Be It Resolved, That Jefferson County hereby authorizes the Chairman of the Board of Legislators to sign any and all documents necessary to execute an agreement with SSO/PCG, subject to approval by the County Attorney as to form and content.

Seconded by Legislator: Corey Y. Grant

All members present voted aye.

Resolution No. 178

**Amending the 2024 County Budget Relative to Use of an Automated System AI-powered
Virtual Assistant**

By Legislator: John D. Peck

Whereas, Jefferson County Department of Social Services is striving for new methods to better serve the public and mitigate staffing challenges, and

Whereas, The implementation of the AI-powered virtual assistant known as EVA (Eligibility Verification Assistant) by TipCo Automated Systems has the potential to automate tasks, streamline workflows, and assist individuals in need, and

Whereas, EVA phone is designed to address incoming phone calls, answer common questions, take changes of circumstance, and provide real-time language translation so employees can focus on processing cases and determining eligibility, and

Whereas, EVA companion will assist employees by providing access to eligibility questions and answers, technology training, and agency policy, and

Whereas, EVA Rights and Responsibility will provide compliance assurances by reading the agencies rights and responsibilities document and capture audio signatures confirming understanding, and

Whereas, It is necessary to amend the 2024 County Budget to fund the implementation of EVA.

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

Increase:

01601000 04119	Computer Software	\$37,500
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Decrease:

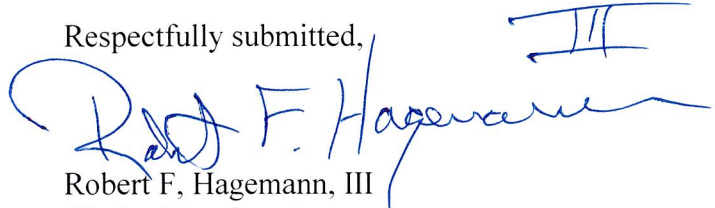
01601000 04416	Professional Fees	\$37,500
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Seconded by Legislator: Corey Y. Grant

All members present voted aye.

There being no further business of the Board, on a motion by Legislator Ferris seconded by Legislator Bartlett-Bearup and unanimously carried, the meeting was adjourned at 6:36 p.m.

Respectfully submitted,



Robert F. Hagemann, III
Clerk of the Board