

REGULAR SESSION

TUESDAY, OCTOBER 5, 2010

Vice Chairwoman Fitzpatrick called the meeting to order at 7:00 p.m.

ROLL CALL OF MEMBERS

All members present except Chairman Blankenbush and Legislators Thomas and Ormsby.

PRIVILEGE OF THE FLOOR

Cindy Grant, 12610 House Road, Clayton, NY implored legislators to do their own research into industrial wind development and its affects on the local community. She said it was not appropriate that the developers quietly approached large land owners many years ago regarding this development and also supplied the town boards and planning boards with local wind laws that would regulate same. She stated that the laws do not contain enforcement powers or yearly renewal of operating permits, and the fines of \$250 (Orleans) and \$350 (Clayton) per week for violations are not sufficient. Ms. Grant supplied legislators with various websites for research purposes.

PETITIONS, NOTICES AND COMMUNICATIONS

Mr. Hagemann noted that Chairman Blankenbush proclaimed October as “Soil & Water Conservation District Month” in recognition of the important role the District plays in Jefferson County and advised that Chairman Blankenbush will be presenting the Proclamation to the Soil & Water Conservation District later in the month.

The Community Action Planning Council provided a report on their Summer Meals Program for 2010 which served at 19 sites in Jefferson County, a copy of which is on file in the Administration Office for review.

The New York State Association of Counties forwarded a copy of their 2010-2011 County Policy Platform which will be on file in the Administration Office for review.

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 on hand as of September 30, 2010.

The County Administrator provided a report on budget modifications for the month of September, 2010.

LOCAL LAWS, RESOLUTIONS AND MOTIONS

Resolution No. 194

Setting Time and Place for Public Hearing on Tentative Budget for Fiscal Year 2011

By Legislator: Scott A. Gray

Resolved, That, Pursuant to Section 359 of County Law, a public hearing on the Tentative Budget for County fiscal year 2011 be held before this Board of Legislators at 7:00 p.m. on the 9th day of November, 2010 in the Chambers of the Board of Legislators, Historic Courthouse, 195 Arsenal Street, Watertown, NY, and be it further

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

Seconded by Legislator: James D. St.Croix

All members present voted aye.

Resolution No. 195

Amending the 2010 County Budget Relative to Workers' Compensation

By Legislator: Scott A. Gray

Whereas, A recent decision concerning a large claim before the State Workers' Compensation Board was found to be the County Workers Compensation Plan's responsibility, and

Whereas, The County is expecting decisions on at least two more cases that will exceed \$100,000 combined for the current year so the account will require additional appropriation to sustain expenditures through the end of the year.

Now, Therefore, Be It Resolved, That the 2010 County Budget is hereby amended as follows:

Increase:

35-1436-1720.4626	Payment of Claims	\$500,000
35-0599	Appropriated Fund Balance	250,000

Decrease:

35.0853	Contributed Reserve	\$250,000
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Seconded by Legislator: James D. St.Croix

Roll Call Vote

Ayes: Nabywaniec, Gray, Zando, Adsit, Docteur, Ferris, Behling, Burto, Reed, Drake, Fitzpatrick, St.Croix, Blankenbush

Absent: Ormsby, Thomas

Resolution passed.

Resolution No. 196

Authorizing Agreements with Meridian Construction and B&D Enterprises of NNY, Inc. for the Construction of a New Solid Waste Transfer Station and Amending the 2010 County Budget in Relation Thereto

By Legislator: Scott A. Gray

Whereas, By Resolution 57 of 2010, This Board of Legislators authorized an agreement with Bernier Carr & Associates (BCA) to provide engineering services in relation to the construction of a new solid waste transfer station at the County's solid waste and recycling facility, and amended the 2010 County Budget to provide funding for the project, and

Whereas, BCA completed its design, coordinated the bidding process and now recommends that the following low bidders be awarded the construction contracts: Meridian Construction of Gilford, New Hampshire, for general construction in the amount of \$1,177,777, and B&D Enterprises of NNY, Inc. for electrical construction in the amount of \$40,680, and

Whereas, It is necessary to authorize the construction contracts with these companies.

Now, Therefore, Be It Resolved, That Jefferson County enter into agreements for the construction of the transfer station with Meridian Construction of Gilford, New Hampshire for the general construction contract in the amount of \$1,177,777, and with B&D Enterprises of NNY, Inc. for the electrical contract in the amount of \$40,680, 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 change orders as recommended by the Superintendent of Highways 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 2010 County Budget is amended as follows:

Increase:

15-9101-8190-2010	Transfer Station Construction	\$40, 354.54
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Decrease:

15-9101-8160.2484	Skid Steer Loader	\$ 527.00
15-9101-8160.2494	Loader	14,723.00
15-9101-8160.2600	Shop Equipment	5,000.00
15-9101-8160.4311	Gasoline & Oil	10,000.00
15-9101-8195.2007	Capital Recycling Const.	10,104.54

Seconded by Legislator: James D. St.Croix

All members present voted aye except Legislator Reed who abstained.

Resolution No. 197

Authorizing Intergovernmental Agreement with the Town of Alexandria for Transfer of Ownership of Culverts B20 and B31

By Legislator: Michael J. Docteur

Whereas, Jefferson County has recently rebuilt Culverts B20 and B31 located on Barnes Settlement Road in the Town of Alexandria, and

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 including culverts from the highway system upon the adoption of a resolution, and

Whereas, The Jefferson County Highway Superintendent has recommended the removal of Culverts B20 and B31 from the County Highway System and that ownership of said culverts be transferred to the Town of Alexandria.

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 Alexandria to transfer ownership of Culverts B20 and B31 to the Town of Alexandria, 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 upon conveyance of the above sections of county highway to the Town of Alexandria, they shall be deleted from the Jefferson County Highway System Map.

Seconded by Legislator: Kent D. Burto

All members present voted aye.

Resolution No. 198

Amending the 2010 County Budget in Relation to Road Machinery Fund

By Legislator: Michael J. Docteur

Whereas, The 2010 County Budget included appropriations for several pieces of equipment in the Road Machinery Fund, and

Whereas, Some of this equipment has been purchased this year for amounts less than the appropriated amounts, and

Whereas, The County Highway Superintendent is requesting that the excess funds be transferred to enable the Department to replace the single-axle truck for the County's post-driver, which is in very poor condition.

Now, Therefore, Be It Resolved, That the 2010 Budget is amended as follows:

Increase:

10-9004-5130.2482	Post Driver Truck Replacement	\$ 40,545.29
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Decrease:

10-9004-5130.2401	Automotive Equipment	\$ 3,133.00
10-9004-5130.2404	Dump Truck	6,409.00
10-9004-5130.2481	Bucket Truck	31,003.29

Seconded by Legislator: Kent D. Burto

All members present voted aye.

Resolution No. 199

**Authorizing Agreements with St. Lawrence County and the
Development Authority of the North Country (DANC) for the
Receipt and Maintenance of Glass-Crushing Recycling Equipment**

By Legislator: Michael J. Docteur

Whereas, St. Lawrence County purchased, with State funding assistance, Andela recycling equipment in 2001 as part of a then-partnership with a local recycling company, and

Whereas, Said equipment is no longer used and the partnership has ended, and

Whereas, State grant guidelines require that the equipment should continue to be used for recycling, and

Whereas, Said equipment can be used for glass crushing for State-sanctioned beneficial use, and

Whereas, Jefferson County has obtained a State beneficial use permit for crushed glass as roadbed material, and desires to use its recycled glass for such purpose, and

Whereas, St. Lawrence County has agreed to donate said equipment to Jefferson County and DANC has agreed to refurbish and condition the equipment for use as a glass crusher, and

Whereas, In return for the equipment and its repair, Jefferson County agrees to allow Lewis and St. Lawrence Counties to deliver glass to its recycling facility for crushing at no cost, and

Whereas, Agreements with St. Lawrence County and DANC are necessary to detail said arrangement.

Now, Therefore, Be It Resolved, That the Chairman of this Board of Legislators be and is hereby authorized and directed to execute agreements with St. Lawrence County and DANC for the purposes of accepting the abovementioned recycling equipment and arranging for its repair and maintenance, subject to the review and approval of the County Attorney.

Seconded by Legislator: Kent D. Burto

All members present voted aye except Legislator Reed who abstained.

Resolution No. 200

Authorizing Participation and Inclusion in a Regional Solid Waste Management Plan

By Legislator: Michael J. Docteur

Whereas, The State of New York has issued a new Solid Waste Management Plan for comment and adoption, and

Whereas, Jefferson County as the current planning unit, will be required to submit a new Solid Waste Management Plan, and

Whereas, The Development Authority of the North Country has recommended the designation of the three county region of Jefferson, Lewis and St. Lawrence as a single planning unit for future plans, and

Whereas, The Development Authority, in partnership with the three counties, currently provides a single regional disposal site, and

Whereas, The Development Authority, in partnership with the three counties, currently coordinates a regional Waste Reduction, Reuse and Recycling Program, and

Whereas, The Development Authority, in partnership with the three counties, has initiated regional coordinated programs for household hazardous waste, and glass processing for alternative beneficial uses, and

Whereas, The Development Authority has been working cooperatively with the Solid Waste Managers in the three counties to develop common initiatives and coordinated solutions, and

Whereas, The development of a coordinated regional Solid Waste Management Plan is the logical extension of these regional efforts.

Now, Therefore, Be It Resolved, Jefferson County will participate in the development and submission of a regional Solid Waste Management Plan, and be it further

Resolved, Jefferson County authorizes the Development Authority of the North Country to be designated as the required planning unit for the preparation and submission of a three county Solid Waste Management Plan, and be it further

Resolved, The Development Authority of the North Country shall be responsible for the costs of the preparation plan, including professional engineering services, waste analysis survey and all related costs and Jefferson County's cost would be limited to in-kind costs for existing personnel needed to assist in data collection and information gathering, and be it further

Resolved, The Development Authority shall continue to work with the Solid Waste Managers of the three counties to develop a regional consensus for the actions to be reflected in the Plan, and be it further

Resolved, Jefferson County may withdraw from participation at any time and shall not have any resulting obligations other than the requirements of New York State Department of Environmental Conservation regulation or law.

Seconded by Legislator: Kent D. Burto

All members present voted aye except Legislator Reed who abstained.

Resolution No. 201

Accepting Donation from and Authorizing Agreement with Henry Keep Home Board of Directors for the Provision of Personal Emergency Response Service

By Legislator: James A. Nabywaniec

Whereas, The Henry Keep Home Board of Directors desires to provide funding for personal emergency response service for 20 elderly individuals for the period of October 1, 2010 through

December 31, 2011, at a cost of \$25 per month per individual, and

Whereas, Said funds shall be provided pursuant to an agreement, and

Whereas, The 2010 County Budget must be amended to recognize this year's donation and the agreement must be authorized by the Board of Legislators.

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 2010 County Budget is amended as follows:

Increase:

Revenue:

01-6772-999.92705	Donations	\$1,500
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Expenditure:

01-6772-6772.4715	Alter Home Care Equipment	\$1,500
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and be it further

Resolved, That Jefferson County enter into an agreement with the Henry Keep Home Board of Directors for the purposes stated above and that the Chairman of the Board of Legislators be and is hereby authorized and directed to execute said agreement subject to the review of the County Attorney as to form and content.

Seconded by Legislator: James D. St.Croix

Roll Call Vote

Ayes: Reed, Ferris, Gray, Adsit, Behling, Fitzpatrick, Burto, St.Croix, Ormsby, Nabywaniec, Drake, Zando, Docteur

Absent: Ormsby, Thomas, Blankenbush

Resolution passed.

Resolution No. 202

**Amending 2010 County Budget Relative to Community Services
and Authorizing Amended Agreements in Relation Thereto**

By Legislator: James A. Nabywaniec

Whereas, The NYS Department of Health (DOH) approved Federal American Recovery and

Reinvestment Act (ARRA) stimulus funds for Early Intervention administration to be expended by September, 2011, and

Whereas, Said funds will be used to cover personal services and fringe for a temporary typist, computer teleconferencing equipment, travel for trainings, file cabinets for individual records and broadband access for EI laptops and teleconferencing, and

Whereas The Office of Mental Health State Aid has increased due to a conversion of Disproportionate Share Income funds to State Aid for Carthage Area Hospital, and

Whereas, A one time only reallocation is necessary for OMH Reinvestment State Aid funding from Mercy Behavioral Health to the Children's Home and Mental Health Association that will result in a one time only allocation of \$3,204 back to fund balance for 2010, and

Whereas, Office of Alcoholism & Substance Abuse Services State Aid funds were reduced to reflect a conversion to the Federal Aid Block Grant funds.

Now, Therefore, Be It Resolved, That the 2010 County Budget is hereby amended as follows to reflect these changes:

Increase:

Revenues

01-4310-999.93490	State Aid - OMH	\$ 25,806
01-4310-999.94484	Federal Aid - A&S Abuse Svcs.	494,338
01-4310.999.94497.S	Federal Admin Medicaid - Stimulus	34,127

Expenditures

01-4310-4311.1110.S	Temporary - Stimulus	\$ 5,502
01-4310-4311.4111.S	Durable Expendables - Stimulus	5,736
01-4310-4311.4111.003.S	Computer Equipment - Stimulus	21,089
01-4310-4311.4115.002.S	Cell Phones - Stimulus	400
01-4310-4311.4313.S	Travel - Stimulus	1,000
01-4310-4311.8030.S	Social Security - Stimulus	400
01-4310-4320.4711	Carthage Area Hospital	25,806
01-4310-4320.4721	Mental Health Association	20,872
01-4310-4320.4732	Children's Home of Jeff. Co.	23,000

Decrease:

Revenue

01-4310-999.93484	State Aid - A&S Abuse Services	\$ 494,338
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Expenditures

01-4310-4320.4707	CMHC - Mercy - Outpatient	34,096
01-4310-4320.4717	CMHC - Mercy - Forensics	12,980

01-0599	Appropriated Fund Balance	3,204
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and be it further

Resolved, That the Chairman of the Board of Legislators be and is hereby authorized and directed to execute all necessary amended agreements on behalf of the County with the approval of the County Attorney as to form and content.

Seconded by Legislator: James D. St.Croix

Roll Call Vote

Ayes: St.Croix, Burto, Docteur, Ferris, Adsit, Zando, Gray, Reed, Nabywaniec, Drake, Fitzpatrick, Behling

Absent: Thomas, Ormsby, Blankenbush

Resolution passed.

Resolution No. 203

Authorizing Agreements for Provision of Physical Therapy Assistant Services to Clients of the Home Health Care Programs

By Legislator: James A. Nabywaniec

Whereas, The Jefferson County Public Health Service utilizes Physical Therapists to provide direct services for the Certified Home Health Agency and Long Term Home Health Care Program clients, and

Whereas, After evaluating rehabilitation requirements, levels of client care and costs, Public Health recommended establishing agreements with Physical Therapist Assistants in Jefferson County to address the need for maintaining care to clients on service.

Now, Therefore, Be It Resolved, That Jefferson County enter into an agreement with Denis P. Slattery, P.T.A. to provide physical therapy assistant services for Public Health clients at a rate of \$40 per visit for the period of October 06, 2010 through December 31, 2012, and be it further

Resolved, That the Chairman of the Board of Legislators be and is hereby authorized and directed to execute such agreement on behalf of Jefferson County.

Seconded by Legislator: James D. St.Croix

All members present voted aye.

Resolution No. 204

Authorizing Agreement with the National Association of County and

**City Health Officials (NACCHO) Relative to Implementation of the
*Diabetes Today Curriculum***

By Legislator: James A. Nabywaniec

Whereas, The Public Health Service has been notified by NACCHO of an award in the amount of \$5,000 for the period of September 1, 2010 through April 30, 2011, and

Whereas, The purpose of the grant is to receive training and implement an action plan to empower communities to develop appropriate interventions that will prevent or reduce diabetes complications and improve care, and

Whereas, Said grant funds will offset current appropriations in the 2010 County Budget.

Now, Therefore, Be It Resolved, That Jefferson County hereby accepts said grant funding and authorizes and directs the Chairman of the Board of Legislators to execute any and all required grant agreement documents with NACCHO for the provision of this funding, subject to the approval of the County Attorney as to form and content,

Seconded by Legislator: James D. St.Croix

All members present voted aye.

Resolution No. 205

Establishing Charges for Certain Public Health Services

By Legislator: James A. Nabywaniec

Resolved, That, pursuant to Article 3 of the Public Health Law, the new charges effective November 1, 2010 for the following disciplines of home health care provided by the Public Health Service shall be as follows:

<u>Discipline</u>	<u>Established Charges</u>
Nursing	\$180
Medical Social Worker	\$190
Home Health Aide per visit	\$65
per hour	\$50

Seconded by Legislator: James D. St.Croix

All members present voted aye.

Resolution No. 206

**Amending 2010 Comprehensive Planning Resource Allocation Agreement with
the New York State Office of Children & Family Services, Authorizing Amended
Contractual Youth Program Agreements in Relation Thereto and
Amending the 2010 County Budget**

By Legislator: James A. Nabywaniec

Whereas, Pursuant to Resolution No. 223 of 2009 this Board authorized a 2010 Comprehensive Planning Resource Allocation Agreement with the NYS Office of Children & Family Services, and

Whereas, The Youth Bureau has received notification from Family Counseling Services that they will be unable to use the full amount of the 2010 Special Delinquency Prevention Program (SDPP) funding due to changes at the organization, and have returned a portion of the grant so it can be allocated to other programs, and

Whereas, The Youth Board has recommended changes for reallocation of the funds to other currently-funded SDPP programs, and

Whereas, The 2010 Comprehensive Planning Resource Allocation Agreement, the agreements with contractual agencies, and the 2010 County Budget, all need to be amended to reflect those changes.

Now, Therefore, Be It Resolved, That the 2010 Comprehensive Planning Resource Allocation Agreement with the NYS Office of Children & Family Services is hereby amended to reflect the following modified grant funding:

Special Delinquency Prevention Programs (SDPP)

<u>Program/Agency</u>	<u>Original State Aid Allocation</u>	<u>Revised State Aid Allocation</u>
Early Intervention Prog/Family Counseling Svc	\$11,156	\$ 5,578
Invisible Children's Program/Mental Health Associatoin	11,695	13,695
School-based Health-Mental Health/North Country Children's Clinic	11,695	13,695
Recreation Scholarships/Jeff Co. Youth Bureau	6,745	8,323

and be it further

Resolved, That Pursuant to Section 450 of County Law, the Chairman of the Board of Legislators be and is hereby authorized to execute an Amended 2010 Comprehensive Planning Resource Allocation Agreement and agency agreements on behalf of Jefferson County, and be it further

Resolved, That the 2010 County Budget is hereby amended as follows:

Increase:

01-7310-7311.4745	Recreation Scholarships	\$1,578
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Decrease:

01-7310-7311.4780	Special Delinquency Prevention Program	\$1,578
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Seconded by Legislator: James D. St.Croix

All members present voted aye.

Resolution No. 207

Authorizing Jefferson County to be Lead Agency under the State Environmental Quality Review Act for the Purpose of the 2010 Inclusion of Viable Agricultural Land within Existing Agricultural Districts Before the Districts' Established Review Periods, and Making a Determination of Non-significance

By Legislator: Barry M. Ormsby

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

Whereas, The Jefferson County Board of Legislators passed Resolution No. 98 of 2004, establishing an annual thirty day period from June 1 to June 30 for landowners to submit proposals to include viable agricultural land within an existing agricultural district before the district's established review period; and

Whereas, In accordance with Section 303-b of Article 25AA of the New York State Agriculture and Markets Law, the requests for inclusion during the 2010 request period were referred to the Agriculture and Farmland Protection Board for review and recommendation; and

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

Whereas, An Environmental Assessment Form (EAF) has been completed which reviews potential environmental impacts, expresses the County's desire to serve as lead agency, and determines that no significant impacts will occur.

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

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

Seconded by Legislator: Michael W. Behling

All members present voted aye.

Resolution No. 208

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

By Legislator: Barry M. Orsmy

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

Whereas, The Jefferson County Board of Legislators passed Resolution No. 98 of 2004, establishing an annual thirty day period from June 1 to June 30 for landowners to submit proposals to include viable agricultural land within an existing agricultural district before the district's established review period; and

Whereas, In accordance with Section 303-b of Article 25AA of the New York State Agriculture and Markets Law, the 2010 requests for inclusion were referred to the Agriculture and Farmland Protection Board for review and recommendation; and

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

Whereas, A public hearing was held on August 16, 2010 to receive public comments; and

Whereas, The Jefferson County Board of Legislators has reviewed the requests for inclusion, the recommendation of the Jefferson County Agricultural and Farmland Protection Board, and the public hearing record concerning the Inclusion of Viable Agricultural Land in Certified Agricultural Districts Before the Districts' Established Review Periods.

Now, Therefore, Be It Resolved, pursuant to Agriculture and Markets Law Article 25 AA, Section 303-b, the Jefferson County Board of Legislators does hereby approve the inclusion of 14 parcels encompassing 1,735 acres to existing Agricultural Districts.

Seconded by Legislator: Michael W. Behling

All members present voted aye.

Resolution No. 209

Authorizing Grant Agreement, State Environmental Quality Review Act (SEQR) Determination, and Amending the 2010 County Budget in Relation to a 2010 Community Development Block Grant Award from the NYS Office for Community Renewal

By Legislator: Barry M. Ormsby

Whereas, Jefferson County has been notified by the New York State Office for Community Renewal (OCR) that its 2010 Community Development Block Grant (CDBG) application has been approved, and

Whereas, The \$600,000 award will be used to continue an owner-occupied housing rehabilitation program (Phase IV) to benefit income eligible homeowners throughout Jefferson County, and

Whereas, A Grant Agreement between the New York State Housing Trust Fund Corporation (HTFC) and the County is necessary to access the funds, and

Whereas, Jefferson County has evaluated the CDBG action under the project classification guidelines of the New York State Environmental Quality Review Act, and

Whereas, The 2010 County Budget requires an amendment for revenue and expenditure line items associated with the CDBG award and program.

Now, Therefore, Be It Resolved, That the Chairman of the Board of Legislators is authorized to execute a Grant Agreement, subject to the approval of the County Attorney, with the New York State Housing Trust Fund Corporation in accordance with HTFC and OCR guidelines, and

Be It Further Resolved, That the County has determined that this CDBG 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 2010 County Budget is amended as follows:

Increase:

Expenditure		
30-8668-8668.4014	CDBG Housing Rehab	\$ 600,000
Revenue		
30-8668-999.94911	Federal Aid - CDBG	\$ 600,000

Seconded by Legislator: Michael W. Behling

Roll Call Vote

Ayes: Docteur, Burto, Fitzpatrick, Behling, Drake, Zando, St.Croix, Adsit, Reed, Ferris, Gray, Nabywaniec

Absent: Thomas, Ormsby, Blankenbush

Resolution passed.

Resolution No. 210

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

By Legislator: Barry M. Ormsby

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

Whereas, The current agreement will expire at the end of 2010, and

Whereas, The District has successfully managed these lands in accordance with a Forest Lands Management Plan, and each entity now wishes to continue this arrangement with a new agreement.

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 County forest lands for the period January 1, 2011 through December 31, 2015, and be it further

Resolved, That said agreement include annual increases in the current base payment (\$116,083), based on the CPI-W (July) annualized percentage rate increase, if any, plus the payment of the proceeds of the sale of County timber in the each year not to exceed \$29,500, 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.

Seconded by Legislator: Michael W. Behling

All members present voted aye.

Vice Chairwoman Fitzpatrick entertained a motion to waive Standing Rules 35, 60 and all other appropriate Standing Rules to permit the introduction of three additional resolutions for consideration. A motion was duly made by Legislator Burto seconded by Legislator Gray and unanimously carried by the Board .

Resolution No. 211

**Concurring in Settlement of Tax Certiorari Proceedings and
Authorizing Refund of Taxes in Connection Therewith (Timothy Hubbard)**

By Legislator: Philip N. Reed, Sr.

Whereas, Pursuant to Article 7 of the Real Property Tax Law Timothy Hubbard commenced court proceedings to obtain reductions of the assessed valuation of property in the Town of Clayton, and

Whereas, The Town of Clayton has reached a settlement of the proceedings, with proposed assessed values as follows:

	<u>Original Value</u>	<u>Settlement Value</u>
(12.00-1-50.3) 15082 Bluff Island Clayton, New York	\$1,117,600	\$950,000

Now, Therefore, Be It Resolved, That Jefferson County concurs in the settlements as outlined herein above, and be it further

Resolved, That the County Treasurer is hereby authorized and directed to make appropriate refund (\$2,816.76) and to charge back the taxing jurisdiction in accordance with the settlement and Real Property Tax Law § 727.

Seconded by Legislator: Kent D. Burto

Legislator Docteur questioned if this was the first settlement from the Town of Clayton and if the settlements are about 10%.

County Attorney Paulsen advised that this is not the first settlement from the Town of Clayton, they have been trickling in, and he did not believe it was fair to say settlements are for a certain percentage as it depends on the number of years involved in the certiorari challenge, some go back to 2007 - 2008 and others are just for 2009. He did not specify in the resolution which years were involved so he said he couldn't accurately answer the question.

All members present voted aye.

Resolution No. 212

**Concurring in Settlement of Tax Certiorari Proceedings and
Authorizing Refund of Taxes in Connection Therewith (Nemahbin Lodge Partnership)**

By Legislator: Michael W. Behling

Whereas, Pursuant to Article 7 of the Real Property Tax Law Nemahbin Lodge Partnership commenced court proceedings to obtain reductions of the assessed valuation of property in the

Town of Alexandria, and

Whereas, The Town of Alexandria has reached a settlement of the proceedings, with proposed assessed values as follows:

	<u>Original Value</u>	<u>Settlement Value</u>
(6.12-1-19) 45412 Nemahbin Island Alexandria, New York	\$1,019,100	\$850,000

Now, Therefore, Be It Resolved, That Jefferson County concurs in the settlements as outlined herein above, and be it further

Resolved, That the County Treasurer is hereby authorized and directed to make appropriate refund (\$3,521.62) and to charge back the taxing jurisdiction in accordance with the settlement and Real Property Tax Law § 727.

Seconded by Legislator: Michael J. Docteur

All members present voted aye.

Resolution No. 213

Concurring in Settlement of Tax Certiorari Proceedings and Authorizing Refund of Taxes in Connection Therewith (Susan L. Merola-McConn)

By Legislator: Philip N. Reed, Sr.

Whereas, Pursuant to Article 7 of the Real Property Tax Law Susan L. Merola-McConn commenced court proceedings to obtain reductions of the assessed valuation of property in the Town of Alexandria, and

Whereas, The Town of Alexandria has reached a settlement of the proceedings, with proposed assessed values as follows:

	<u>Original Value</u>	<u>Settlement Value</u>
(6.12-1-8) 46091 Landon Road Alexandria, New York	\$1,130,800	\$950,000

Now, Therefore, Be It Resolved, That Jefferson County concurs in the settlements as outlined herein above, and be it further

Resolved, That the County Treasurer is hereby authorized and directed to make appropriate refund (\$4,143.01) and to charge back the taxing jurisdiction in accordance with the settlement and Real Property Tax Law § 727.

Seconded by Legislator: Robert D. Ferris

All members present voted aye.

Legislator Nabwanyanec reported that at the end of last week notification was received from the Governor's Office that Samaritan Medical Center had been successful in obtaining the \$34 million HEAL 9 Grant that they applied for in partnership with the Community Assisted Living Corporation (CALC), Carthage Area Hospital, and the Watertown Housing Authority (WHA). He said we should be proud that it was the largest grant for long term care ever awarded to seniors in the State and is coming to Jefferson County. He thanked legislators for their assistance throughout the process and said we finally have a positive long term solution for Whispering Pines. He said formalizing agreements with the partners is the next step.

With regard to the project itself Legislator Nabywaniec advised that two facilities would be built, one in Watertown and one in Carthage. He said funding for the the Watertown project will be with HEAL grant funding and a partnership between Jefferson County, WHA and SMC with the Jefferson County and WHA pieces dedicated to low income residents, and the Carthage project will be totally paid for with HEAL grant funds. He stated that HEAL grant funds are restricted monies that can only be used for planning and construction of the new facilities, and can not be used to help Mercy, however it was his understanding that finalizing a receivership agreement for those operations is still ongoing between the New York State Department of Health and SMC. It was his belief that the work already put in by CALC and its partners was instrumental in helping the NYS DOH to see the future community plan for long term care and enabled DOH to acknowledge that we can work together to keep Mercy open as the residents, their families and the jobs are important. Chairwoman Fitzpatrick thanked Legislator Nabywaniec for all his hardwork on this project and said she was glad he reminded everyone that it was a team effort as that is significant.

There being no further business, on a motion by Legislator Docteur seconded by Legislator Ferris and unanimously carried, the meeting was adjourned at 7: 25 p.m.

Respectfully submitted,

Robert F. Hagemann, III
Clerk of the Board