

## **REGULAR SESSION**

**TUESDAY, MAY 1, 2012**

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

### **ROLL CALL OF MEMBERS**

All members present except Legislator Reed who was absent.

### **PRIVILEGE OF THE FLOOR**

Mike Plummer, 121 Paddock Street, Watertown, invited legislators to “Spend a Day with Your Soldier” on May 9<sup>th</sup> at Fort Drum. He said it is an all day the program that goes through training exercises with a Fort Drum soldier and you learn what they eat, how they train, how they are equipped. He said many elected and community officials have been invited, he left an application with Chairwoman Fitzpatrick, and said if anyone is interested in participating to please contact him ASAP as the event is next week.

Mr. Plummer also invited legislators to attend a renewal of the Community Covenant on June 15, 2012 at 1:00 p.m. at the Salmon Run Mall Center Court. This covenant is signed by the Secretary of the Army, the Governor and many other community leaders and was originally signed in 2008. General Lloyd Austin, Vice Chief of Staff of the Army, and previous Commander of the 10<sup>th</sup> Mountain Division will represent Secretary McHugh at the ceremony and Governor Cuomo and many other dignitaries have been invited. He said they have asked the Governor for a Proclamation to demonstrate how supportive the State is of the 10<sup>th</sup> Mountain Division and suggested the County may want to do that also.

Don Metzger, Town of Lyme expressed support for Resolution No. 150 on the agenda tonight in opposition to New York’s participation in a federal MOU to speed the development of offshore wind projects if located in the Eastern Basin of Lake Ontario and urged legislators to support it also.

Legislator Thomas invited legislators and the public to a dedication and ribbon cutting for the Fish Island Project, Dexter that is being held on June 9, 2012 at 2:00 p.m. at Fish Island.

Chairwoman Fitzpatrick declared May “Older Americans Month” in Jefferson County and encouraged residents to spend quality time with an older family member, friend or neighbor.

Office for Aging Deputy Director Louise Harackza updated the Board with events and activities for seniors coming up in the next few months that include Senior Citizen Day on May 8<sup>th</sup> and the OFA Annual Picnic to be held on July 25<sup>th</sup> (rain date July 26<sup>th</sup>). She also related that employees were honored for their years of service in the home delivered meal program and the HICAPP Program.

## **PETITIONS, NOTICES AND COMMUNICATIONS**

Chairwoman Fitzpatrick noted that Wayne & Nancy Zimmer will celebrate their 50<sup>th</sup> Anniversary on May 5, 2012 at the Northside Improvement League.

## **STANDING COMMITTEES**

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

## **REPORTS OF COUNTY OFFICERS AND OTHERS**

The County Administrator provided a report on budget transfers for year end, 2011 and for April, 2012.

The County Auditor provided a report on erroneous assessments for the month of April, 2012.

## **LOCAL LAWS, RESOLUTIONS AND MOTIONS**

### **Resolution No. 133**

#### **Approving Mortgage Tax Report**

By Legislator: Scott A. Gray

Whereas, This Board is in receipt of the semi-annual Mortgage Tax Report showing the amount to be credited to each tax district in the County of the money collected during the preceding six months ended March 31, 2012.

Now, Therefore, Be It Resolved, That, pursuant to Section 261 of the Tax Law, this Board issue Tax Warrants for the payment to the respective tax districts of the amounts so credited and authorize and direct the County Treasurer to make payment of said amounts to the respective districts in accordance with the report.

Seconded by Legislator: Michael J. Docteur

All members present voted aye.

### **Resolution No. 134**

#### **Authorizing Agreement with New York State Board of Elections and Amending the 2012 County Budget and Capital Plan**

By Legislator: Scott Gray

Whereas, The New York State Board of Elections has provided a grant of federal funds to Jefferson County in the amount of \$186,478.10 for costs associated with the implementation of the Help America Vote Act, and

Whereas, The County Board of Elections desires to recognize this grant revenue and place the majority of it into the voting machine capital account for future purchases, and

Whereas, It is necessary authorize an agreement with the State Board of Elections to accept these funds and to amend the 2012 County Budget and capital plan to appropriate the funds.

Now, Therefore, Be It Resolved, That Jefferson County enter into said grant agreement and that the Chairman of the Board of Legislators be and is hereby authorized and directed to execute said agreement on behalf of the County subject to the review of the County Attorney as to form and content, and be it further

Resolved, That the 2012 County Budget is amended as follows:

**Increase:**

Revenues

01-1450-999.94089	Federal Election Aid	\$ 16,000.00
20-9006-999.94097	Federal Election Aid	170,478.10

Expenditures

01-1450-1451.4110	HAVA Office Expenses	\$ 8,000.00
01-1450-1451.4585	HAVA Operating Supplies	8,000.00
20-9006-1450.2061	Voting Machines	170,478.10

and be it further

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

Seconded by Legislator: Michael J. Docteur

Roll Call Vote

Ayes: Docteur, Drake, Astafan, Peck, Nabywaniec, Thomas, Harter, Behling, Ormsby, Adsit, Doldo, Gray, Ferris, Fitzpatrick

Absent: Reed

Resolution passed.

**Resolution No. 135**

**Amending Management Compensation Plan for 2012**

By Legislator: Scott A. Gray

Whereas, By Resolution 240 of 2011, this Board of Legislators adopted the Management Compensation Plan for 2012, for which the 2012 County Budget provided funds, and

Whereas, Pursuant to Chapter 567 of the Laws of 2010 and the Judiciary Law Section 183-a, the State of New York requires that the County District Attorney receive a salary of \$140,300 for the period April 1, 2012 - March 31, 2013, and

Whereas, The New York State Budget furthermore provides an increase in revenues to the various counties to fund, for the current State fiscal year, the mandated increase in their district attorneys' salaries, and

Whereas, The Board of Legislators must amend the compensation plan to provide for this increase, and the 2012 County Budget must be amended to recognize the prorated increase in both the District Attorney's salary and the prorated revenue from the State.

Now, Therefore Be It Resolved, That the Management Compensation Plan for 2012 is hereby amended to increase the District Attorney's salary to \$140,300, effective April 1, 2012 , and be it further

Resolved, That the 2012 County Budget be amended as follows:

**Increase:**

Revenue		
01-1165-999.93030	State Aid DA Salary	\$15,375
Expenditure		
01-1165-1165.1100	Personal Services	15,375

Seconded by Legislator: Michael J. Docteur

Roll Call Vote

Ayes: Ferris, Ormsby, Thomas, Peck, Harter, Docteur, Gray, Doldo, Behling, Drake, Nabywaniec, Adsit, Astafan, Fitzpatrick

Absent: Reed

Resolution passed.

**Resolution No. 136**

**Authorizing Agreement with the Development Authority of the North Country Relative to the Distribution of PILOT Payments for COR Watertown Company, LLC**

By Legislator: Scott A. Gray

Whereas, This Board authorized the Jefferson County Industrial Development Agency to enter into a payment in lieu of taxes agreement with Cor Development Co. by Resolution 280 of 2011, and

Whereas, Said resolution also provided for the execution of a Project Development Agreement providing for payments from the Community Residential Housing Projects fund (“CRHP”) to be held in escrow and paid to the taxing jurisdictions during the respective years of the PILOT agreement, and

Whereas, The Development Authority of the North County (“DANC”) is the custodian of the CRHP fund and pursuant to this agreement will act as distribution agent for PILOT payments due the respective taxing jurisdictions pursuant to the Agreement.

Now, Therefore, Be it Resolved, that the Chairwoman of the Board is hereby authorized and directed to execute the payment agreement with the DANC, subject to the approval of the County Attorney as to form and content.

Seconded by Legislator: Michael J. Docteur

All members present voted aye.

**Resolution No. 137**

**Authorizing Payment in Lieu of Taxes Agreement Relative to the Millwood Creek Housing Project (Lawler Realty LLC) in Sackets Harbor**

By Legislator: Scott A. Gray

Whereas, The Jefferson County Industrial Development Agency (the “Agency”) was created by Chapter 369 of the Laws of 1971 of the State of New York pursuant to Title 1 of Article 18-A of the General Municipal Law of the State of New York (collectively, the “Act”), and

Whereas, The Agency has agreed to acquire from Lawler Realty LLC (the “Company”), property consisting of 22.40 acres located at Madison Barracks, Sackets Harbor, New York, with an address of 85 Worth Road, in the Town of Hounsfield more particularly described in the PILOT Agreement, and

Whereas, The Agency has agreed to lease the property to the Company pursuant to a Lease Agreement by and between the Agency and the Company, and

Whereas, Pursuant to Section 874(1) of the Act, and Section 412(A) of the Real Property Tax Law of the State of New York, the Agency is exempt from the payment of taxes and assessments imposed upon real property and improvements owned by it other than special ad valorem levies, special assessments and services charges against real property located in Jefferson County which are or may be imposed for special improvements or special district improvements, and

Whereas, Jefferson County deems it appropriate for the Agency to enter into a Payment in Lieu of Taxes Agreement making provision for payments in lieu of taxes by the Company to the Agency for the benefit of the respective taxing jurisdictions within which the property is located.

Now, Therefore, Be It Resolved, That Jefferson County hereby consents to the Agency entering into a Payment in Lieu of Taxes Agreement with Lawler Realty LLC in substantially the same form as presented at this meeting, and be it further

Resolved, That the Chairman of the Board of Legislators be and is hereby authorized and directed to execute the consent to said Agreement on behalf of Jefferson County subject to the approval of the County Attorney as to form and content and distribution thereof by the Agency as provided on the attached Schedule.

Seconded by Legislator: Michael J. Docteur

### Schedule

#### MILLCREEK PILOT PROFORMAS

Estimated Assessed Value                      \$4,005,000

Tax Rates / M    21.892292

County	6.365059
Town	1.277544
School	11.39969
Village	2.85
Fire Protection	0.290706

Ten Year 50%

	<u>County</u>	<u>Exempt</u>	<u>Pay</u>	<u>County Net</u>	<u>Town</u>	<u>Town Net</u>
Year 1	25,492	80%	20%	5,098	5,117	1,023
Year 2	25,492	70%	30%	7,648	5,117	1,535
Year 3	25,492	65%	35%	8,922	5,117	1,791
Year 4	25,492	55%	45%	11,471	5,117	2,302
Year 5	25,492	50%	50%	12,746	5,117	2,558
Year 6	25,492	45%	55%	14,021	5,117	2,814
Year 7	25,492	40%	60%	15,295	5,117	3,070

Year 8	25,492	35%	65%	16,570	5,117	3,326
Year 9	25,492	35%	65%	16,570	5,117	3,326
Year 10	25,492	25%	75%	19,119	5,117	3,837
	254,921			127,460	51,166	25,583

	School	School Net	Village	Village Net	Total Net	Fire
Year 1	45,656	9,131	11,414	2,283	17,536	1,164
Year 2	45,656	13,697	11,414	3,424	26,304	1,164
Year 3	45,656	15,980	11,414	3,995	30,688	1,164
Year 4	45,656	20,545	11,414	5,136	39,455	1,164
Year 5	45,656	22,828	11,414	5,707	43,839	1,164
Year 6	45,656	25,111	11,414	6,278	48,223	1,164
Year 7	45,656	27,393	11,414	6,849	52,607	1,164
Year 8	45,656	29,676	11,414	7,419	56,991	1,164
Year 9	45,656	29,676	11,414	7,419	56,991	1,164
Year 10	45,656	34,242	11,414	8,561	65,759	1,164
	456,558	228,279	114,143	57,071	438,393	11,643

All members present voted aye.

**Resolution No. 138**

**Authorizing the Execution of Agreements with World Fuel Services for the Purchase and Distribution of Aviation Fuels at the Watertown International Airport.**

By Legislator: Scott A. Gray

Whereas, The County of Jefferson owns and operates the Watertown International Airport, and

Whereas, The County of Jefferson is purchasing the current fixed based operator at the Airport, Tom Brouty Aircraft Service, including but not limited to, its aviation fuel distribution and sales franchise with World Fuel Services; and

Whereas, Pursuant to General Municipal Law §352(4) the legislative body of a county which has established an airport may purchase and sell aviation petroleum products; and

Whereas, It is necessary to enter into various operating agreements with World Fuel Services in order to continue its existing business relationship with Tom Brouty Aircraft Services for a period of two years commencing May 1, 2012; and

Whereas, The agreements include:

Branding Agreement- Requiring the branding of aviation fuel products sold as "Philips 66" and the training of technicians pursuant to

dealer standards.

Fuel Supply Agreement- Requiring the purchase of aviation fuel from World Fuels for a period of two years.

Security Agreement- Granting Uniform Commercial Code security interest in petroleum products delivered and stored in County facilities as collateral interest.

Now, Therefore, Be it Resolved, that the Chairwoman is hereby authorized and directed to execute the aforementioned agreements, subject to the review and approval of the County Attorney as to form and content.

Seconded by Legislator: Michael J. Docteur

All members present voted aye.

### **Resolution No. 139**

#### **Delegating Authority to Contract on Behalf of the County of Jefferson for Airport and Fixed Base Operations Business**

By Legislator: Scott A. Gray

Whereas, The County of Jefferson owns and operates the Watertown International Airport and the Highway Department and its Superintendent is ultimately responsible for all management operations at the airport, and

Whereas, The County of Jefferson is purchasing and intends to operate the Fixed Base Operator (“FBO”) at the airport beginning in May of 2012, and

Whereas, Operation of an FBO is a proprietary business requiring on site management with authority to bind the parent municipal entity to agreements for both revenue and expenditures without the necessity of legislative action to approve or ratify such action, and

Whereas, This Board desires to provide the greatest autonomy to the management of the new county FBO by delegating reasonable and limited fiscal authority to the Highway Superintendent and his designee to enter into contracts and other obligations on behalf of Jefferson County.

Now, Therefore, Be it Resolved, that the Highway Superintendent and his designee may enter into contracts, agreements, obligations, and other commitments on behalf of the County of Jefferson in regard to operations of the Watertown International Airport Fixed Base Operator, and all business transactions associated therewith, provided the financial obligation assumed against the County of Jefferson does not exceed \$25,000.00, and be it further

Resolved, That for the specific purpose of ordering, requisitioning and contracting for the purchase of aviation fuel, the aforementioned financial limitation shall not exceed \$75,000.00, and be it further

Resolved, That the designee of the Highway Superintendent shall be named by him in writing and filed with the Clerk of the Board and any change in that designee shall only be effective upon receipt of written notification by the Clerk of the Board from the Highway Superintendent, and be it further,

Resolved, That the agreements, contracts and other obligation documents entered into on behalf of the County as part of the FBO activities remain subject to the review of the County Attorney as to form and content. All transactions entered into at the FBO shall be subject to audit and review in the same manner as all other County of Jefferson transactions.

Seconded by Legislator: Michael J. Docteur

All members present voted aye.

#### **Resolution No. 140**

#### **Authorizing Agreements with FAA and Amending the 2012 County Budget and Capital Plan in Relation to Various Airport Projects**

By Legislator: Philip N. Reed, Sr.

Whereas, Jefferson County anticipates FAA funding for a number of airport projects, including the purchase of snow removal equipment, the design of Phase 2 of the Taxiway B rehabilitation, the rehabilitation and extension of Taxiway A, funding for an airport supplemental environmental assessment, and the purchase of land for runway protection zones, and

Whereas, Said projects require some spending in advance of official grant award notification, and

Whereas, The 2012 County Budget and capital plan must be amended to establish said projects in the Capital fund, and to authorize agreements with the FAA to accept the grants.

Now, Therefore, Be It Resolved, That Jefferson County enter into agreements with the FAA for said projects and that the Chairman of the Board is hereby authorized and directed to execute said agreements on behalf of the County, subject to the review of the County Attorney as to form and content, and be it further

Resolved, That the 2012 County Budget is amended as follows:

#### **Increase:**

(Expenditure)

20-9006-5610.2086	Snow Removal Equipment	\$ 629,400
20-9006-5610.2094	Reconstruct Taxiway A	2,273,217
20-9006-5610.2095	Environmental Assessment	50,000
20-9006-5610.2099.1	Rehabilitate Taxiway B	160,100
20-9006-5610.2099.5	RPZ Land Acquisition	200,000

(Revenue)		
20-9006-999.94589	Federal Aid - FAA	\$2,981,445
20-9006-999.93589	State Aid - DOT	165,636

**Decrease:**

20-9006-6989.2064	Property Improvements	\$ 165,636
-------------------	-----------------------	------------

and be it further

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

Seconded by Legislator: Anthony J. Doldo

Roll Call Vote

Ayes: Thomas, Adsit, Doldo, Docteur, Ferris, Drake, Ormsby, Harter, Nabywaniec, Gray, Behling, Astafan, Peck, Fitzpatrick

Absent: Reed

Resolution passed.

**Resolution No. 141**

**Authorizing Agreement with the Town of Philadelphia to Exchange Ownership and Jurisdiction of Culverts P018 and P036, and Delles Road with said Town and Amending the County Highway Map 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 or village, 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 Culverts P018 and P036 from the County Highway System and that ownership of said culverts be transferred to the Town of Philadelphia as hereinafter set forth, and

Whereas, The Jefferson County Highway Superintendent further recommends that Jefferson County assume ownership of Delles Road, located in the Town of Philadelphia, 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 Philadelphia to transfer ownership of Culvert P018, located on Sandy Hollow Road, and Culvert P036, located on Garden of Eden Road, to the Town, and be it further

Resolved, That upon conveyance of the above described sections of county highway to the Town of Philadelphia, they shall be deleted from the Jefferson County Highway System Map, and be it further

Resolved, That said agreement also transfer ownership of the town road called Delles Road located in the Town of Philadelphia (and which road commences at the intersection with Town Line Road at mile marker 0.00, thence runs northeasterly to the intersection with County Road 29 at mile marker 1.06, for a total distance of 1.06 miles), to the County, and be it further

Resolved, That upon conveyance of the above described Delles 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 transfers of ownership as above described.

Seconded by Legislator: Anthony J. Doldo

All members present voted aye.

### **Resolution No. 142**

#### **Authorizing Intergovernmental Agreement with the Town of Cape Vincent to Transfer Ownership of a portion of County Road 8 to said Town and Amending the County Highway Map 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 a portion of County Road 8 from the County Highway System and that ownership of said roadway be transferred to the Town of Cape Vincent 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 Cape Vincent to transfer ownership of a portion of County Road 8 a/k/a Millens Bay Road (and which road portion commences at the intersection with County Road 7 at mile marker 0.00, thence runs southeasterly to the intersection with New York State Route 12E at mile marker 0.15, for a total distance of 0.15 miles), to the Town, and be it further

Resolved, That upon conveyance of the above described portion of County Road 8 to the Town of Cape Vincent, it shall be deleted from 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.

Seconded by Legislator: Anthony J. Doldo

All members present voted aye.

### **Resolution No. 143**

#### **Authorizing NYSDOT to Detour Traffic to County Route 90 During Bridge Deck Replacement**

By Legislator: Philip N. Reed, Sr.

Whereas, The New York State Department of Transportation proposes to replace the concrete decks on two structures, BIN 1032000 and BIN 1094690, over Interstate 81 on NYS Route 193 in Jefferson County. The project begins on NYS Route 193, 50 feet west of the west bridge joint of the southbound bridge over Interstate 81 (BIN 1032000) and ends 50 feet east of the east bridge joint of the northbound bridge over Interstate 81 (BIN 1094690), and

Whereas, In conformance with Section 104 and Section 10, Subdivision 19 of the New York State Highway Law, the New York State Department of Transportation proposes to utilize the following roads as a detour during the period from the spring of 2012 to the fall of 2012 or from the spring of 2013 to the fall of 2013; from NYS Route 193 to the on ramp of Exit 40 for south bound Interstate 81, proceeding south bound on I-81 and exiting at Exit 39 approximately 1.9 miles, proceeding east bound on Jefferson County Route 90 to the on ramp at Exit 39 for north

bound I-81, approximately 1,700 feet, proceeding northbound on I-81 exiting at Exit 40, proceeding to NYS Route 193 approximately 1.9 miles, and

Whereas, The New York State Department of Transportation will erect and maintain detour signs.

Now, Therefore, Be It Resolved, That the Jefferson County Board of Legislators hereby authorize the New York State Department of Transportation to utilize the above mentioned Jefferson County Route 90 as a detour and maintain traffic on them in accordance with subsection 619 of its Standard Specifications during the period of necessity, and be it further

Resolved, That Jefferson County will continue to provide routine maintenance on the section of the detour that is under maintenance jurisdiction of Jefferson County, including snow and ice control, and be it further

Resolved, That the Chairman of the Board and County Attorney are hereby authorized to execute all necessary documents to effectuate this agreement.

Seconded by Legislator: Anthony J. Doldo

All members present voted aye.

#### **Resolution No. 144**

#### **Accepting Donation for Sheriff's Department K-9 Unit and Amending the 2012 Budget in Relation Thereto**

By Legislator: Philip N. Reed, Sr.

Whereas, The Sheriff's Department has received a donation from the Phillips Family in the amount of \$200 to support the K-9 program.

Now, Therefore, Be It Resolved, That this Board of Legislators does hereby gratefully accept said donation and be it further

Resolved, That the 2012 Budget is hereby amended as follows:

#### **Increase:**

##### Revenue:

01-3110-999.92705	Gifts and Donations	\$ 200
-------------------	---------------------	--------

##### Expenditures:

01-3110-3110.4518	Canine Supplies	\$ 200
-------------------	-----------------	--------

Seconded by Legislator: Anthony J. Doldo

Roll Call Vote

Ayes: Peck, Ormsby, Adsit, Gray, Nabywaniec, Docteur, Drake, Thomas, Harter, Ferris, Astafan, Behling, Doldo, Fitzpatrick

Absent: Reed

Resolution passed.

**Resolution No. 145**

**Amending the 2012 County Budget to Recognize Insurance Recovery  
and Allocating Same in Sheriff's Department Budget**

By Legislator: Philip N. Reed, Sr.

Whereas, The Sheriff's Department has received two insurance settlement checks in the amount of \$2,361.30 and \$1,021.00 for a total of \$3,382.30 for damage to patrol units, and has requested that the settlement be used to supplement the external fleet expense line to pay for needed repairs.

Now, Therefore, Be It Resolved, That the 2012 County Budget is hereby amended as follows:

**Increase:**

01-3110-3110.4310.002	External Fleet Expense	\$ 3,382.30
01-3110-999.92680	Insurance Recoveries	\$ 3,382.30

Seconded by Legislator: Anthony J. Doldo

Roll Call Vote

Ayes: Drake, Behling, Gray, Adsit, Nabywaniec, Peck, Harter, Doldo, Astafan, Docteur, Ferris, Ormsby, Thomas, Fitzpatrick

Absent: Reed

Resolution passed.

**Resolution No. 146**

**Authorizing Agreement and Amending the 2012 County Budget in Relation to the**

**2011 State Homeland Security Program (SHSP) Grant**

By Legislator: Philip N. Reed, Sr.

Whereas, The New York State Division of Homeland Security and Emergency Services has awarded Jefferson County \$129,752 from the FY11 State Homeland Security Program (SHSP)(CFDA 97.067) through funding from the Division of Homeland Security and Emergency Services (DHSES), and

Whereas, The County must enter into an agreement with the New York State Division of Homeland Security and Emergency Services to receive these grant funds and the 2012 County Budget must be amended to recognize the revenue.

Now, Therefore Be It Resolved, That the County of Jefferson agrees to accept the \$129,752, and the Chairman of the Board of Legislators be and is hereby authorized and directed to execute said grant agreements on behalf of Jefferson County, subject to the review of the County Attorney as to form and content, and be it further,

Resolved, That the 2012 County Budget is amended as follows:

**Increase:**

(Revenue)		
01-3410-999.94320	Federal Aid Criminal Justice	\$ 129,752
(Expenditures)		
01-3410-3414.4416	Professional Fees- SHSP	\$ 40,000
01-3410-3414.2302	Radios	47,072
01-3410-3414.4514	Uniforms & Clothing	6,000
01-3410-3414.2300	Technical Equipment	29,000
01-3410-3414.4115.002	Cell Phones	7,680

Seconded by Legislator: Anthony J. Doldo

Roll Call Vote

Ayes: Astafan, Docteur, Behling, Gray, Harter, Adsit, Peck, Ormsby, Doldo, Nabywaniec, Drake, Ferris, Thomas, Fitzpatrick

Absent: Reed

Resolution passed.

**Accepting Donation from Henry Keep Home Board of Directors  
for the Provision of Personal Emergency Response Service, Authorizing  
Agreement and Amending the 2012 County Budget in Relation Thereto**

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 January 1, 2012 through December 31, 2013, at a cost of \$25 per month per individual, and

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

Whereas, The 2012 County Budget must be amended to recognize this year's 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 Chairman of the Board of Legislators be and is hereby authorized and directed to execute said agreement on behalf of the County subject to the approval of the County Attorney as to form and content, and be it further

Resolved, That the 2012 County Budget is amended as follows:

**Increase:**

Revenue:

01-6772-999.92705	Donations	\$6,000
-------------------	-----------	---------

Expenditure:

01-6772-6772.4715	Alter Home Care Equipment	\$6,000
-------------------	---------------------------	---------

Seconded by Legislators: Anthony J. Doldo

Roll Call Vote

Ayes: Gray, Docteur, Doldo, Ferris, Harter, Astafan, Drake, Thomas, Nabywaniec, Behling, Adsit, Ormsby, Peck, Fitzpatrick

Absent: Reed

Resolution passed.

**Resolution No. 148**

**Appointing Member to the Community Services Board**

By Legislator: James A. Nabywaniec

Resolved, That pursuant to Section 41.11 of the Mental Hygiene Law the following individual is hereby appointed a member of the Jefferson County Community Services Board and the designated sub-committee thereof for a term to expire as indicated below:

<u>Member</u>	<u>Sub-Committee</u>	<u>Term to Expire</u>
Tedd Stiles	Alcohol & Substance Abuse	12/31/2012

Seconded by Legislator: Anthony J. Doldo

All members present voted aye.

**Resolution No. 149**

**Approving Re-Appointments to the Jefferson County Agricultural Development Corporation Board of Directors**

By Legislator: Barry M. Ormsby

Whereas, Pursuant to Resolution 284 of 2002, The Jefferson County Board of Legislators approved the by-laws of the Jefferson County Agricultural Development Corporation (JCADC), and

Whereas, Said by-laws provide that the Board of Legislators appoint up to nine of the voting members of the JCADC Board of Directors, upon its recommendation, and

Whereas, There are currently three vacancies on the Board and the JCADC has recommended replacements to fill those positions.

Now, Therefore, Be It Resolved, That Paul Mason, Ralph Timerman, and Steve Sourwine be re-appointed to the Jefferson County Agricultural Development Corporation Board of Directors, for a term to expire December 31, 2014.

Seconded by Legislator: Robert J. Thomas

All members present voted aye.

**Resolution No. 150**

**Opposing New York State's Participation in Federal Memorandum of Understanding to Speed the Development of Offshore Wind Projects on the Great Lakes, if Sited in the Eastern Basin of Lake Ontario**

By Legislator: Barry M. Ormsby

Whereas, Ten federal agencies have signed a Memorandum of Understanding with five states - Illinois, Michigan, Minnesota, Pennsylvania and New York - creating the Great Lakes Offshore Wind Energy Consortium for the purpose of streamlining the reviews of proposed offshore wind projects on the Great Lakes, and

Whereas, Governor Cuomo has stated that offshore wind projects have the potential for providing clean energy and green jobs in upstate New York, and

Whereas, Said projects will, if located in the Eastern Basin of Lake Ontario, have a negative impact on many landowners and homeowners, including potential effects on real estate values, scenic vistas, and quality of life, and

Whereas, No defined financial benefit will accrue to any municipalities within Jefferson County, as the facilities will most likely be exempt from local real property taxes, and

Whereas, The project will require the construction of transmission facilities which would result in a negative economic impact on tourism destinations due to the effect on scenic vistas, and depending on their locations, could also negatively affect the farming community, and

Whereas, Jefferson County has concerns regarding the environmental safety of large-scale wind projects sited in our fresh water resources, especially as such projects are untested,

Whereas, Jefferson County does not wish to be the location of experimental off-shore wind tower projects, and

Whereas, This Board of Legislators did, by Resolution 95 of 2010, oppose for similar reasons The New York Power Authority (NYPA) Request for Proposal for the construction, siting and operation of wind turbine facilities in Lake Erie and/or Lake Ontario's Eastern Basin.

Now, Therefore, Be it Resolved, That this Board of Legislators strongly opposes the participation of New York State within the framework of said Memorandum of Understanding for any offshore wind project proposed for the Eastern basin of Lake Ontario, and be it further

Resolved, That copies of this Resolution be sent to Governor Cuomo, the Honorable Joseph Martens, Commissioner, NYS Dept. of Environmental Conservation, the Honorable Darrel J. Aubertine, Commissioner, NYS Department of Agriculture and Markets, and the elected federal representatives of Jefferson County.

Seconded by Legislator: Robert J. Thomas

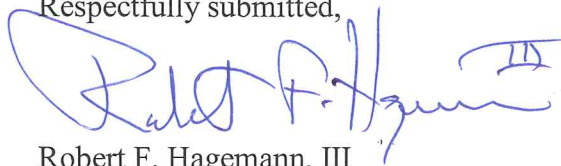
Legislator Docteur thanked the Planning & Development Committee for taking the leadership role in opposing offshore wind projects in Lake Ontario as a portion of his district is lakeshore. He said we have nothing to gain and everything to lose by having offshore wind turbines in the

Lake and felt we should protect this important natural resource and not take it for granted.

All members present voted aye.

There being no further business of the Board, on a motion by Legislator Ferris seconded by Legislator Thomas and unanimously carried, the meeting was adjourned at 7:28 p.m.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Robert F. Hagemann, III". The signature is stylized and written in a cursive-like font.

Robert F. Hagemann, III  
Clerk of the Board