

**REGULAR SESSION**

**TUESDAY, FEBRUARY 7, 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**

None.

**MINUTES OF LAST SESSION**

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

**PETITIONS, NOTICES AND COMMUNICATIONS**

Annual Reports for 2011 were received from the following:

County Auditor

County Clerk

Dog Control

Probation

Cornell Cooperative Extension Association of Jefferson County

**REPORTS OF STANDING COMMITTEES**

A report of the Finance & Rules Committee on resolutions referred from other jurisdictional committees was received.

**REPORTS OF COUNTY OFFICERS**

The County Treasurer provided a report on the status of investments and cash on hand as of December 31, 2011.

The County Administrator provided a report on budget transfers for the month of December, 2011.

**LOCAL LAWS, RESOLUTIONS AND MOTIONS**

**Resolution No. 50**

**Authorizing An Agreement for the Provision of  
Professional Title Examination Services**

By Legislator: Scott A. Gray

Whereas, In order to comply with the notification requirements of Article 11 of the Real Property Tax Law, and due process of law requirements in connection with real property tax foreclosure, it is critical that the County of Jefferson obtain accurate searches of public records related to the existence of legally protected interests in tax delinquent properties, and

Whereas, Brownell Abstract Corporation has provided title examination services to Jefferson County under previous contracts and has the expertise and resources to continue to provide such services, and

Whereas, The County of Jefferson and Brownell Abstract Corporation are desirous of renewing the agreement for the period of two years ending December 31, 2013, and

Whereas, The cost of title examination services is generated from fees upon tax delinquent real property pursuant to Real Property Tax Law § 1102(1) and by the provisions of Local Law No. 3 of 1996, as amended by Local Law No. 7 of 1996, and not by general tax revenue.

Now, Therefore, Be it Resolved, that the Board of Legislators authorizes a contract for the provision of the title examination services for a period of two years ending on December 31, 2013, at the rate of \$95.00 per parcel searched, subject to such terms and conditions as may be determined by the County Attorney; and the Chairman of the Board of Legislators is hereby authorized and directed to execute such agreement on behalf of Jefferson County.

Seconded by Legislator: Michael J. Docteur

All members present voted aye.

**Resolution No. 51**

**Authorizing Agreement to Accept by Gift a Certain Parcel  
of Real Property from the Estate of James W. Fleming**

By Legislator: Scott A. Gray

Whereas, Tax Map Parcel No. 119.00-1-18 in the Town of Lorraine is currently owned by the Estate of James W. Fleming, and

Whereas, The above property is landlocked and abuts Jefferson County forest land in the Town of Lorraine, and

Whereas, The Estate of James W. Fleming desires to donate the property to the County for its use

as forest land, and

Whereas, The County desires to accept this gift of property from the Estate; and

Now, Therefore, Be it Resolved that pursuant to County Law §215(3), the Board of Legislators accepts the conveyance of fee simple title by executrix deed to 2.0 (two) acres of land described above as a gift, and the Chairwoman of the Board is hereby authorized to execute any and all necessary documents to accept such conveyance, subject to approval of the County Attorney as to form and content.

Resolved, that the Chairwoman of the Board of Legislators be and hereby is authorized to execute a Contract of Purchase and Sale with Paula K. Fleming, Executrix of the Estate of James W. Fleming, providing for the conveyance of said parcel from Paula K. Fleming, Executrix of the Estate of James W. Fleming as outlined above, with the following further conditions in said contract: (1) the Estate of James W. Fleming will provide the County at closing with a signed executrix's deed, transfer tax affidavit and property transfer report; (2) the Estate of James W. Fleming will provide the County with Abstract, Bankruptcy and tax searches; and (3) the Estate of James W. Fleming will pay all recording and filing fees for the real property transfer.

Seconded by Legislator: Michael J. Docteur

All members present voted aye.

#### **Resolution No. 52**

#### **Appointment to Jury Board**

By Legislator: Scott A. Gray

Resolved, That, pursuant to Section 503 of the Judiciary Law, this Board hereby designates Jennie M. Adsit as a member of the County Jury Board for a term to expire December 31, 2013, and be it further

Resolved, That, the designation be filed in writing in the Office of the County Clerk.

Seconded by Legislator: Michael J. Docteur

All members present voted aye.

#### **Resolution No. 53**

#### **Appointing Member to Jefferson County Industrial Development Agency**

By Legislator: Scott A. Gray

Whereas, The 1972 Legislature of the State of New York created the Jefferson County Industrial Development Agency.

Now, Therefore, Be It Resolved, That, Pursuant to Article 18a of the General Municipal Law, the Jefferson County Board of Legislators hereby appoints Kent D. Burto, for a term to expire December 31, 2015, as a member of the Jefferson County Industrial Development Agency.

Seconded by Legislator: Michael J. Docteur

All members present voted aye.

**Resolution No. 54**

**Amending the 2012 County Budget To Re-Appropriate Funds to Purchase the Fixed Base Operator at Watertown International Airport**

By Legislator: Scott A. Gray

Whereas, By Resolution 282 of 2011, This Board of Legislators resolved to purchase the fixed base operator (FBO), Tom Brouty Aircraft Service, Inc., at the Watertown International Airport, enter into an agreement with Thomas Brouty for two years at \$75,000 per year for consulting services, pay for various consulting and legal services in connection with the purchase, and amended the 2011 County Budget in relation thereto, and

Whereas, The 2012 Budget must be amended to re-appropriate the purchase funds authorized in the 2011 County Budget by Resolution 282 of 2011.

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

**Increase:**

|                       |                                 |             |
|-----------------------|---------------------------------|-------------|
| Fund Balance          |                                 |             |
| 01-0599               | Appropriated Fund Balance       | \$1,575,000 |
| Expenditures          |                                 |             |
| 01-5610-5611.2000.001 | Purchase of Fixed Base Operator | \$1,475,000 |
| 01-5610-5611.4416     | Professional Fees               | 100,000     |

Seconded by Legislator: Michael J. Docteur

Roll Call Vote:

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

Absent: Reed

Resolution passed.

**Resolution No. 55**

**Amending the 2012 Budget and Capital Plan in Relation to the Watertown International Airport**

By Legislator: Scott A. Gray

Whereas, By Resolution 282 of 2011, This Board of Legislators resolved to purchase the fixed base operator (FBO), Tom Brouty Aircraft Service, Inc., at the Watertown International Airport, enter into an agreement with Thomas Brouty for two years at \$75,000 per year for consulting services, pay for various consulting and legal services in connection with the purchase, and amended the 2011 County Budget in relation thereto, and

Whereas, Said purchase and subsequent operation of the FBO by the County requires creating positions for two current FBO employees, and amending the 2012 County Budget to provide for the FBO's expenditures and revenues.

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

**Increase:**

Expenditures

|                       |                               |          |
|-----------------------|-------------------------------|----------|
| 01-5610-1375.4407     | Credit Card Fees              | \$ 1,632 |
| 01-5610-5611.1100     | Personal Services             | 71,994   |
| 01-5610-5611.1110     | Temporary                     | 15,000   |
| 01-5610-5611.1300     | Overtime                      | 10,000   |
| 01-5610-5611.4575     | Cost of Fuel & Oil Sales      | 772,000  |
| 01-5610-5611.4110     | Office Expenses               | 1,500    |
| 01-5610-5611.4115.001 | Telephone                     | 3,500    |
| 01-5610-5611.4116     | Postage                       | 400      |
| 01-5610-5611.4211     | Building/Property Maintenance | 1,000    |
| 01-5610-5611.4219     | Insurance                     | 20,000   |
| 01-5610-5611.4214     | Utilities                     | 5,000    |
| 01-5610-5611.4310.001 | Internal Fleet Expense        | 1,500    |
| 01-5610-5611.4311     | Gasoline & Oil                | 500      |
| 01-5610-5611.4414     | Supporting Services           | 500      |
| 01-5610-5611.4416     | Professional Fees             | 75,000   |
| 01-5610-5611.4512     | Food Supplies                 | 2,000    |
| 01-5610-5611.4514     | Uniforms & Clothing           | 500      |
| 01-5610-5611.8010     | State Retirement              | 14,399   |
| 01-5610-5611.8020     | Health Benefits               | 40,100   |

|                       |                             |            |
|-----------------------|-----------------------------|------------|
| 01-5610-5611.8030     | Social Security             | 5,508      |
| 01-5610-5611.8040     | Workers Compensation        | 2,160      |
| Capital               |                             |            |
| 20-9006-5610.2001     | Airport Facility            | \$100,000  |
| Revenues              |                             |            |
| 01-5610-999.91770     | Airport Fees & Rentals      | \$ 205,240 |
| 01-5610-999.91774     | Concessions                 | 2,000      |
| 01-5610-999.91776     | Airport Sales of Fuel & Oil | 1,019,178  |
| Transfers             |                             |            |
| 01-8992-9950.9006     | Transfer to Capital         | \$ 100,000 |
| 20-9006-999.95031.001 | Transfer from General       | 100,000    |
| <b>Decrease:</b>      |                             |            |
| 01-0599               | Appropriated Fund Balance   | \$ 82,225  |

and be it further

Resolved, That two (2) Airport Maintenance Mechanic positions are hereby created, at Grade 7 and Steps 4 and 7, respectively, and be it further

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

Seconded by Legislator: Michael J. Docteur

Roll Call Vote

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

Absent: Reed

Resolution passed.

### **Resolution No. 56**

#### **Amending the 2011 County Budget for Sales Tax Distribution**

By Legislator: Scott A. Gray

Whereas, The 2011 County Budget must be amended to recognize additional sales tax for towns and the City of Watertown.

Now, Therefore, Be It Resolved, That the 20110 County Budget is amended as follows:

**Increase:**

Expenditures

|                   |                           |                |
|-------------------|---------------------------|----------------|
| 01-1040-1985.4631 | Distribution of Sales Tax | \$1,569,980.87 |
|-------------------|---------------------------|----------------|

Revenue

|                   |                 |                |
|-------------------|-----------------|----------------|
| 01-1040-999.91110 | State Sales Tax | \$1,569,980.87 |
|-------------------|-----------------|----------------|

and be it further

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

Seconded by Legislator: Michael J. Docteur

Roll Call Vote

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

Absent: Reed

Resolution passed.

**Resolution No. 57**

**Amending the 2011 County Budget in Relation to  
Lighting Improvement at the Public Safety Building**

By Legislator: Philip N. Reed, Sr.

Whereas, The Superintendent of Buildings & Grounds identified, applied for, and received rebates from National Grid under its Energy Efficiency Initiative for the replacement of all of the ballasts and bulbs in the lighting fixtures at the Public Safety Building, and

Whereas, These rebates, in the amount of \$20,310, will cover the costs of the materials used in said project, and

Whereas, The lighting improvement project is estimated to produce annual savings to the County of more than \$20,000, and

Whereas, The 2011 County Budget and capital plan must be amended to recognize the rebate revenue and place it in the Public Safety Building account, from which the lighting materials were originally paid for.

Now, Therefore, Be It Resolved, That the 2011 County Budget is hereby amended as follows:

Increase:

|                   |                        |          |
|-------------------|------------------------|----------|
| (Revenue)         |                        |          |
| 20-9006-999.92770 | Public Utility Rebate  | \$20,310 |
| (Expenditure)     |                        |          |
| 20-9006-3150.2038 | Public Safety Facility | \$20,310 |

and be it further

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

Seconded by Legislator: Anthony J. Doldo

Roll Call Vote

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

Absent: Reed

Resolution passed.

### **Resolution No. 58**

#### **Authorizing Appointments and Re-Appointments to Fire Advisory Board & EMS Advisory Board**

By Legislator: Philip N. Reed, Sr.

Resolved, That, pursuant to Section 225-a of the County Law and Resolution Nos. 83 and 99 of 2006, the following individuals are hereby appointed to the Fire Advisory Board and the EMS Advisory Board for terms to expire as indicated:

|                 |            |
|-----------------|------------|
| Gary F. West    | 12/31/2014 |
| James W. McLane | 12/31/2014 |

and be it further

Resolved, That the following individuals be reappointed to terms to expire as indicated:

|              |            |
|--------------|------------|
| Barry Ormsby | 12/31/2013 |
| Philip Reed  | 12/31/2013 |

|                  |            |
|------------------|------------|
| Michael Behling  | 12/31/2013 |
| Justin Taylor    | 12/31/2014 |
| Barry Waite      | 12/31/2014 |
| Kathleen LaClair | 12/31/2014 |
| Stephen Joels    | 12/31/2014 |

Seconded by Legislator: Anthony J. Doldo

All members present voted aye.

### **Resolution No. 59**

#### **Authorizing a Fixed Asset Transfer from the Solid Waste - Recycling Fund to the General Fund and Amending the 2011 County Budget in Relation Thereto**

By Legislator: Philip N. Reed, Sr.

Whereas, The County Highway Superintendent has transferred a used 2004 Skid Steer Loader from the Solid Waste - Recycling Fund (Fund 15) to the Airport in the General Fund (Fund 01), and

Whereas, This transfer must be authorized by this Board of Legislators with a stipulated book value of \$3,019.50, and

Whereas, The 2011 County Budget must be amended to reflect the transaction, and

Whereas, As GAAP (Generally Accepted Accounting Principles) for governmental units dictate different accounting for the Enterprise Fund (Solid Waste - Recycling) than for the General Fund, only the transfer from the Solid Waste Fund is shown, with no corresponding transfer into the General Fund.

Now, Therefore Be It Resolved, That the above-mentioned transfer is approved and the 2011 County Budget is amended as follows:

#### **Increase:**

|                   |  |            |
|-------------------|--|------------|
| 15-9101-9901.9011 | Transfer of Fixed Asset From Recycling to Other Fund | \$3,019.50 |
|-------------------|--|------------|

Seconded by Legislator: Anthony J. Doldo

All members present voted aye.

### **Resolution No. 60**

**Authorizing Agreement with the New York State Office of Indigent Legal Services and  
Amending the 2012 County Budget in Relation Thereto**

By Legislator: Philip N. Reed, Sr.

Whereas, The New York State Office of Indigent Legal Services has awarded Jefferson County \$28,480 for the purpose of improving the quality of indigent legal services, and

Whereas, The 2012 County Budget must be amended to recognize and appropriate said funds, and an agreement is necessary between the County and the Office of Indigent Legal Services.

Now, Therefore, Be It Resolved, That Jefferson County enter into an agreement with the New York State Office of Indigent Legal Services for \$28,480 for the term 6/1/2011- 5/31/2012 and that the Chairman of this Board of Legislators be and is hereby authorized and directed to execute said agreement on behalf of the Jefferson 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 hereby amended as follows:

**Increase:**

|                   |                                   |          |
|-------------------|-----------------------------------|----------|
| Revenue           |                                   |          |
| 01-1170-999.93025 | State Aid Indigent Legal Services | \$28,480 |
| Expenditures      |                                   |          |
| 01-1170-1170.4416 | Professional Services             | \$18,480 |
| 01-1170-1170.4613 | Training                          | 10,000   |

Seconded by Legislator: Anthony J. Doldo

Roll Call Vote

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

Absent: Reed

Resolution passed.

**Resolution No. 61**

**Authorizing Agreement with the NYS Unified Court System  
for Cleaning and Maintenance of Court Facilities**

By Legislator: Philip N. Reed, Sr.

Whereas, Counties are required by law to furnish and maintain adequate court facilities for use by State Courts, and

Whereas, Pursuant to Chapter 686 of the Laws of 1996, New York State was designated with fiscal responsibility for managing interior cleaning and minor repairs within court facilities, and required to contract with counties for such maintenance, and

Whereas, Pursuant to Resolution 284 of 2008, Jefferson County entered into an agreement with the NYS Unified Court System for the provision of cleaning and maintenance services to the local courts during the period April 1, 2008 through March 31, 2013 in consideration of reimbursement by the NYS Unified Court System to the County for actual costs for cleaning and maintenance, and

Whereas, The Unified Court System has established a renewal period in the five-year term of this agreement commencing on April 1, 2011 and terminating on March 31, 2012, the maximum compensation for the 2011-2012 period shall be \$181,738.

Now, Therefore, Be It Resolved, That Jefferson County enter into an agreement with the NYS Unified Court System for the provision of cleaning and maintenance services to the local courts for the period April 1, 2011 through March 31, 2012 in consideration of reimbursement by the NYS Unified Court System to the County for actual costs for cleaning and maintenance in the amount of \$181,738, 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, subject to approval by the County Attorney as to form and content.

Seconded by Legislator: Anthony J. Doldo

All members present voted aye.

### **Resolution No. 62**

#### **Recognizing NYS Governor's Traffic Safety Committee Selective Traffic Enforcement Grant and Amending the 2012 County Budget in Relation Thereto**

By Legislator: Philip N. Reed, Sr.

Whereas, The Jefferson County Sheriff's Department has been awarded a NYS Traffic Safety Committee Selective Traffic Enforcement Programs grant in the amount of \$9,139.

Now, Therefore, Be It Resolved, That the Jefferson County Board of Legislators hereby accepts said grant award for the project period October 1, 2011 through September 30, 2012, and be it further

Resolved, That the Chairman of the Board of Legislators is hereby authorized and directed to execute any and all documents as may be required to fulfill the requirements of this grant award, subject to approval by the County Attorney as to form, and be it further

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

**Increase:**

Revenue:

|                   |                              |          |
|-------------------|------------------------------|----------|
| 01-3110-999.94389 | Federal Aid Criminal Justice | \$ 9,139 |
|-------------------|------------------------------|----------|

Expenditure:

|                   |          |       |
|-------------------|----------|-------|
| 01-3110-3110.1300 | Overtime | 9,139 |
|-------------------|----------|-------|

Seconded by Legislator: Anthony J. Doldo

Roll Call Vote

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

Absent: Reed

Resolution passed.

**Resolution No. 63**

**Authorizing Agreements for Provision of Services to Elderly of Jefferson County**

By Legislator: James A. Nabywaniec

Whereas, The Jefferson County Office for the Aging works for the establishment and expansion of programs and services which assist older persons in the areas of their most urgent needs, and

Whereas, the Office for the Aging is eligible to receive State and Federal funds for the purpose of providing needed programs and services to elderly residents of Jefferson County, and

Whereas, the Office for the Aging and this Board of Legislators desire to contract for the provision of certain programs and services to the elderly.

Now, Therefore, Be It Resolved, That pursuant to Section 95-a of the General Municipal Law, Jefferson County enter into agreements for the period of January 1, 2012 through December 31, 2013 with the below listed parties for provision of such programs and services to elderly residents of Jefferson County and for such consideration as follows:

## **Transportation Services**

**The Volunteer Center of Jefferson County**, for the provision of transportation services for persons 60 years of age or older; consideration for services of approximately \$20,000 annually,

**Wilna-Champion Transportation Center, Inc.**, Carthage, New York for the provision of transportation services for persons 60 years of age or older; consideration for services of approximately \$10,000 annually,

**Paynter Senior Center, Inc.**, Clayton, New York for the provision of transportation services for persons 60 years of age or older; consideration for services of approximately \$5,000 annually.

## **Personal Care Services**

**Homemakers of Western, NY, Inc.** aka Caregivers, Watertown, New York for the provision of housekeeper/chore, personal care and respite services for persons 60 years of age or older; consideration for services at a rate of \$18.25 per hour,

**Sibley Nursing Personnel Service, Inc.**, Watertown, New York for the provision of housekeeper/chore and personal care services for persons 60 years of age or older; consideration for services at a rate of \$17.55 per hour.

**Family Home Care, Inc.**, Rome, New York for the provision of housekeeper/chore, personal care and respite services for persons 60 years of age or older; consideration for services at a rate of \$17.50 per hour.

## **Personal Emergency Response System (PERS) Services**

**S.T.A.T. Communications, Inc.**, Watertown, New York for the provision of personal emergency response system (PERS) services for persons 60 years of age or older; consideration for services at a rate of \$25.00 per month per unit.

## **Ombudsman Coordinator Services**

**Northern NY Rural Health Care Alliance, Inc.**, Watertown, New York for the provision of Ombudsman services to coordinate a program to protect the rights of elderly residents in nursing and adult homes in Jefferson County; consideration for services at approximately \$12,800 annually.

## **Legal Services**

**Legal Aid Society of Mid-New York, Inc.**, Watertown, New York for the provision of legal services for persons 60 years of age or older; consideration for services at a rate of approximately \$10,000 annually.

and be it further

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

Seconded by Legislator: Robert J. Thomas

All members present voted aye.

**Resolution No. 64**

**Appointing Members to the Jefferson County Office for Aging Advisory Council**

By Legislator: James A. Nabywaniec

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

| <u>Members</u>                  | <u>Term Expires</u> |
|---------------------------------|---------------------|
| Reappointments:                 |                     |
| Ora Hawkins                     | 12/31/2014          |
| Barbara Webber                  | 12/31/2014          |
| Holly Armstrong                 | 12/31/2014          |
| Vera Thornton                   | 12/31/2014          |
| New Appointment:                |                     |
| Sister Mary Louise Fiedler, SSJ | 12/31/2014          |

Seconded by Legislator: Robert J. Thomas

All members present voted aye.

**Resolution No. 65**

**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 as a member of the Jefferson County Community Services Board and the designated sub-committee thereof as indicated below:

| <u>Member</u>   | <u>Sub-Committee</u>                   | <u>Term to Expire</u> |
|-----------------|--|-----------------------|
| Michael Astafan | People With Developmental Disabilities | 12/31/2013            |

Seconded by Legislator: Robert J. Thomas

All members present voted aye except Legislator Astafan who abstained.

**Resolution No. 66**

**Accepting Donation on Behalf of the County Home  
(Whispering Pines) and Amending the 2012 County Budget**

By Legislator: James A. Nabywaniec

Whereas, John Murtha and Pamela Beyor-Murtha have donated \$200 to the County Home (Whispering Pines) to be used for client incidentals, and

Whereas, The 2012 County Budget must be amended to recognize said 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 2012 County Budget is amended as follows:

**Increase:**

|                   |           |       |
|-------------------|-----------|-------|
| Revenue:          |           |       |
| 01-6030-999.92705 | Donations | \$200 |

|                   |                    |       |
|-------------------|--------------------|-------|
| Expenditure:      |                    |       |
| 01-6030-6030.4624 | Client Incidentals | \$200 |

Seconded by Legislator: Robert J. Thomas

Roll Call Vote

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

Absent: Reed

Resolution passed.

**Resolution No. 67**

**Appointing Medical Director for the Article 28 Diagnostic and Treatment Center**

By Legislator: James A. Nabywaniec

Resolved, That, pursuant to Article 7-B and Section 396-c of County Law and Section 751.2 (h) of the New York Codes, Rules and Regulations, Robert J. Kasulke, MD be and is hereby reappointed as Medical Director for a term to expire December 31, 2013.

Seconded by Legislator: Robert J. Thomas

All members present voted aye.

**Resolution No. 68**

**Establishing Compensation for Temporary Professional Employees  
Employed in Connection with the County Rabies Program Vaccination Clinic**

By Legislator: James A. Nabywaniec

Resolved, That the compensation to be paid during 2012-2013 to temporary Veterinarians employed in connection with the County Rabies Vaccination Clinic shall be \$67.50 per hour.

Seconded by Legislator: Robert J. Thomas

All members present voted aye.

**Resolution No. 69**

**Authorizing Agreement with State Farm Mutual Automobile Insurance Company  
for a Distracted Driving Prevention Program (D2P2) for Teens Initiative**

By Legislator: James A. Nabywaniec

Whereas, The Public Health Service has been notified by the State Farm Mutual Automobile Insurance Company of a traffic safety and distracted driving prevention award in the amount of \$14,849, and

Whereas, The purpose of the award is to support and expand current department work utilizing evidence-based strategies and national campaign resources to educate youth ages 16-20 years and their parents about the dangers of distracted driving, and

Whereas, Said grant funding will both partly offset some currently budgeted salary and fringe expenditures and require several new appropriations.

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 State Farm Mutual Automobile Insurance Company for the provision of this funding, subject to approval of the County Attorney as to form and content, and be it further

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

**Increase:**

|                   |                           |          |
|-------------------|---------------------------|----------|
| Revenue           |                           |          |
| 01-4050-999.92705 | Gifts and Donations       | \$14,849 |
| Expenditures      |                           |          |
| 01-4050-4059.4117 | Printing                  | 150      |
| 01-4050-4059.4313 | Travel                    | 1,000    |
| 01-4050-4059.4585 | Operating Supplies        | 12,500   |
| 01-4050-4059.4613 | Training                  | 350      |
| 01.0599           | Appropriated Fund Balance | 849      |

Seconded by Legislator: Robert J. Thomas

Roll Call Vote

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

Absent: Reed

Resolution passed.

**Resolution No. 70**

**Urging New York State Board of Regents to Reinstate Individualized Education Plan Diplomas and Supporting the Regents' Plan to Offer Additional Safety Net Options for Local Diplomas**

By Legislator: James A. Nabywaniec

Whereas, For the past ten years students with disabilities in New York State have had three options to earn a high school diploma, including a Regents Diploma, a local diploma and an Individualized Education Plan (IEP) diploma, and

Whereas, While after the New York State Board of Regents required school districts to provide full access to Regents courses for students with disabilities, these student earned more Regents diplomas, almost as many of these students earn local diplomas, and

Whereas, In addition, some twenty percent of students with disabilities earn IEP diplomas, and

Whereas, The Regents have determined to eliminate IEP diplomas and replace them with Skills and Achievement Commencement Credentials, and

Whereas, In addition, the Regents are examining alternative ways of earning local diplomas to give students with disabilities more flexibility in achieving them, and

Whereas, Different students have different skills and abilities, and removing the option of IEP diplomas is not in the best interest of some students and would sharply reduce the number of diplomas earned by students with disabilities, and

Whereas, Offering additional options for earning a local diploma is in the best interest of those students able to meet local diploma standards.

Now, Therefore, Be It Resolved, That Jefferson County urges the New York State Board of Regents to Reinstate Individualized Education Plan Diplomas, and be it further

Resolved, That the County supports the Regents' plan to offer additional safety net options for earning local diplomas, and be it further

Resolved, That copies of this resolution be provided to Jefferson County's State representatives and to the Board of Regents.

Seconded by Legislator: Robert J. Thomas

All members present voted aye.

### **Resolution No. 71**

#### **Authorizing Grant Agreement, State Environmental Quality Review Act (SEQR) Determination, and Amending the 2012 County Budget in Relation to a 2011 Community Development Block Grant Award from the NYS Office of Community Renewal**

By Legislator: Barry M. Ormsby

Whereas, Jefferson County has been notified by the new york State Office of Community Renewal (OCR) that its 2011 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 V) 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 2012 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 Chair 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 2012 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: Robert J. Thomas

Roll Call Vote

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

Absent: Reed

Resolution passed.

**Resolution No. 72**

**Appointing Members to Soil & Water Conservation District Board of Directors**

By Legislator: Barry M. Ormsby

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

| <u>Name</u>                    | <u>Term to Expire</u> |
|--------------------------------|-----------------------|
| Michael Behling, Legislator    | 12/31/2012            |
| John Peck, Legislator          | 12/31/2012            |
| Jason Bast, Farm Bureau        | 12/31/2014            |
| Kevin Simpson, Member at Large | 12/31/2014            |

Seconded by Legislator: Robert J. Thomas

All members present voted aye.

### **Resolution No. 73**

#### **Appointing Members to the Regional Fish and Wildlife Management Board**

By Legislator: Barry M. Ormsby

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

| <u>Name</u>                                  | <u>Term to Expire</u> |
|--|-----------------------|
| Robert D. Ferris, Legislative Representative | 12/31/13              |
| William C. Stage, Sportsman Representative   | 12/31/13              |

Seconded by Legislator: Robert J. Thomas

All members present voted aye.

### **Resolution No. 74**

#### **Appointing Representative to Cornell Cooperative Extension Association of Jefferson County**

By Legislator: Barry M. Ormsby

Resolved, That Carolyn D. Fitzpatrick be and is hereby appointed to represent the Board of Legislators on the Board of Directors of the Cornell Cooperative Extension Association of Jefferson County for a term to expire December 31, 2013.

Seconded by Legislator: Robert J. Thomas

All members present voted aye.

**Resolution No. 75**

**Appointing Members to the New York State Department of  
Environmental Conservation (NYSDEC) Region 6 Advisory Committee**

By Legislator: Barry M. Ormsby

Resolved, That Pursuant to Article 49 Title 2 Section 49–2009 of Environmental Conservation Law, the Executive Director of the Jefferson County Soil & Water Conservation District, or his designee, and the Director of Planning, or his designee, are hereby appointed to the NYSDEC Region 6 Advisory Committee, to serve until replaced.

Seconded Legislator: Robert J. Thomas

All members present voted aye.

**Resolution No. 76**

**Approving Appointments to Forest Practice Board**

By Legislator: Barry M. Ormsby

Resolved, Pursuant to Section 9-0705 of the Environmental Conservation Law, the appointment by the Chairman of the Board of Legislators of the following individuals to the Regional Forest Practice Board for terms to expire as indicated, be and are hereby approved:

| <u>Member</u>    | <u>Term of Office</u> |
|------------------|-----------------------|
| Robert D. Ferris | 12/31/2013            |
| Reg Purington    | 12/31/2014            |

Seconded by Legislator: Robert J. Thomas

All members present voted aye.

**Resolution No. 77**

**Approving Appointment to the Jefferson County Planning Board**

By Legislator: Barry M. Ormsby

Resolved, That pursuant to Section 239-c of the General Municipal Law, Lindsay Graveline is hereby appointed to the Jefferson County Planning Board for term to expire December 31, 2014.

Seconded by Legislator: Robert J. Thomas

All members present voted aye.

### **Resolution No. 78**

#### **Appointing Members to Community Action Planning Council**

By Legislator: Barry M. Ormsby

Resolved, That, pursuant to the by-laws of the Community Action Planning Council of Jefferson County, the following individuals are hereby appointed to the Board of Directors of said Council for terms to expire December 31, 2013.

Jennie Adsit  
Anthony Doldo  
Allen Drake  
Kathleen LaClair

Seconded by Legislator: Robert J. Thomas

All members present voted aye.

Chairwoman Fitzpatrick entertained a motion to waive the Standing Rules to permit the introduction of two additional resolutions for consideration. Such motion was made by Legislator Ormsby seconded by Legislator Docteur and unanimously carried.

### **Resolution No. 79**

#### **Memorial for Paul F. Fitzgerald, Sr.**

By Legislator: Jennie M. Adsit

Resolved, That a suitably inscribed memorial page be set apart in the 2012 Journal of Proceedings in memory of the late Paul F. Fitzgerald, Sr. who died January 1, 2012 in Carthage, NY. Mr. Fitzgerald served as the Town of Pamela Supervisor on the Board of Supervisors from 1958 - 1967, and 1978 - 1981.

Seconded by Legislator: Robert J. Ferris

Mrs. Adsit said she knew Mr. Fitzgerald when he was on the Board and enjoyed working with him. She said he was a very caring person, was dedicated to his constituents and served them well. Chairwoman Fitzpatrick also said he was a very good man.

All members present voted aye.

### **Resolution No. 80**

#### **Authorizing the Negotiation and Execution of a Purchase Offer for Real Property Appurtenant to the Watertown International Airport.**

By Legislator: Barry M. Ormsby

Whereas, The County of Jefferson owns and operates the Watertown International Airport and is responsible for the maintenance, safety and development of aviation operations at said facility, and

Whereas, Expansion has been made to the length of runway 10-28 at the Watertown International Airport necessitating an increase in the runway protection zone for that runway, and

Whereas, An FAA Grant having been made to the County for the purpose of securing real property adjacent to runway 10-28 to enhance the runway protection zone, and

Whereas, The real property sought to be purchased is currently owned by Roscoe Eisenhower and it is necessary to negotiate terms of purchase for the property necessary to comprise the runway protection zone and execution of said purchase documents may be necessary notwithstanding the ordinary meeting schedule of this Board.

Now, Therefore, Be it Resolved, that The Chairwoman of the Board is hereby authorized and directed to execute an option or purchase contract with Rosco Eisenhower for the purchase of real property adjacent to Watertown International Airport, subject to the approval of the County Attorney as to form and content, and be it further

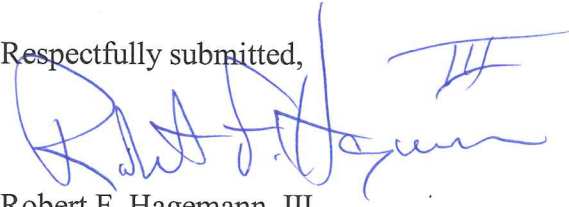
Resolved, That upon execution the purchase contract shall be subject to the ratification of the Board of Legislators

Seconded by Legislator: Robert J. Ferris

Legislator Peck asked if there was a particular number being negotiated. Mr. Hagemann advised that the land consisted of about 140 acres, the sale price would be based on an appraisal which we anticipated to be about \$150,000, and the County has receive a grant to cover this purchase. There being no further discussion, all members present voted aye.

There being no further business of the Board, on a motion by Legislator Ferris seconded by Legislator Docteur and unanimously carried, the meeting was adjourned at 7:21 p.m.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Robert F. Hagemann, III". The signature is written in a cursive style with a prominent vertical stroke at the beginning and a horizontal line at the end.

Robert F. Hagemann, III  
Clerk of the Board