

REGULAR SESSION

TUESDAY, OCTOBER 1, 2013

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

ROLL CALL OF MEMBERS

All members present except Legislator Ormsby.

PRIVILEGE OF THE FLOOR

John Humphrey, 29079 State Rte 12, Watertown, Town of Brownville worked for the Department of Defense for 26 years, and is a 26 year active reserve member and in those capacities is familiar with the Mine Resistant Ambush Protected (MRAP). He said it was never designed to be an urban vehicle, it has a limited field of view, there is no reason for the County to have this vehicle that he knows of and if there is such a problem that we do need it, the public should be made aware of what it is. He expressed concern for tearing up infrastructure (roads, septic systems, etc.) during its use because of its weight. He felt it would be more dangerous to the community than an asset and we should return it.

Steven Glick, 34800 Elm Ridge Road, Philadelphia voiced concerns with the military vehicle that the Sheriff's Department is considering. He read an article published by Investors Business Daily regarding a situation with an MRAP vehicle in Dallas County, Texas and said that it seems SWAT team type tactics are becoming the rule rather than the exception as police forces arm themselves with military gear and the use it to carry out routine law enforcement activities. It is within that context that he views the acquisition by the Sheriff's Department of an MRAP with concern and urged legislators to oppose the resolution is evening.

Sheriff John Burns appreciated the concerns being expressed and was admittedly not an expert on the MRAP but said Sgt. Joe Cullen, SERT team member, and Deputy Bachmeyer, will speak on the subject as they have more knowledge about it. Sheriff presented Deputy Bachmeyer with a citation from Governor Cuomo for his actions in resolving a stand off with an armed individual that occurred on August 5, 2012 in Black River, NY.

Sgt. Joe Cullen, Jefferson County Sheriff's Emergency Response Team (SERT) team, stated that they are not going to dispute that the vehicle is about the size of a dump truck and there are costs involved with maintaining and operating it. Undersheriff Trudeau distributed a list of the twelve high risk incidents the SERT team has been involved in since December, 2009. Sgt. Cullen stated that their job is to prevent people from getting injured in bad situations relating that they have been shot at twice within the last year and without an armored vehicle of some sort those situations would not have been resolved. In order to access the same type of vehicle as the MRAP it would have to be brought up from Syracuse or Albany, response time is lengthy and manpower can become an issue. He cited further advantages of the MRAP as the on-board PA system for communicating with a suspect when other means are unavailable or have failed, being

able to “drive up to the door” if necessary, using it for cover when removing people in harms way from their homes, and the ability to do monthly training on it. He said it is not their intent to take the MRAP out on an everyday search warrant mission, it is an additional tool they will have to deal with a crisis situation when their safety and public safety is in jeopardy.

Lt. Kevin Amann, Sheriff’s Office related that one incident in particular when the MRAP could have been useful was in the Town of Rutland December, 2012 when a subject was in an aggressive stance under a porch firing at them and utilization of the BEARCAT from Syracuse saved the lives of nine members of the Sheriff’s Department. He advised that approaching a residence safely with an armed subject inside is what the MRAP will be used for, not search warrants.

Deputy Randy Bachmeyer, Sheriff’s Department (13 years) and SERT team, Rt 37, Town of Pamelaia, and a retired military policeman (20 years) advised that he has experience with military vehicles including driving them. He said they don’t expect to encounter any mines in the County and their intent with the MRAP is not to conduct search warrants and raids it is for the protection of the SERT team when they respond to people with weapons that are threatening the general public and the team, and to end these conflicts safely. It is being offered for free and the alternative is to purchase a like vehicle for \$250,000 - \$300,000.

Detective Ben Timmerman, Sheriff’s Office was in favor of using the MRAP as a tool, not in an offensive manner or in a combat situation, but sparingly in situations where it can save a life. He was here tonight to ask for its approval as it is a much cheaper option and depending upon how it is used there is no reason to feel that it would be militarizing the police department. It is a free vehicle for them to use as a tool to get the job done for their safety and the safety of those they are supposed to protect.

Margie Chamberlain, 31468 CR 4, Cape Vincent, and retired military said she understood the position of law enforcement but voiced opposition to the MRAP because she felt there is an us vs. them mentality going on that will encourage “ramping up” on both sides. She said with concerns about Constitutional rights and the legality of the SAFE Act limiting rights for an individual to protect themselves, yet law enforcement comes in with military type equipment the Board should think about what it is setting precedents for.

Charles Kingsley, 8483 State Park Road, Three Mile Bay, NY expressed concerns about the MRAP vehicle for the Sheriff’s Department being more that what any situation would warrant. He cautioned Board members against approving it because of the kind of armorment that this piece of equipment represents.

Dean Erck, 70 Greenhouse Road, Alexandria Bay, NY cited school district funding concerns expressed by Jay Boak, District Superintendent for BOCES and reiterated concerns expressed to the Board last month regarding the Thousand Islands Bridge Authority and his perception that they were not living up to obligations they made when purchasing Boldt Castle and taking it off the tax roles. He felt that the Thousand Islands School District was most affect by this and has not received the funding it should have according to his understanding of the

agreement. He urged legislators to use their authority to examine the legalities of the TIBA purchasing properties that compete unfairly with private business and limiting public use of the properties.

Summer Huff, 24295 State Route 37, and a Lt. with the Salvation Army in Watertown said she has been here for a little over one year and updated the Board with regard to programs and services that the Salvation Army offers in Watertown in an effort to break the cycle of poverty. Some of the growing programs include the Soup Kitchen operated 6 days per week, a Supper Club program for children ages 5-12 that has recently expanded to include teenagers on Friday nights in a mentorship program. She thanked legislators for the opportunity to educate them as to what the Salvation Army is about and offers in the community.

MINUTES OF LAST SESSION

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

PETITIONS, NOTICES AND COMMUNICATIONS

A 2013 Summer Feeding Program report was received from the Community Action Planning Council of Jefferson County, Inc.

The NYSAC 2013 State Legislative Session Summary Report was received, along with the 2013 NYSAC Fall Seminar Resolutions.

REPORTS OF STANDING COMMITTEES

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

REPORTS OF COUNTY OFFICERS AND OTHERS

A report of Interest Allocation by Fund and a Summary of Cash in Banks as of August 31, 2013 was received from the County Treasurer.

A report of the County Administrator on budget transfers for the month of September 2013 was received.

A report of the County Auditor on erroneous assessments for the month of September, 2013 was received.

LOCAL LAWS, RESOLUTIONS AND MOTIONS

Resolution No. 201

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

By Legislator: Barry M. Ormsby

Be It Resolved, That the County of Jefferson hereby establishes the following as the standard work day for a certain appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by this official to the Clerk of this body:

APPOINTED OFFICIALS

Title	Name	Standard Work Day (Hrs/day)	Term Begins/Ends	Employer Record of Time Worked (Y/N)	Days per month (based on Record of Activities)	Not Submitted (Check box if no record of activities completed or timekeeping system)
Jail Physician	David F. Rosner	7 hrs	1/3/2012 - 12/31/2013	N	2.02	

Seconded by Legislator: Jennie M. Adsit

All members present voted aye.

Resolution No. 202

Amending the 2013 County Budget to Properly Fund Accounts

By Legislator: Michael J. Docteur

Whereas, Various County operating accounts have been or are projected to be overspent by year's end, and

Whereas, The County's Control and Accountability and Audit of Claims Policies require that budgeted accounts be properly funded, and

Whereas, The various departments have submitted requests for budget modifications to ensure such funding for accounts which have been or are expected to be overspent by more than the limit established by this Board of Legislators for Administrative budget modifications, and

Whereas, Some of the accounts must be funded by the Contingent account, Salary Adjustment account or by fund balance, and

Whereas, It is necessary to amend the 2013 County Budget to fund these accounts.

Now, Therefore, Be It Resolved, That the 2013 County Budget is amended as follows:

Increase:

01-0599	Appropriated Fund Balance	\$352,282
(Expenditures)		
01-1420-1420.4411	County Attorney Legal Fees	\$ 70,000
01-3110-3110.1300	Deputies OT	259,000
01-3110-3150.1300	Corrections OT	110,000
01-3110-3150.4114.003	Corrections Software Maintenance	13,282
01-3110-3150.4616	Corrections Outboarding	475,000
01-4050-4010.1100	PH Admin Personal Services	56,000
01-4050-4050.1110	PH Home Health Temporary	55,000
01-4050-4050.1300	PH Home Health OT	30,000
01-4050-4050.4415	PH Home Health Advertising	13,000
01-4310-2960.4402	CS Pre-K Transportation	90,000
01-4310-2960.4401	CS Pre-K Tuition	50,000
01-4310-4340.4402	CS EI Transportation	15,000
01-6010-6010.1110	DSS Temporary	20,000
01-6010-6010.4112	DSS Memberships	100
01-6010-6010.4114.006	DSS Building Maintenance	22,000
01-6030-6030.1300	County Home OT	14,100
01-6070-6140.4600	DSS Safety Net	175,000
01-6070-6142.4600	DSS Emergency Aid Adults	26,000
(Revenues)		
01-4310-999.93823	State Aid Preschool Tuition	40,000

Decrease:

01-1910-1990.4963	Contingent	\$490,000
01-1910-1990-4964	Salary Adjustment	200,000
01-4050-4010.1300	PH Admin OT	48,000
01-4050-4050.1100	PH Home Health Personal Services	101,000
01-4050-4050.4416	PH Home Health Professional Fees	5,000
01-6030-6030.1110	County Home Temporary	14,100
01-6070-6101.4600	Medical Assistance	150,000
01-6070-6119.4600	Child Care	93,100

Seconded by Legislator: Michael A. Montigelli

Roll Call Vote:

Ayes: Ferris, Peck, Thomas, Docteur, Behling, Gray, Reed, Adsit, Nabywaniec, Drake, Astafan, Montigelli, Doldo, Fitzpatrick

Absent: Ormsby

Resolution passed.

Resolution No. 203

Assuring County Funds in Relation to Jefferson Community College Collaborative Learning Center and Dewey Building Renovations

By Legislator: Allen T. Drake

Whereas, In 2007, The State University of New York required that all community colleges prepare new or updated Master Plans in order for them to be eligible for capital funding, and

Whereas, Pursuant to Resolution 283 of 2007, this Board of Legislators approved funding for the development of a new Jefferson Community College (JCC) Facilities Master Plan, and

Whereas, The 2008 JCC Facilities Master Plan was completed, and approved and adopted by the College's Board of Trustees in July of 2008, and

Whereas, Said Plan, which has been presented to this Board, recommends capital projects which include new facilities and enhancements and renovations of existing facilities, and

Whereas, This Board of Legislators endorsed said plan by Resolution 235 of 2008 adding the proviso that projects would be reviewed and funded in collaboration with the College, and

Whereas, It is understood that a bonding resolution will be necessary to provide for the County's share of Master Plan improvements.

Now, Therefore, Be It Resolved, That subject to the appropriation of the State's 50% matching funds and the necessary County bonding resolution, this Board of Legislators does hereby approve of the expenditure of up to \$7,000,000 in County funds for the proposed Jefferson Community College Collaborative Learning Center and the subsequent and related renovations to the Dewey Building which are identified in the Master Plan, and be it further

Resolved, That certified copies of this resolution be provided to the President and the Board of Trustees of the College.

Seconded by Legislator: Michael A. Montigelli

All members present voted aye.

Resolution No. 204

**Amending the 2013 County Budget and Capital Plan Relative to
Jefferson Community College**

By Legislator: James A. Nabywaniec

Whereas, The State of New York bonded for \$1,463,000 in 2006 for Jefferson Community College capital revitalization and maintenance projects, and

Whereas, Pursuant to Resolutions 108 and 123 of 2011, and 153 and 255 of 2012, This Board of Legislators established and subsequently amended a capital account to fund such projects, and

Whereas, The College wishes to fund \$150,000 of its capital chargebacks in this account, and

Whereas, Pursuant to Resolution 71 of 2006, This Board of Legislators recognized \$100,000 in capital chargebacks as part of the funding for several projects related to the Jefferson Community College's Master Plan, but did not recognize matching state aid for it, and

Whereas, It is necessary to amend the 2013 County Budget and capital plan to transfer the \$100,000 in chargebacks originally recognized in 2006 from the master plan account to the revitalization and maintenance account, recognize an additional \$50,000 in chargebacks, recognize \$150,000 in matching state revenues and increase the capital account accordingly for the use of these funds.

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

Increase:

Expenditures:

20-9006-2490.2056	JCC Campus Revitalization/Maintenance	\$300,000
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Revenues:

20-9006-999.92240	Capital Chargebacks	\$ 50,000
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20-9006-999.93097	State Aid College	150,000
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Decrease:

Expenditures:

20-9006-2490.2021	JCC Facility Masterplan	\$100,000
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and be it further

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

Seconded by Legislator: Jennie M. Adsit

Roll Call Vote

Ayes: Montigelli, Gray, Adsit, Thomas, Nabywaniec, Docteur, Ferris, Drake, Reed, Peck, Astafan, Behling, Doldo, Fitzpatrick

Absent: Ormsby

Resolution passed.

Resolution No. 205

Authorizing the Execution of a Release From Future Real Property Tax Liability to Cayuga Energy, Inc. as Sole Member of Carthage Energy, LLC.

By Legislator: Jennie M. Adsit

Whereas, Cayuga Energy is the sole member of Carthage Energy, LLC and Carthage Energy is the owner of a cogeneration facility (the "Facility") in the Town of Wilna, County of Jefferson, and

Whereas, Carthage Energy, LLC is the beneficiary of a 15 year payment in lieu of taxes agreement (PILOT) with the Jefferson County Industrial Development Agency, County of Jefferson, Town of Wilna, Village of Carthage and Carthage Central School District dated April 7, 1999, and

Whereas, Carthage Energy, LLC intends to sell its interest in the facility to a third party who will continue to operate the facility as a cogeneration plant and therefore the current PILOT agreement will be assumed by the new owner upon the change in ownership, and

Whereas, Cayuga Energy, as sole member of Carthage Energy, LLC is seeking a written release of all prospective real property tax liability upon the consummation of the sale by Carthage Energy, LLC, and

Whereas, This Board of Legislators deems the above sale to be in the best interest of the community in that it provides for the continuation of existing local jobs and the requested release has no negative financial impact on the County.

Now, Therefore, Be It Resolved, That the Chairwoman of the Board be and hereby is authorized and directed to execute a release to Cayuga Energy, Inc. releasing it from liability for all real property taxes accruing pursuant to the facility lease and PILOT agreements arising on or after the closing date of the sale of the facility, subject to the review and approval of the County Attorney as to form and content.

Seconded by Legislator: Barry M. Ormsby

All members present voted aye.

Resolution No. 206

Recognizing the Receipt of Surplus Funds from the Dissolution of the Jefferson County Job Development Corporation and Authorizing the Funding of the Jefferson County Local Development Corporation.

By Legislator: Barry M. Ormsby

Whereas, The Jefferson County Job Development Corporation (hereinafter "JCJDC") was dissolved by order of the Supreme Court, County of Jefferson, on March 1, 2013, and

Whereas, Pursuant to the Order of Dissolution, the remaining assets of the JCJDC, after payment of all expenses, are payable to the County of Jefferson as the sponsoring entity, and

Whereas, A surplus of \$352,709.22 has been received by the County of Jefferson following dissolution of the JCJDC, and

Whereas, The functions, duties and personnel of the former JCJDC are to be assumed by the Jefferson County Local Development Corporation (hereinafter "JCLDC") pursuant to an agreement with the County of Jefferson, and

Whereas, The assumption of the job creation and economic development duties of the former JCJDC by JCLDC avoid the expense to the County of providing said functions through its own Departments and in consideration of which the surplus funds from the dissolution of the JCJDC are to be disbursed to the JCLDC.

Now, Therefore, Be It Resolved, That the 2013 County Budget is amended as follows:

Increase:

Revenue		
01-8989-999.92189	Other Home and Community Services Income	\$352,709.22

Expenditure		
01-8989-6420.4690	Jefferson County Local Development Corporation	\$352,709.22

and be it further

Resolved, That the Chairwoman of the Board is hereby authorized and directed to execute an agreement with the JCLDC providing for the provision of job creation and economic development services on behalf of Jefferson County, subject to the approval of the County

Attorney as to form and content.

Seconded by Legislator: Michael A. Montigelli

Roll Call Vote

Ayes: Thomas, Nabywaniec, Docteur, Astafan, Gray, Behling, Reed, Doldo, Ferris, Peck, Adsit, Montigelli, Drake, Fitzpatrick

Absent: Ormsby

Resolution passed.

Resolution No. 207

Authorizing Agreements with Passero Associates and Green Island Construction Group, LLC for Rehabilitation of Taxiway “B” Reconstruction (Phase 2)

By Legislator: Michael J. Docteur

Whereas, By Resolution 200 of 2013, this Board of Legislators approved funding by the FAA and NYSDOT for rehabilitation and extension of Taxiway B at the Watertown International Airport, and

Whereas, Jefferson County has received an approval letter from FAA for rehabilitation and extension of Taxiway B, and

Whereas, It is necessary to enter into an agreement with Passero Associates to provide professional engineering advice, consultation and services for this project in the amount not to exceed \$266,500, and

Whereas, Passero Associates, the County’s selected airport consultant, has coordinated the bidding process and recommends that the low responsive bidder, Green Island Construction Group, LLC , be awarded the construction contract in the amount of \$1,877,791.

Now, Therefore, Be It Resolved, That Jefferson County enter into said agreements with Passero Associates in the amount of \$266,500, and Green Island Construction Group, LLC in the amount of \$1,877,791 and 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 Airport Manager and/or 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.

Seconded by Legislator: Barry M. Ormsby

All members present voted aye.

Resolution No. 208

Appointing Airport Manager

By Legislator: Barry M. Ormsby

Whereas, Pursuant to Local Law No. 1 of 2013, This Board of Legislators created an Airport Department to be headed by an Airport Manager, and

Whereas, The County Administrator, pursuant to Local Law No. 10 of 1986, has recommended Grant W. Sussey for appointment as the Airport Manager, under the terms of compensation identified below and incorporated as part of this resolution, and consistent with the Management Compensation Schedule adopted annually by separate resolution.

Now, Therefore, Be It Resolved, Pursuant to Local Law No. 1 of 2013, Grant W. Sussey be and is hereby appointed Airport Manager effective November 13, 2013, said term to expire December 31, 2015.

Terms of Compensation

Salary:	\$65,743 (Grade V-D) at time of appointment (annualized for 2013)
Vacation:	Accrual of 10 days at time of appointment
Sick Leave:	Accrual of 10 days at time of appointment
Moving Expenses	Employer reimbursement of actual expenses up to \$1500 if move is within 12 months of hire

It is mutually understood that this compensation package is supplemented by the standard fringe benefit package for management employees which would include employer provided health insurance, standard leave benefits, mileage reimbursement, etc. in accordance with the management policy manual, with the exception of those compensation items that have been specifically modified by this document and longevity payments and salary payments beyond those provided for by this resolution.

Seconded by Legislator: James A. Nabywaniec

All members present voted aye.

Resolution No. 209

Appointing Commissioner of Social Services

By Legislator: James A. Nabywaniec

Whereas, The current Commissioner of Social Services will retire on October 30 of this year, and

Whereas, The County Administrator, pursuant to Local Law No. 10 of 1986, has recommended Teresa Gaffney for appointment as Commissioner of Social Services as of November 1, under the terms of compensation identified below and incorporated as part of this resolution, and consistent with the Management Compensation Schedule adopted annually by separate resolution.

Now, Therefore, Be It Resolved, Pursuant to Section 116 of the Social Services Law, Teresa Gaffney be and is hereby appointed Commissioner of Social Services at level A of Grade II (\$76,388 annualized for 2013) plus longevities, for a five year term effective October 31, said term to expire October 30, 2018.

It is mutually understood that this compensation package is supplemented by the standard fringe benefit package for management employees which would include employer provided health insurance, standard leave benefits, mileage reimbursement, etc. in accordance with the management policy manual.

Seconded by Legislator: Jennie M. Adsit

Chairwoman Fitzpatrick entertained a motion to change the the effective date in this resolution to October 31 and the term to expire date to October 30, 2018. Such motion was made by Legislator Docteur seconded by Legislator Nabywaniec and unanimously carried by the Board.

All members present voted aye on the resolution, as amended.

Resolution No. 210

Amending the 2013 County Budget in Relation to Whispering Pines Auction

By Legislator: Scott A. Gray

Whereas, In preparation for the demolition of the Whispering Pines building an auction was held to sell its remaining contents, and

Whereas, The net profit of this auction was \$11,793.09, and

Whereas, Said profit should be placed in the Adult Care Facility capital account which will be used for the demolition project.

Now, Therefore, Be It Resolved, That the 2013 County Budget is hereby amended as follows:

Increase:

Revenue		
01-1345-999.92665	Sales, Equipment	\$11,793.09
Transfer		
01-8992-9950.9006	Transfer to Capital Fund	11,793.09
20-9006-999.95031.001	Transfer from General Fund	11,793.09
Expenditure		
20-9006-1620.2005	Adult Care Facility	\$11,793.09

and be it further

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

Seconded by Legislator: Michael W. Behling

Roll Call Vote

Ayes: Ferris, Docteur, Gray, Reed, Behling, Montigelli, Thomas, Astafan, Adsit, Nabywaniec, Drake, Doldo, Peck, Fitzpatrick

Absent: Ormsby

Resolution passed.

Resolution No. 211

Accepting Donation for Sheriff's Department

By Legislator: Michael F. Astafan

Whereas, The Sheriff's Department has been offered a donation from the Department of Defense through the New York State 1033 Program (federal excess property) and the disposition service at Ft. Drum of a 2008 International MRAP vehicle ("Mine Resistant Ambush Protected" - Humvee-type vehicle).

Now, Therefore, Be It Resolved, That this Board of Legislators does hereby gratefully accept said donation.

Seconded by Legislator: Anthony J. Doldo

Legislator Doldo thanked everyone for their comments on this issue and said we can not afford a Bearcat, but wondered if the City of Watertown SERT team has a vehicle or will they be using this one.

Sheriff Burns advised that the City of Watertown calls Onondaga County or the State Police out of Oneida if they need such a vehicle the same as the Sheriff's Department currently does, but the vehicle would be available to the City and surrounding counties.

Legislator Reed asked for an explanation as to what training will be done, what the costs are and who will be trained. Undersheriff Paul Trudeau advised that training will be done one day per month by in-house by military veterans with over 20 years of experience and will include driving and maneuvering the vehicle. He said trainers from Fort Drum will also work with the Department at no cost.

Legislator Thomas stated that the size of the vehicle seems to be a concern and asked if there was any other sized vehicle that could protect the public and law enforcement as well. Undersheriff Trudeau stated that the Bearcat is smaller and they could ask the County to purchase it, but the military does not offer any other vehicle that could do the same job. He said no one is disputing the size of the vehicle but, it fits the needs of the Department and when they have the occasion to need it, the citizens will be glad they have it. Legislator Thomas stated that he did not like the size of the vehicle either, but we should give law enforcement the tools to protect us and themselves.

Legislator Montigelli said he came into the meeting feeling one way and has now changed his mind as the August 5, 2012 SERT team incident was in his neighborhood and he observed that it was the public that was opposed, but law enforcement personnel are in favor of it. He was not in favor of the County having the same size vehicles that are used in war situations or in the August, 2012 situation but we received that vehicle (Humvee) for free also and he experienced first hand how useful they can be, and he trusted the word of law enforcement. Undersheriff Trudeau said they took their jobs knowing they would be protecting the citizens of Jefferson County and this is a tool that would be allotted to them free of charge to do that job.

Legislator Ferris pointed out that the deputies already have military equipment in assault rifles, bullet proof vests, kevlar helmets, in the equipment they protect themselves with when they are out on the street is all military based. He said it is a big vehicle, a heavy vehicle, is at the right price and he had faith in the Sheriff's Department that they would use it correctly.

Legislator Reed stated that he spoke with Highway Superintendent Lawrence regarding various components of the vehicle, engine, tires, weight, etc. and it is comparable to other equipment such as International trucks, loaders and snow plows that are maintained in the Highway Department and Mr. Lawrence thought the vehicle was in good condition overall. He appreciated everyone's comments and said he spoke with Sgt. Cullen concerning the use of the vehicle and had faith that it would be used appropriately.

Legislator Astafan thanked everyone who came and spoke tonight, said he did research on this issue and it appears that the size and intimidation factor of the vehicle seem to be of concern. The valid questions are is there a need, what will it cost, will it protect human life, and he felt it is a vehicle that can be used properly to protect human life when necessary. He has faith in the Undersheriff, Sheriff and the officers present and he did not believe they would misuse the vehicle and if a future administration did misuse it, the Board could step in and do something about it.

Legislator Docteur thanked everyone for their comments and said he has a great deal of respect and admiration for everyone in uniform and knows we can count on the road patrol to be there when they are needed. He said the Board has obviously supported the Sheriff's Department purchase of safety equipment and no one would restrict that, much like the reasoning in approval of fire arms for Probation Officers, and another K-9 unit was also ask for and approved to assist the Department and surrounding communities. He did not mean it as a lack of confidence, however his concern was that providing this type of vehicle would set a precedent for use of a military vehicle in local law enforcement.

In response to questions from Legislator Peck Undersheriff Trudeau stated that the MRAP maneuvers like a dump truck, they would not ask for approval of this vehicle if they were not confident in the fact that they know how, when and where to use it, the military removed computerized components and there are none in the vehicle, there is no expectation as to what condition it has to be when it is returned, the Federal government holds title to the vehicle it is on loan to the Sheriff's Department and the only means of disposal is to return it to the federal government. He explained the process by which a vehicle is requested through this federal program and said it is a fast moving process when something is available, and his initial words were that it is a Humvee- like vehicle that will replace their oldest Humvee in the fleet. He continued that there is no intention to have a weapon on the turret of the vehicle and Sheriff Burns advised as to the ability of the vehicle to withstand a 50 caliber round through the windshield or through the side and they would not normally encounter anything larger than that. Sheriff said it is a tool that will be used in the right way, it will not be driven around in parades or at every drug raid they do, but it will be used at the discretion of the SERT team to keep people safe when there are shots fired. Legislator Peck said he agrees with Legislator Docteur that it becomes a rather intimidating tool in the arsenal, not without its justification for the possession of it, and the price is right but is it the right tool.

Legislator Doldo complemented the job Sheriff Burns has done in looking out for his employees safety and said he would support this resolution as he did not want to be the one to tell someone their loved one has been shot.

Legislator Ferris said if the vehicle had something offensive like a machine gun, rocket launchers or flame throwers and is a military weapon then he would be against it, but it is not and will be used as a defensive safety tool. He understood the concerns of some people in arming the police as the military but that is not the case this is basically a big armored personnel carrier.

Legislator Gray called the question and requested a roll call vote.

Roll Call Vote

Ayes: Montigelli, Thomas, Ferris, Adsit, Drake, Astafan, Doldo, Reed

Nays: Nabywaniec, Docteur, Peck, Gray, Behling, Fitzpatrick

Absent: Ormsby

Resolution passed.

Resolution No. 212

Amending the 2013 County Budget Relative to Mental Hygiene/Community Services and Authorizing Amended Agreements with Credo Community Center in Relation Thereto

By Legislator: Michael J. Docteur

Whereas, By Resolution No. 85 of 2013 contracts for various mental hygiene programs were authorized for the Credo Community Center for the Treatment of Addictions, and

Whereas, The NYSOASAS has approved additional ongoing and one time only funds in the amount of \$18,000 for ongoing staff retention salaries for over night staffing effective 7/1/2013 at the After Care program (\$8,000) and Men’s Residential Halfway House program (\$10,000) and \$272,103 in one time only state aid for electronic health records at the Watertown Out Patient Clinic (\$226,000), associated costs for opening the Lewis County clinic (\$26,103), and additional cost of psychiatric services for the Women’s Residential program (\$20,000), and

Whereas, The additional funding needs to be recognized and amended agreements authorized for these changes.

Now, Therefore, Be It Resolved, That the 2013 County Budget be and is hereby amended as follows:

Increase:

Revenue

01-4310-999.93484	State Aid - Alcohol & Substance Abuse Services	\$272,103
01-4310-999.94484	Federal Aid - Alcohol & Substance Abuse Serv.	\$ 18,000

Expenditure

01-4310-4320.4702	Credo Community Center	\$290,103
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and be it further

Resolved, That the Board does hereby grant its approval for the Community Services Board to enter into any necessary amended agreements with Credo Community Center for the Treatment

of Addictions and New York State for these changes.

Seconded by Legislator: Michael F. Astafan

Roll Call Vote

Ayes: Adsit, Behling, Peck, Astafan, Reed, Thomas, Ferris, Doldo, Docteur, Gray, Montigelli, Nabywaniec, Drake, Fitzpatrick

Absent: Ormsby

Resolution passed.

Resolution No. 213

Amending the 2013 County Budget in Relation to the Department of Social Services

By Legislator: Michael F. Astafan

Whereas, The Department of Social Services has been notified that the U. S. Department of Agriculture Food and Nutrition Services has awarded it a Supplemental Nutrition Assistance Program (SNAP) Process and Technology Improvement grant in the amount of \$24,157 to upgrade the department's telephone answering technology, and

Whereas, It is necessary to amend the 2013 County Budget to recognize the revenue and place it in the appropriate account.

Now, Therefore, Be It Resolved, That the 2013 County budget is amended as follows:

Increase:

Revenue		
01-6070-999.94612	Federal Aid SNAP	\$24,157
Transfers		
01-8992-9950.9006	Transfer to Capital Fund	\$24,157
20-9006-999.95031.001	Transfer from General Fund	24,157
Expenditure		
20-9006-1680.2012	Computer Improvements	\$24,157

Seconded by Legislator: Robert J. Thomas

Roll Call Vote

Ayes: Peck, Doldo, Adsit, Gray, Ferris, Thomas, Drake, Montigelli, Behling,
Nabywaniec, Docteur, Reed, Astafan, Fitzpatrick

Absent: Ormsby

Resolution passed.

Resolution No. 214

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

By Legislator: Philip N. Reed, Sr.

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 2013 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 26, 2013 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 a certified Agricultural District before the District's established review periods.

Now, Therefore, Be It Resolved, That, pursuant to Agriculture and Markets Law Article 25 AA, Section 303-b, the Jefferson County Board of Legislators does hereby approve the inclusion of 19 parcels consisting of 861 acres to existing Agricultural Districts.

Seconded by Legislator: John D. Peck

All members present voted aye.

Resolution No. 215

Authorizing Jefferson County to be Lead Agency under the State Environmental Quality Review Act for the Purpose of the 2013 Inclusion of Viable Agricultural Land within Existing Agricultural Districts Before the Districts' Established Review Periods, and Making a Determination of Non-significance

By Legislator: Michael W. Behling

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 2013 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

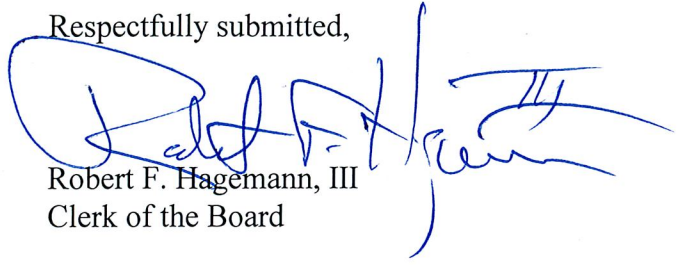
Resolved, That the Chairman of the Board of Legislators is hereby authorized to sign the Environmental Assessment Form\Determination of Significance and forward same to all involved agencies.

Seconded by Legislator: Robert J. Thomas

All members present voted aye.

There being no further business of the Board, on a motion by Legislator Docteur seconded by Legislator Peck and unanimously carried, the meeting was adjourned at 8:25 p.m.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Robert F. Hagemann, III". The signature is stylized with a large initial "R" and "H".

Robert F. Hagemann, III
Clerk of the Board