

REGULAR SESSION

TUESDAY, FEBRUARY 12, 2013

Vice Chairman Docteur called the meeting to order at 7:00 p.m. and related that Chairwoman Fitzpatrick was unable to attend tonight's meeting so he would be serving as Acting Chairman.

ROLL CALL OF MEMBERS

All members present except Chairwoman Fitzpatrick.

PRIVILEGE OF THE FLOOR

Social Services Commissioner Laura Cerow introduced Deputy Commissioner Teresa Gaffney who will be sworn in to that position as soon as she receives one more New York State approval. She said Ms. Gaffney has a great deal of experience with DSS and will be an asset to the Department in this position.

MINUTES OF THE LAST SESSION

The minutes of the January 8, 2013 Session and the January 22 & 29, 2013 Special Sessions stand approved in the absence of objection or correction.

PETITIONS, NOTICES AND COMMUNICATIONS

A letter of appreciation was received from Samaritan Medical Center for the County's generous contribution to the Summit Village Assisted Living Project.

REPORTS OF STANDING COMMITTEES

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

REPORTS OF COUNTY OFFICERS AND OTHERS

2012 Annual Reports were received from the following: Dog Control, Auditing, Probation and Cooperative Extension.

The Treasurer provided a report on a Summary of Cash in Banks and Interest Allocated by Fund for the month ended 12/31/2012.

The County Administrator provided a report on budget modifications for the month of January, 2013.

The County Auditor provided a report on erroneous assessments for the month of

January, 2013.

LOCAL LAWS, RESOLUTIONS AND MOTIONS

Resolution No. 36

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

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 elected official 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:

ELECTED OFFICIALS

Title	Name	Standard Work Day (Hrs/day)	Term Begins/Ends	Employer Record of Time Worked (Y/N)	Days per two week pay period (based on Record of Activities)	Not Submitted (Check box if no record of activities completed or timekeeping system)
Legislator	Michael A. Montigelli	7 Hrs	7/19/2012-12/31/2013	N	2.34	

Seconded by Legislator: Michael J. Docteur

All members present voted aye.

Resolution No. 37

Amending the 2012 County Budget for Sales Tax Distribution

By Legislator: Jennie M. Adsit

Whereas, The 2012 County Budget must be amended to recognize additional sales tax for towns and the City of Watertown.

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

Increase:
Expenditures

01-1040-1985.4631	Distribution of Sales Tax	\$1,232,141.17
Revenue		
01-1040-999.91110	State Sales Tax	\$1,232,141.17

Seconded by Legislator: Barry M. Ormsby

Roll Call Vote

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

Absent: Fitzpatrick

Resolution passed.

Resolution No. 38

Granting Easement to Town of Watertown on Jefferson Community College Property

By Legislator: Michael J. Docteur

Whereas, The Town of Watertown has requested that an easement be granted on certain real property upon which the Jefferson Community College campus is located to enable it to install, maintain and repair sanitary sewer pipelines and appurtenances to accommodate the expansion of housing in the Town of Watertown, and

Whereas, This easement will also permit Jefferson Community College to move the location of such pipelines and appurtenances to permit future construction of buildings and other structures on and over the real property defined and described therein, but with the costs of same to be borne solely by Jefferson Community College and/or its component units,

Now, Therefore, Be it Resolved, That, subject to concurrence by the Board of Trustees of Jefferson Community College, an easement shall be granted to the Town of Watertown as outlined hereinabove, and be it further

Resolved, That the Chairperson of this Board is hereby authorized to execute the foregoing easement and any other necessary documents, subject to approval of the County Attorney as to form and content.

Seconded by Legislator: Allen T. Drake

All members present voted aye.

Resolution No. 39

**Adjusting Initial Salary for Management Employee Within the
Appropriate Grade of the Management Compensation Schedule**

By Legislator: Barry M. Ormsby

Whereas, By Resolutions 303 of 2000 and 277 of 2007, This Board of Legislators adjusted the salaries of the incumbents in the law enforcement Deputy Sheriff (Lieutenant) position.

Now, Therefore, Be It Resolved, That the position of the law enforcement Lieutenant receive a base salary for 2013 of \$63,614 (Grade VI, Level Rate+).

Seconded by Legislator: Jennie M. Adsit

All members present voted aye.

Resolution No. 40

**Amending the 2013 County Budget in Relation
to Jefferson County's Housing Improvement Program**

By Legislator: Allen T. Drake

Whereas, Jefferson County has received consecutive annual competitive Community Development Block Grant (CDBG) awards from 2007 through 2012 from the New York State Office of Community Renewal to implement and administer a county-wide Housing Improvement Program, and

Whereas, By Resolution 60 of 2008, this Board of Legislators adopted Local Guidelines and Administrative Procedures for implementation and local administration of the program, and

Whereas, Guidelines were subsequently amended by Resolutions 42 and 291 of 2009, 283 of 2010, and 130 of 2012, and

Whereas, Said Guidelines include a requirement that if an owner-occupied unit rehabilitated by CDBG funds through this program is sold within 5 years of receiving such funds, the owner must make a pro-rata reimbursement to the County, and

Whereas, The County has recently received such reimbursements in the amount of \$18,780, for the Alcombrack and Proven properties, and the 2013 County Budget must be amended to recognize this revenue and appropriate it to the proper account.

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

Increase:

Now, Therefore, Be It Resolved, That Jefferson County enter into an agreement with the Jefferson County Industrial Development Agency to direct the County's payment of \$10,000 to the completion of the tasks enumerated in the IDA's agreement with David Mosher Business Advisors Corporation Group as outlined above, and authorizes and directs the Chairman of the Board of Legislators to execute said agreement on behalf of Jefferson County, subject to approval of the County Attorney as to form and content, and be it further

Resolved, That the 2013 County Budget is amended as follows:

Increase:

Expenditure

01-8989-6420.4664	Economic Development	\$10,000
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Transfers

01-8992.999.95031	Transfer from Capital Fund	10,000
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20-9006-9901.9000	Transfer to General Fund	10,000
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Decrease:

20-9006-6989.2064	Property Acquisition/Improvement	\$10,000
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and be it further

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

Seconded by Legislators: Michael J. Docteur

Roll Call Vote

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

Absent: Fitzpatrick

Resolution passed.

Resolution No. 42

**Authorizing Employment Agreement with the Faculty Association
of Jefferson Community College**

By Legislator: Michael A. Montigelli

Whereas, A tentative employment agreement between the County of Jefferson, the Trustees of Jefferson Community College, and the Faculty Association of Jefferson Community College for the period September 1, 2012 through August 31, 2016 has been arrived at through

collective negotiations between the County Legislature’s representatives, College Trustees, and the Faculty Association.

Now, Therefore, Be It Resolved, That, pursuant to Article XIV of the NYS Civil Service Law, this Board does hereby ratify and approve said tentative agreement and authorizes the Chairman of this Board to execute said agreement on behalf of the County of Jefferson.

Seconded by Legislator: Jennie M. Adsit

All members present voted aye.

Resolution No. 43

Authorizing Payment in Lieu of Taxes Agreement Relative to Clayton Harbor Hotel, LLC

By Legislator: Michael J. Docteur

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 Clayton Harbor Hotel, LLC (the “Company”), an interest in certain property located at 200 Riverside Drive, Clayton, New York (Tax Parcel Nos. 20.39-1-8, 20.39-1-1.1, 20.39-1-19, 20.39-1-11 and 20.39-1-9), in the Town of Clayton 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 the Company intends to construct on the property a 105-room hotel together with a 300-person ballroom/conference center, restaurant, indoor swimming pool and other facilities, 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, The Jefferson County Board of Legislators has determined that the Project is in the best interest of the County and 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 in substantially the same form as presented at this meeting.

Now, Therefore, Be It Resolved, That the Jefferson County Board of Legislators hereby consents to entering into a Payment in Lieu of Taxes Agreement with Clayton Harbor Hotel, LLC in

substantially the same form as presented at this meeting and which is attached to this resolution as **Exhibit “A”**.

Seconded by Legislator: Michael A. Montigelli

EXHIBIT “A”

PAYMENT IN LIEU OF TAXES AGREEMENT

THIS AGREEMENT, by and between **CLAYTON HARBOR HOTEL, LLC**, a New York Limited Liability Company having an address of 617 Dingens Street, Buffalo, New York 14206 (“**Company**”) and **JEFFERSON COUNTY INDUSTRIAL DEVELOPMENT AGENCY**, an Industrial Development Agency and a Public Benefit Corporation of the State of New York having an address of 800 Starbuck Avenue, Watertown, New York 13601 (“**Agency**”),

WITNESSETH:

WHEREAS, the Agency was created by Chapter 369 of the Laws of 1971 of the State of New York pursuant to Title I of Article 18-A of the General Municipal Law of the State of New York (collectively, the “**Act**”); and

WHEREAS, the Agency by Resolution dated _____, 2013, has agreed to undertake a project to construct, equip and lease a 105-room hotel together with a 300-person ballroom/conference center, restaurant, indoor swimming pool and other facilities (the “**Project**”) on certain land (the “**Land**”) located at 200 Riverside Drive, in the Village of Clayton, Jefferson County, New York (Tax Parcel Nos. 20.39-1-8, 20.39-1-1.1, 20.39-1-19, 20.39-1-11 and 20.39-1-9), as more particularly described in **Schedule “A”** attached hereto (the Project and the Land are hereinafter referred to as the “**Facility**”); and

WHEREAS, the Agency has agreed to lease the Facility to the Company pursuant to a Lease Agreement executed and entered into of even date herewith (the “**Lease Agreement**”) by and between Agency and the Company; and

WHEREAS, pursuant to the terms of the Lease (1) the Company will agree to cause the Project to be undertaken and completed, and (2) the Agency will agree to undertake and complete the Project; and

WHEREAS, simultaneously with the execution and delivery of the Lease Agreement, the Company will execute and deliver to the Agency a certain Lease Agreement to Agency (the “**Underlying Lease**”) pursuant to which the Company leases the Land under the Project; 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 service charges against real property located in Jefferson County which are or may be imposed for special improvements or special district improvements; and

WHEREAS, the Taxing Jurisdictions which are the Town of Clayton (“**Town**”), Jefferson County (“**County**”), the Thousand Islands Central School District (“**School**”) and the Village of Clayton (“**Village**”) have the following taxable years: the Town and County January 1 to December 31, the School July 1 to June 30 and the Village June 1 to May 31; and

WHEREAS, the Agency and the Company deem it necessary and proper to enter into this agreement with the approval of the Taxing Jurisdictions, 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 Facility is or is to be located;

NOW, THEREFORE, in consideration of the covenants herein contained, it is mutually agreed as follows:

1. (a) For the purpose of payments to be made pursuant to this Agreement, the Completion Date for the Project shall be the earlier of 24 months from the date the first building permit was issued for any part of the Project; or the Certificate of Occupancy for the Project. The Company shall notify each Taxing Jurisdiction and the Agency within 30 days from the date the first building permit is issued and from the anticipated Completion Date for the Project.
- (b) Commencing with the tax year beginning on the next Taxable Status Date following the Completion Date and for the period set forth below or until the earlier termination of the Lease Agreement, the Company agrees to pay in lieu of all real estate, tangible personal property, inventory and/or other similar taxes and assessments (in addition to paying all special ad valorem levies, special assessments and service charges which are or may be imposed for special improvements or special district improvements) which would be levied upon the Facility during such tax years as if the Facility were owned by the Company and not by the Agency, in the amounts to each of the Taxing Jurisdictions as set forth in **Schedule “B”** attached hereto:
- (c) The Company shall pay, or cause to be paid the amounts set forth in **Schedule “B”** hereof within the grace period, without penalty, applicable to taxes, assessments, special ad valorem levies, special service charges or similar tax equivalents, as the case may be, on similar property subject to taxation by the Taxing Jurisdictions during such respective tax years, subject to any late payment penalties pursuant to §874 of the Act if not made within the grace period. Any failure on the part of the Company to timely make any payments pursuant to this Agreement within ten (10) days following written notice from the Agency shall be an event of default (“**Event of Default**”) under this Agreement and under the Lease Agreement. Upon such Event of Default, the Agency shall have any and/or all of the Remedies on Default set forth in the Lease Agreement. Further, upon such Event of Default, the Payments In Lieu of Tax due under this

Agreement shall immediately be an amount to each Taxing Jurisdiction in **Schedule “B”** computed for years 16 and thereafter. That is to say, the payment in lieu of tax payments shall be an amount equal to One Hundred Percent (100%) of Real Property taxes which would have been due if the Facility was owned by the Company and not by the Agency.

(d) Not used.

(e) Prior to the Completion Date as defined in Paragraph 1(a) above of the Project, the Company shall not be required to pay to the Agency on the Project any amount for real estate taxes and assessments on the Land as if the Land were owned by the Company and not by the Agency.

2. This Agreement shall terminate, unless it is terminated sooner pursuant to the Lease Agreement or any other provisions of this Agreement, on a date which will be 180 months from the initial Taxable Status Date (“**Termination Date**”) at which time the parties agree that the Lease and Underlying Lease for the Facility shall terminate. In the event of an early termination either pursuant to this Paragraph or any other termination pursuant to this Agreement, both the Lease and the Underlying Lease shall terminate.

3. In the event that the Facility or any Phase is transferred from the Agency to the Company, the Facility shall be immediately subject to taxation pursuant to Sections 302 and 520 of the New York Real Property Tax Law, as amended. However, in no event shall the Company be required to pay both a PILOT payment pursuant to the Agreement and real property taxes for a concurrent tax year or portion thereof. Therefore, should the Facility be conveyed to the Company and thus become taxable pursuant to New York RPTL Section 520, any payments payable under this Agreement as Payments required in Lieu of Taxes shall be reduced by the amount of any taxes which are required to be paid under RPTL Section 520 for any such concurrent tax year or portion thereof, and should such Payment-in-Lieu-of-Taxes already have been made, the Taxing Jurisdictions shall refund any such amounts owing to Company.

4. To the extent the Facility or any part thereof is declared to be subject to taxation or assessments by an amendment to the Act, other legislative change, or by a final judgment of a court of competent jurisdiction, the obligations of the Company hereunder shall, to such extent, be null and void.

5. Any notice required to be given under this Agreement shall be deemed to have been duly given when delivered and, if delivered by mail, postage prepaid, return receipt requested, addressed to the respective parties hereto at their respective addresses specified below or such other addresses as either party may specify in writing to the other:

If to the Agency: Jefferson County Industrial Development Agency
800 Starbuck Avenue, Suite 800
Watertown, New York 13601
Attn: Donald C. Alexander, CEO

With a copy to: James Heary, Attorney at Law, P.C.

120 Washington Street, Suite 500
Watertown, New York 13601
Attn: James Heary, Esq.

If to the Company: Clayton Harbor Hotel, LLC
617 Dingens Street
Buffalo, New York 14206
Attn: Scott A. Fairbrother

With a copy to: Harris Beach, LLC
99 Garnsey Road
Pittsford, New York 14534
Attn: Shawn M. Griffin, Esq.

6. This Agreement shall be governed by and construed in accordance with the laws of the State of New York.

7. This Agreement shall be binding upon and inure to the benefit of the parties, their respective successors and assigns.

8. This Agreement may only be assigned by the Company with the written consent of the Agency and the Taxing Jurisdictions. In the event of such assignment, the Company will remain legally responsible to all of the other parties to this Agreement for all of the obligations and responsibilities herein imposed upon it.

9. This Agreement may be executed in any number of counterparts, each of which shall be deemed to be an original for all purposes and all of which shall constitute collectively a single agreement. In making proof of this Agreement, it shall not be necessary to produce or account for more than one such counterpart.

IN WITNESS WHEREOF, each of the parties hereto has executed this Agreement on the date set forth before the signature of its respective representative.

Date: _____, 2013

CLAYTON HARBOR HOTEL, LLC

By: _____
, Managing Member

Date: _____, 2013

**JEFFERSON COUNTY INDUSTRIAL
DEVELOPMENT AGENCY**

By:
Donald C. Alexander, CEO

SCHEDULE "A"

Legal Description of Land

SCHEDULE "B"

Payments to be made to each of the Taxing Jurisdictions
for the 15-year term of this PILOT

Payment amounts to each Taxing Jurisdiction is based on an agreed assessed value of the Facility of Ten Million Dollars (\$10,000,000.00) and an agreed combined tax rate for each Taxing Jurisdiction of \$23.948283 per \$1,000.00 broken down among the Taxing Jurisdictions as follows:

County \$6.375964
Town \$1.374323
School \$10.00073
Village \$6.197263

PAYMENT SCHEDULE

<u>Tax Years</u>	<u>County</u>	<u>Town</u>	<u>School</u>	<u>Village</u>
Years 1-5	\$15,940	\$3,436	\$25,002	\$15,493
Years 6-10	\$31,880	\$6,872	\$50,004	\$30,986
Years 11-15	\$47,820	\$10,307	\$75,005	\$46,479

Years 16+One Hundred Percent (100%) of assessed value of the Facility as determined on the then tax rolls for each of the Taxing Jurisdictions times the actual tax rate for the respective Taxing Jurisdictions for the applicable year.

All members present voted aye.

Resolution No. 44

**Amending the 2013 County Budget to Re-Appropriate
Local Enhanced Wireless 911 Funding**

By Legislator: Michael F. Astafan

Whereas, By Resolutions 262 of 2010, 94 of 2011 and 89 of 2012, This Board of Legislators accepted FY 2010 and 2011 Local Enhanced Wireless 911 Grant Funding from New York State and subsequently amended the 2011 and 2012 Budgets to re-appropriate said funds, and

Whereas, There remain unspent Wireless 911 grant funds that must be re-appropriated for 2013.

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

Increase:

01-0599	Appropriated Fund Balance	\$ 84,125.31
(Expenditures)		
01-3410-3411.4114.003	Software Maintenance	\$ 4,543.90
01-3410-3411.4119	Computer Software	465.14
01-3410-3411.4111.003	Computer Equipment	16,812.00
01-3410-3411.4114.004	Communication Maintenance	13,350.25
01-3410-3411.4111.001	Audio/Visual Equipment	301.02
01-3410-3411.4114.001	Equipment Maintenance	48,653.00

Seconded by Legislator: Robert D. Ferris

Roll Call Vote

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

Absent: Fitzpatrick

Resolution passed.

Resolution No. 45

Amending the 2013 County Budget to Re-Appropriate FY 2010 HazMat Grant Funding from the New York State Office of Homeland Security and Emergency Services

By Legislator: Scott A. Gray

Whereas, By Resolutions 152 of 2011 and 91 of 2012, This Board of Legislators accepted a FY 2010 HazMat Grant (CDFA 97.067) from New York State, and subsequently re-appropriated unspent funds, and

Whereas, There remain unspent HazMat grant funds that must be re-appropriated for 2013.

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

Increase:

01-0599 Appropriated Fund Balance \$ 45,956.60

01-3410-3414.2300 Technical Equipment 45,956.60

Seconded by Legislator: Anthony J. Doldo

Roll Call Vote

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

Absent: Fitzpatrick

Resolution passed.

Resolution No. 46

**Amending the 2013 County Budget in Relation to the FY 2009 and 2010
State Homeland Security Program (SHSP) Grants**

By Legislator: Anthony J. Doldo

Whereas, Pursuant to Resolutions 232 of 2010, 73 and 130 of 2011, and 90 and 146 of 2012, this Board of Legislators accepted FY 09, FY10, and FY11 State Homeland Security Program (SHSP) (CDFR 97.067) grants and subsequently re-appropriated funds for the FY09 and FY10 grants, for the Department of Fire & Emergency Management, funded by the U.S. Department of Homeland Security's Office for Domestic Preparedness, and

Whereas, Grant funds remain unspent and must be re-appropriated to the 2013 County Budget.

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

Increase:

(Fund Balance)
01-0599 Appropriated Fund Balance \$256,021.68

(Expenditures)
01-3410-3414.2300 Technical Equipment - SHSP \$ 29,249.98
01-3410-3414.2302 Radios- SHSP 127,247.00
01-3410-3414.4416 Professional Fees - SHSP 81,239.00
01-3410-3414.4514 Uniforms- SHSP 12,250.00
01-3410-3414.4115.002 Cell Phones 6,035.70

Seconded by Legislator: Robert D. Ferris

Roll Call Vote

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

Absent: Fitzpatrick

Resolution passed.

Resolution No. 47

Recognizing Local Enhanced Wireless 911 Funds and Amending the 2013 County Budget and Capital Plan

By Legislator: Jennie M. Adsit

Whereas, New York State provides limited reimbursement to a local public safety answering point (PSAP) for providing wireless 911 service, and

Whereas, The New York State Department of State has notified the Jefferson County Dispatch Center that it is eligible for a \$57,579 allocation from the 2012-2013 State budget for costs associated with the provision of Wireless 911 services incurred from April 1, 2012 through March 31, 2015, and

Whereas, Said funding would appropriately be used to offset costs associated with equipment used in the dispatch center, and

Whereas, It is necessary to amend the 2013 County Budget accordingly.

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

Increase:

(Revenue)

20-9006-999.93389	State Aid Other Public Safety	\$ 57,579
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(Expenditure)

20-9006-3020.2030	Communications	\$ 57,579
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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, Doldo, Drake, Peck, Reed, Ormsby, Behling, Nabywaniec, Adsit, Thomas, Ferris, Montigelli, Docteur

Absent: Fitzpatrick

Resolution passed.

Resolution No. 48

Authorizing Director of Fire and Emergency Management to Execute Agreements with the Department of the Army for Mutual Aid in Fire Protection

By Legislator: Michael F. Astafan

Whereas, Pursuant to Resolution No. 170 of 1987, Jefferson County entered into an agreement with the Directorate of Emergency Services, Fort Drum, New York for mutual aid in fire protection and hazardous materials incident response, and

Whereas, Pursuant to Resolution 153 of 2010, Jefferson County renewed a reciprocal agreement between the parties for the period May 1, 2010 through April 30, 2013, and

Whereas, The Fort's Garrison Commander desires to amend and extend said agreement, and has indicated that future Garrison Commanders are likely to ask for minor amendments, and

Whereas, For the sake of expediency, This Board of Legislators desires to authorize the Director of Fire and Emergency Management to execute such mutual aid agreements in the future.

Now, Therefore, Be It Resolved, That Jefferson County enter into an agreement with the Department of the Army, Fort Drum, New York for mutual aid during the period, March 1, 2013 through February 28, 2016 and be it further

Resolved, That the Director of Fire and Emergency Management be and is hereby authorized and directed to execute said agreement on behalf of Jefferson County, subject to the review of the County Attorney, and be it further

Resolved, That the Director of Fire and Emergency Management be and is hereby authorized and directed to execute similar mutual aid agreements with the Department of the Army on behalf of Jefferson County, subject to the review of the County Attorney.

Seconded by Legislator: Scott A. Gray

All members present voted aye.

Resolution No. 49

Authorizing Agreement with the Town of Watertown to Exchange Ownership and Jurisdiction of County Roads 159, 165 and Certain Portions of County Roads 49, 67, 160 and Floral Drive, with said Town and Amending the County Highway Map in Relation Thereto

By Legislator: Robert D. Ferris

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 County Road 159, County Road 165, a portion of County Road 49, a portion of County Road 67, and a portion of County Road 160 from the County Highway System and that ownership of said roadways be transferred to the Town of Watertown as hereinafter set forth, and

Whereas, The Jefferson County Highway Superintendent further recommends that Jefferson County assume ownership of a portion of Floral Drive, located in the Town of Watertown, as hereinafter set forth, and

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 Watertown to transfer ownership of the following roads to the Town: (1) County Road 159 (and which road commences at the intersection with State Route 12 at mile marker 0.00, thence runs westerly to the City of Watertown corporation line at mile marker 1.10, for a total distance of 1.10 miles); (2) a portion (extension) of County Road 67 a/k/a Woodard Hill Road (and which road portion (extension) commences at the intersection with the principal artery of County Road 67 at mile marker 0.00, then runs easterly to a dead end at mile marker 0.07, for a total distance of 0.07 miles); (3) County Road 165 (and which road commences at the intersection with State Route 11 at mile marker 0.00, thence runs northeasterly to the intersection with County Road 67, thence runs northerly to the intersection with State Route 11 at mile marker 0.46, for a total distance of 0.46 miles); (4) a portion of County Road 49 (and which road portion commences at the intersection with County Road 160 at mile marker 0.00, thence runs northeasterly to the intersection with State Route 126 at mile marker 0.16, for a total distance of 0.16 miles); and (5) a portion of County Road 160 (and which road portion commences at the intersection with State Route 126 at mile marker 0.00, thence runs southeasterly to the intersection with Slate Road at mile marker 0.34, for a total distance of 0.34 miles), and be it further

Resolved, That upon conveyance of County Roads 159 and 165, and portions of County Roads

67, 49 and 160, all as above described, they shall be deleted from the Jefferson County Highway System Map, and be it further

Resolved, That said agreement also transfer ownership of a portion of the town road called Floral Drive located in the Town of Watertown (and which road portion commences at the intersection with State Route 3 at mile marker 0.00, thence runs northerly to the Town of Hounsfield corporation line at mile marker 1.44, for a total distance of 1.44 miles), to the County, and be it further

Resolved, That upon conveyance of a portion of Floral Drive, as above described, 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: Jennie M. Adsit

All members present voted aye.

Resolution No. 50

Authorizing the Removal of Culvert J037 located in the Town of Hounsfield and Amending the County Highway Map in Relation Thereto

By Legislator: Michael F. Astafan

Whereas, The Jefferson County Highway Superintendent has recommended the removal of Culvert J037 from the Jefferson County Highway System Map as it no longer exists, and

Whereas, A resolution of the Jefferson County Board of Legislators is necessary to authorize the removal of said culvert from the Jefferson County Highway System Map.

Now, Therefore, Be it Resolved, That the Jefferson County Board of Legislators hereby approves and authorizes the removal of Culvert J037 from the Jefferson County Highway System Map, and be it further

Resolved, That the Highway Superintendent be and hereby is authorized to take all necessary actions to remove Culvert J037 from the Jefferson County Highway System Map.

Seconded by Legislator: Anthony J. Doldo

All members present voted aye.

Resolution No. 51

Authorizing Intergovernmental Agreement with the Town of Hounsfield for

**Transfer of Ownership of Culvert J038 and Amending the County Highway
Map in Relation Thereto**

By Legislator: Michael F. Astafan

Whereas, By Resolution 76 of 1999 this Board authorized the “Jurisdictional Road Reclassification Program” providing for the transfer of certain roads and parts thereof to the Town in which the road is located upon the recommendation of the Highway Superintendent, and

Whereas, Sections 115-b and 115-c of New York Highway Law provide the County Board of Legislators with the authority, upon the recommendation of the Highway Superintendent and pursuant to a written agreement with the governing body of a town, to remove portions of roads including culverts from the highway system upon the adoption of a resolution, and

Whereas, The Jefferson County Highway Superintendent has recommended the removal of Culvert J038 located in the Town of Hounsfield on the town road called Ridge Road from the County Highway System and that ownership of said culvert be transferred to the Town of Hounsfield 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 Hounsfield to transfer ownership of Culvert J038 to the Town, and be it further

Resolved, That upon conveyance of the above described section of county highway to the Town of Hounsfield, 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: Jennie M. Adsit

All members present voted aye.

Resolution No. 52

**Authorizing Agreement with the Town of Hounsfield to Transfer Ownership and
Jurisdiction of a Certain Portion of Floral Drive from said Town to the County
and Amending County Highway Map in Relation Thereto**

By Legislator: Anthony J. Doldo

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 that Jefferson County assume ownership of a portion of Floral Drive, located in the Town of Hounsfield, as hereinafter set forth, and

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 Hounsfield to transfer ownership of a portion of the town road called Floral Drive (and which road portion commences at the Town of Watertown corporation line at mile marker 1.44, thence runs northerly to the intersection with State Route 12F at mile marker 1.77, for a total distance of 0.33 miles), to the County, and be it further

Resolved, That upon conveyance of the above described portion of Floral Drive 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: Jennie M. Adsit

All members present voted aye.

Resolution No. 53

Amending the 2012 County Budget Relative to Mental Hygiene Programs

By Legislator: Michael F. Astafan

Whereas, By Resolution No. 103 of 2012 the Community Services Board entered into Agreements with various not-for-profit organizations for the provision of mental hygiene services for calendar year 2012, and

Whereas, The New York State Office of Mental Health (NYS OMH) approved funding for 2 new housing units effective 10/1/2012 for high needs seriously mentally ill individuals needing more service intensive housing options, and

Whereas, This funding will be allocated to Transitional Living Services of NNY for their Supported Housing program.

Now, Therefore, Be It Resolved, That the 2012 County Budget be and is hereby amended as

follows:

Increase:

Revenue

01-4310-999.93490 State Aid - Mental Health Services \$ 3,837

Expenditure

01-4310-4320.4714 Transitional Living Services of NNY \$ 3,837

and be it further

Resolved, That the Board does hereby grant its approval for the Community Services Board to enter into an amended agreement with Transitional Living Services of NNY and New York State for this funding/program changes.

Seconded by Legislator: Robert J Thomas

Roll Call Vote

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

Absent: Fitzpatrick

Resolution passed.

Resolution No. 54

Amending the 2012 County Budget Relative to Mental Hygiene Programs

By Legislator: Michael F. Astafan

Whereas, By Resolution No. 103 of 2012 the Community Services Board entered into Agreements with various not-for-profit organizations for the provision of mental hygiene services for calendar year 2012, and

Whereas, The Jefferson Rehabilitation Center underutilized State Aid funding for year end 2012 and that funding needs to be reallocated to the Northern Regional Center for Independent Living Mental Health Advocacy program, the Mental Health Association Drop in Center program and to the Children’s Home Outpatient Mental Health Clinic program as one time only funding, and

Whereas, The 2012 County Budget needs to be amended accordingly as well as entering into amended contracts for these services.

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

Increase:

01-4310-4320.4719	NRCIL - CSS - Mental Health Advocacy	\$20,000
01-4310-4320.4721	Mental Health Association	20,000
01-4310-4320.4707	CHJC - CMHC - Outpatient Clinic	35,000

Decrease:

Expenditures		
01-4310-4320.4718	JRC Employment Programs	75,000

and be it further

Resolved, That the Board does hereby grant its approval for the Community Services Board to enter into amended agreements with the referenced organizations for these funding/program changes.

Seconded by Legislator: John D. Peck

All members present voted aye.

Resolution No. 55

Authorizing Agreement for Provision of Mental Hygiene Services and Amending the 2013 County Budget in Relation Thereto

By Legislator: Michael J. Docteur

Whereas, New York State Mental Hygiene Law provides that the Jefferson County Community Services Board may contract for the provision of various mental hygiene services to the public with the approval of the Board of Legislators.

Now, Therefore, Be it Resolved, that pursuant to section 41.13 of the Mental Hygiene Law, this Board does hereby grant its approval for the Community Services Board to enter into an agreement with Children's Home of Jefferson County, a not for profit corporation, for provision of mental hygiene services for the calendar year 2013 for the annual consideration of one hundred thousand and 00/100 dollars (\$100,000) for purposes of operation of an outpatient mental health clinic, and be it further

Resolved, that the Chairwoman of the Board of Legislators and the Director of the Community Services Department shall be authorized to execute any agreement or document necessary to effect such agreement on the part of the County of Jefferson, subject to the approval of the County Attorney as to form and content, and be it further

Resolved, That the 2013 County Budget be amended as follows:

Increase:

01-4310-4320.4707 Children's Home Mental Health Clinic Program \$100,000

01-1910-1990.4963 Contingent 100,000

Seconded by Legislator: John D. Peck

All members present voted aye.

Resolution No. 56

**Authorizing Agreement for Provision of Occupational Therapy Services
to Clients of the Public Health Service**

By Legislator: Anthony J. Doldo

Whereas, Occupational Therapy represents an important and required service within the Certified Home Health Agency and the Long Term Home Health Care Program, and

Whereas, After evaluating the level of care and needs, the demand for the provision of occupational therapy is projected to continue.

Now, Therefore, Be It Resolved, That Jefferson County renew an agreement with a Licensed Occupational Therapist for rendering care to Public Health Service clients during the period January 1, 2013 through December 31, 2014 at the rate noted below:

Scott M. Bowman, OTR-L \$55/visit

and be it further

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

Seconded by Legislator: John D. Peck

All members present voted aye.

Resolution No. 57

**Authorizing Agreement with John Snow, Inc. for a
U.S. Department of Health and Human Services Office on Women's Health Safety
and Health for Older Women Program Award and Amending the 2013 County Budget**

By Legislator: Robert J. Thomas

Whereas, The Public Health Service has been notified by John Snow, Inc. of a U.S. Department of Health and Human Services Office on Women's Health Safety and Health for Older Women Program award in the amount of \$2,500 for the period of January 2, 2013 through September 16, 2013, and

Whereas, The purpose of the award is to support activities and events that enhance access to information and health care resources that promote the safety and health of older women in the United States, and

Whereas, The Public Health Service project will address fall prevention for older women residing in housing of the Watertown Housing Authority, and

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

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 contract documents with John Snow, Inc. 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 2013 County Budget is hereby amended as follows:

Increase:

Revenue		
01-4050-999.94489	Federal Aid Other Health	\$2,500

Expenditures		
01-4050-4050.4117	Printing	250

Decrease:

01.0599	Appropriated Fund Balance	\$2,250
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Seconded by Legislator: Michael F. Astafan

Roll Call Vote

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

Absent: Fitzpatrick

Resolution passed.

Resolution No. 58

Amending the 2013 County Budget Relative to an Increase in Funding for the

Rural Minority Health Program Grant

By Legislator: Michael J. Docteur

Whereas, The Public Health Service has been notified by the New York State Department of Health Office of Minority Health and Health Disparities Prevention of an increase in funding of \$9,000 for the second year of programming, and

Whereas, The purpose of the award is to reduce barriers to health care services for racial, ethnic, and underserved populations in rural New York State by addressing disparities in health insurance coverage, health services utilization and quality of care, and

Whereas, The Public Health Service will utilize additional funding to expand work with medical providers regarding patient communication, as well as purchase advertising for an evidenced-based media campaign directed at the public regarding communication with providers, and

Whereas, Said grant funding will both partly offset currently budgeted salary and fringe expenditures and require a new appropriation, and

Whereas, It is necessary to amend the 2013 County Budget to recognize said revenue and appropriate the additional dollars.

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 contract documents with the New York State Department of Health 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 2013 County Budget is amended as follows:

Increase:

Revenue		
01-4050-999.94489	Federal Aid Other Health	\$9,000

Expenditures		
01-4050-4060.4415	Advertising	\$7,468

Decrease:

01.0599	Appropriated Fund Balance	\$1,532
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Seconded by Legislator: Michael F. Astafan

Roll Call Vote

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

Absent: Fitzpatrick

Resolution passed.

Resolution No. 59

Authorizing Agreement with JBS International for Support of Evidence-Based Adult Immunization Grant Program and Amending the 2013 County Budget

By Legislator: John D. Peck

Whereas, The Public Health Service has been notified by JBS International of a Support for Evidence-Based Adult Immunization Grant Program award in the amount of \$9,959 for the period of January 31, 2013 through September 13, 2013, and

Whereas, The purpose of the award is to increase the proportion of adults vaccinated against seasonal influenza and other preventable diseases, and

Whereas, The Public Health Service project will draw upon U.S. Centers for Disease Control and other evidence-based resources for a community intervention that develops and implements a comprehensive social marketing campaign to increase community demand for adult immunizations, 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 contract documents with JBS International 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 2013 County Budget is amended as follows:

Increase:

Revenue

01-4050-999.94489	Federal Aid Other Health	\$9,959
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Expenditures

01-4050-4060.4117	Printing	\$750
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01-4050-4060.4313	Travel	\$200
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01-4050-4060.4415	Advertising	\$3,600
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Decrease:

01.0599	Appropriated Fund Balance	\$5,409
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Seconded by Legislators: Michael J. Docteur

Roll Call Vote

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

Absent: Fitzpatrick

Resolution passed.

Resolution No. 60

Authorizing an Amended Agreement with Language Line for Interpreter Services

By Legislator: John D. Peck

Whereas, By Resolution No. 309 of 2012 this Board of Legislators authorized a contract with Language Line for interpreter services for the period of August 10, 2012 through August 8, 2016 at rates varying from \$0.90 - \$0.99 per minute, and

Whereas, The New York State Office of General Services has revised the state-wide Language Line contract term and reduced the payment rate.

Now, Therefore, Be It Resolved, That Jefferson County amend its agreement with Language Line to change the term to October 25, 2012 through October 24, 2017, now include all supported languages and decrease the rate to an all inclusive \$0.75 per minute charge.

A revised per minute rate may be paid if established charges are increased and prior written notice is provided to the Public Health Service, and be it further

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

Seconded by Legislator: Michael F. Astafan

All members present voted aye.

Resolution No. 61

Authorizing Grant Agreement, State Environmental Quality Review Act (SEQR) Determination, and Amending the 2013 County Budget in Relation to a 2012 Community Development Block Grant Award from the NYS Office of Community Renewal

By Legislator: Robert J. Thomas

Whereas, Jefferson County has been notified by the New York State Office of Community Renewal (OCR) that its 2012 Community Development Block Grant (CDBG) application has

been approved, and

Whereas, The \$750,000 award will be used to continue an owner-occupied housing rehabilitation program (Phase VI) 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 2013 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 2013 County Budget is amended as follows:

Increase:

Expenditure		
30-8668-8668.4014	CDBG Housing Rehab	\$ 750,000
Revenue		
30-8668-999.94911	Federal Aid - CDBG	\$ 750,000

Seconded by Legislator: John D. Peck

Roll Call Vote

Ayes: Montigelli, Ferris, Docteur, Thomas, Ormsby, Nabwyaniec, Drake, Gray, Adsit, Reed, Doldo, Astafan, Behling, Peck

Absent: Fitzpatrick

Resolution passed.

Resolution No. 62

Authorizing Jefferson County to be Lead Agency under the State Environmental Quality

Review Act for the Purpose of Conducting an Eight Year Review of the Jefferson County Southeast Agricultural District #1, and Making a Determination of Non-significance

By Legislator: John D. Peck

Whereas, In 2012 the Board of Legislators formally received notification from the New York State Department of Agriculture and Markets to commence the Eight Year Review of the Jefferson County Southeast Agricultural District No. 1, and

Whereas, The Eight Year Review process 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 evaluates potential environmental impacts, expresses the County’s desire to serve as lead agency, determines that no significant impacts will occur, and is incorporated in this resolution.

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 and forward same to the NYS Department of Agriculture and Markets.

Seconded by Legislator: Philip N. Reed, Sr.

All members present voted aye.

Resolution No. 63

Adopting Modifications Pursuant to the Eight Year Review of the Jefferson County Southeast Agricultural District, No. 1

By Legislator: Philip N. Reed, Sr.

Whereas, In 2012 the Board of Legislators formally received notification from the New York State Department of Agriculture and Markets to commence the Eight Year Review of the Jefferson County Southeast Agricultural District No. 1, and

Whereas, In accordance with the provisions of the New York State Agriculture and Markets Law, Article 25AA, as amended, a review notice was published and the Jefferson County Southeast Agricultural District No. 1 was placed on file with the County for a thirty (30) day review and modification period, and

Whereas, During the review period, 57 acres of land were requested to be added and 659 acres of

land were requested to be removed from the District, and

Whereas, The District and proposed modifications were referred to the Jefferson County Agriculture and Farmland Protection Board for its review and recommendations, and

Whereas, The report of the County Agriculture and Farmland Protection Board with its recommendation to modify and re-establish the district for eight years has been duly received by this Board of Legislators, and

Whereas, A public hearing was held on November 14, 2012 at which time consideration was given to the original Agricultural District, the recommendation of the County Agriculture and Farmland Protection Board, and the proposed modifications to the District.

Now, Therefore, Be It Resolved, That, pursuant to Section 303 of the New York State Agriculture and Markets Law, the Jefferson County Board of Legislators does hereby modify and re-establish for a period of eight years the Jefferson County Southeast Agricultural District, No. 1, to consist of 48,789 acres of land. The modified boundary is depicted on a set of maps entitled Jefferson County Southeast Agricultural District, No. 1.

Seconded by Legislator: Robert D. Ferris

All members present voted aye.

Resolution No. 64

Reappointing Members to Soil & Water Conservation District Board of Directors

By Legislator: Robert J. Thomas

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

<u>Name</u>	<u>Term to Expire</u>
Michael Behling, Legislator	12/31/2013
John Peck, Legislator	12/31/2013
Vernon LaFave, Member at Large	12/31/2015

Seconded by Legislator: Philip N. Reed, Sr.

All members present voted aye.

Acting Chairman Docteur entertained a motion to waive the Standing Rules to permit the

introduction of an additional resolution for consideration. Such motion was made by Legislator Nabywaniec seconded by Legislator Ormsby and unanimously carried by the Board.

Resolution No. 65

Appointing Director of Public Health

By Legislator: James A. Nabywaniec

Resolved, That pursuant to Section 204 of County Law and Section 604 of Public Health Law, and subject to the approval of the Commissioner of the New York State Department of Health, Ginger B. Hall be and is hereby appointed as Director of Public Health for a term to expire December 31, 2013 at Grade II, Rate + (base salary \$86,471), effective March 1, 2013.

Seconded by Legislator: Michael A. Montigelli

Legislator Nabywaniec advised that the Interview Committee members were he, Legislators Adsit and Docteur, Chairwoman Fitzpatrick, County Administrator Robert Hagemann, Deputy Administrator Mike Kaskan and Human Resources Director Valerie Borland. He said the County was fortunate to have two candidates in house who were well qualified, he is pleased to be recommending the appointment of Ginger Hall to this position, and looked forward to working with her. He also appreciated the Board acting on this resolution this evening as it will give Human Resources a heads up to then fill Ginger's position also.

All members present voted aye.

Acting Chairman Docteur congratulated Ms. Hall, said he looked forward to working with her, and wished her many years of success.

Acting Chairman Docteur advised that he, Legislator Montigelli and Chairwoman Fitzpatrick all attended the NYSAC Conference last week. Legislator Montigelli said it was very well attended, there were some interesting speakers in the Attorney General and Leader Cole, and the educational opportunities through the Pellitier Institute there are valuable. He said there was a lot of discussion concerning the SAFE Act and unfunded mandates, and overall he found the conference to be very useful and interesting, and he enjoyed interacting with officials from all over the State. Acting Chairman Docteur added that it was a very productive conference and they met with local officials from throughout the State and State leaders.

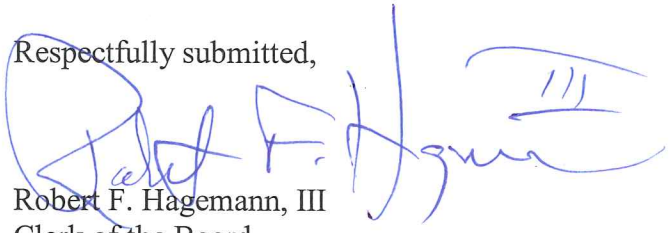
Acting Chairman Docteur stated that many people were in attendance this evening regarding concerns relative to the SAFE Act passed by New York State. He said the County will be working through the process of bringing a resolution to committee and it will be up to the Chairwoman as to which jurisdictional committee the resolution will go through; everyone will have an opportunity for discussion and input as it is important to take time for due diligence and get it right.

Legislator Peck advised that he drafted a resolution opposing the SAFE Act that was a

compilation of resolutions from other counties around the State with a specific emphasis on portions of the legislation that are more contentious; copies were email to each legislator and are on their desks for the consideration of the Board in working through the process. He felt the SAFE Act was a gross violation of citizens rights and liberties, said it is unfortunate that the Governor and legislature passed it without any discussion or input from the public, and looked forward to discussion on the matter.

There being no further business of the Board, on a motion by Legislator Peck seconded by Legislator Ferris and unanimously carried, the meeting was adjourned at 7:25 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 large initial "R" and "H".

Robert F. Hagemann, III
Clerk of the Board