

## **ANNUAL SESSION**

**WEDNESDAY, NOVEMBER 12, 2014**

Chairwoamn Fitzpatrick called the meeting to order at 7:00 p.m. and the Board observed a moment of silence in honor of District 2 Legislator Robert J. Thomas who passed on Monday, November 10, 2014.

### **ROLL CALL OF MEMBERS**

All members present except Legislator Robert J. Thomas.

### **Public Hearing 2015 Tentative Budget**

Chairwoman Fitzpatrick called the public hearing to order at 7:01 p.m. and no one present wished to speak so the public hearing was closed.

### **PRIVILEGE OF THE FLOOR**

None.

### **MINUTES OF LAST SESSION**

The October Board Session minutes and the and Special Session minutes stand approved in the absence of objection or correction.

### **PETITIONS, NOTICES AND COMMUNICATIONS**

A copy of a letter addressed to Saint Lawrence Seaway Development Corporation Administrator Betty Sutton from Save The River Executive Director Lee Willanks encouraging the Development Corporation's endorsement of Plan 2014 relative to Lake Ontario and St. Lawrence River water levels was received.

The Town of Ellisburg forwarded a "Resolution Adopting Special Benefit Assessment Roll for 2014 for the Town of Ellisburg Water District No. 1 and Water District No. 2" adopted by the Town Board on October 2, 2014.

### **REPORTS OF STANDING COMMITTEES**

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

The Finance & Rules Committee provided a report on recommended changes to the 2015 Tentative Budget.

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

The County Treasurer provided a report on Interest Allocation by Fund and Summary of Cash in Banks as of September 30, 2014.

The County Administrator provided a report on budget transfers for the month of October, 2014.

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

### **Local Law Intro No. II of 2014**

#### **A LOCAL LAW TO AUTHORIZE OVERRIDING THE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW § 3-c (A/K/A “2% TAX CAP”) FOR THE JEFFERSON COUNTY 2015 BUDGET**

**BE IT ENACTED** by the Board of Legislators of the County of Jefferson as follows:

#### **SECTION 1. TITLE.**

This Local Law shall be known as **“A LOCAL LAW TO AUTHORIZE OVERRIDING THE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW § 3-c (A/K/A “2% TAX CAP”) FOR THE JEFFERSON COUNTY 2015 BUDGET.”**

#### **SECTION 2. LEGISLATIVE FINDINGS.**

The Board of Legislators for the County of Jefferson hereby finds and determines that the anticipated budgetary needs for fiscal 2015 require that Jefferson County adopt the appropriate legislation necessary to override the tax levy limit established by General Municipal Law § 3-c, **and more commonly referred to as the “2% tax cap.”**

#### **SECTION 3. ENACTMENT AUTHORITY**

This Local Law is adopted pursuant to authority provided in section 10 of the Municipal Home Rule Law of the State of New York as well as the specific authority found in General Municipal Law § 3-c[5].

#### **SECTION 4. OVERRIDE AUTHORIZATION**

The Board of Legislators be and the same is hereby authorized to adopt a budget for fiscal year 2015 that exceeds the “tax levy limit” as that term is defined and calculated pursuant to the provisions of General Municipal Law §3-c.

#### **SECTION 5. EFFECTIVE DATE**

This local law shall take effect immediately upon filing with the Secretary of State.

Legislator Peck thanked his colleagues for reconsidering the vote on this local law and asked that they vote unanimously in support of it. He said the 2% tax cap is a policy instituted by Albany and paints local governments in a bad light when 80% of our budget is state mandates thereby forcing us to come to compromises to get under the tax cap and still provide services in a responsible and reasonable manner. He said a message needs to be sent to Albany that we will do what we need to do as a local body in order to take care of our residents.

Legislator Jareo thanked Legislator Gray for spending time to go over the budget with him and Legislator Reed for his willingness to be open to compromise. He stated that he could not support the override at this time and thanked the leadership and fellow legislators for working hard with compromises that were difficult.

Legislator Ferris said this is his fifth budget since being on the Board and it has been the most controversial so far. He understood Legislator Jareo's position and said while he feels he should support the override, he will not be doing that. He said it is not a reflection of the work done by the leadership and Administration but feels we are backed into a corner and should come out swinging.

Legislator Maxon stated that he has a healthy mistrust of government but did not see any way the County could formulate a budget that falls within the tax cap. He related that he tried to find cuts that would make up the last quarter of a percent to bring us in under the tax cap but it was impossible. He said some responsible cuts were made in partnership with the department heads and we need to look at fact based cuts for the future because there is simply not enough time to do so now. He said the State has been irresponsible in handing down costly mandates to counties, and as we move forward into 2015 the County needs to take a proactive approach in looking for fact based cuts well before the 2016 budget is put together, and not be afraid to disagree. He stated that he did not want to vote for the override, but really had no other choice at this time.

Legislator Hirschey thanked the leadership for their efforts with the budget and for being respectful of ideas put forth, but said at the end of the day the County needs to provide services to its residents and with shrinking state and federal aid, higher costs for health benefits along with state mandates it is difficult. For next year he suggested taking a look at a bigger picture in restructuring services provided for possible reductions to provide options within the budget.

Legislator Reed stated that the comments tonight and deliberations for the budget have been good and are part of doing our due diligence for the taxpayers. He said it is unfortunate that the Governor's formula for the tax levy limit penalizes counties such as ours that already came up with efficiencies before that formula was in place (noting the Efficiency Ad Hoc Committee Chaired by Legislator Docteur some years ago); and rewards those that were not doing their business properly to begin with. He looked forward to examining further efficiencies as we move into 2015 and thanked everyone for their hard work putting the budget together.

Legislator Docteur stated that the budget process this year has been very open and involved all 15

legislators and there was a difference in ideas and opinions which is very healthy. He said the networking the last few weeks has been important and resulted in a learning experience for all involved. He welcomed the new ideas and appreciated all the input this year.

#### Roll Call Vote

Ayes: Nabywaniec, Adsit, Maxon, Montigelli, Reed, Hirschey, Drake, Docteur, Gray, Peck, Fitzpatrick

Nays: Jareo, Ferris, Doldo

Absent: Thomas

Local Law passed.

### **Resolution No. 245**

#### **Revising and Adopting 2015 Tentative Budget**

By Legislator: Michael A. Montigelli

Whereas, Pursuant to Section 357 of the County Law, the Finance and Rules Committee of this Board has reviewed the Budget Officer's 2015 Tentative Budget and has proposed that certain changes, alterations and revisions be made to said budget.

Now, Therefore, Be It Resolved, That the 2015 Budget Officer's Tentative Budget be changed, altered and revised as shown on the attached Schedule A, said schedule shall be considered a part of this resolution as if fully set forth herein, and be it further

Resolved, That said Tentative Budget, with such changes, alterations and revisions as are heretofore set forth be and is hereby adopted as the Budget of the County of Jefferson for County fiscal year 2015.

Seconded by Legislator: Allen T. Drake

Legislator Gray thanked everyone for their time, effort and communication as this budget has been one of the most difficult undertaken during his time on the Board. He said there have been tremendous pressures with this budget, some by choice, others not, and next year may be just as difficult, but the budget maintains the services provided to the community in a respectful way and is what people have become accustomed to expect from Jefferson County. He said it is a responsible budget, there were good discussions and deliberations throughout the process with good contributions from everyone, and we came out with initiatives moving forward. He added that it was a learning process for many members, he looked forward to initiating the budget and asked for legislators' support.

Legislator Ferris stated that everyone did a great job on the budget and with the compromises brought forward at Finance & Rules Committee last week, wished we could have gone a little farther with cuts but said he appreciated what was done and the taxpayers will also.

Legislator Peck stated that we could not get to the point some members wanted to in order to come get under the tax cap and he was thankful Legislator Maxon came to that conclusion because it is a hard reality to accept. He said good compromises were made and this is the best we can do right now. He hoped that sales tax will improve, we can take advantage of some new strategies and initiatives that have been mentioned in discussions to find efficiencies, and will be able to continue to maintain the exemplary staff that we have and the services that we provide.

Legislator Hirschey pointed out that because we have drawn down the fund balance year after year it is below where our own policy says it should be. He looked forward to examining initiatives in the future and putting everything on the table and seeing what services can be cut and the corresponding change in the taxes we need to collect.

Legislator Reed stated that the decision to bond for the piece of equipment needed in the Highway Department was done because it is used for shared services and is important for them to have and be able to share with the towns. He looked forward to a policy that will dictate these purchases for the future, and he appreciated everyone's compromises and efforts on the budget.

#### Roll Call Vote

Ayes: Peck, Gray, Adsit, Montgielli, Docteur, Reed, Hirschey, Ferris, Drake, Nabywaniec, Maxon, Doldo, Fitzpatrick

Nays: Jareo

Absent: Thomas

Resolution passed.

#### **Resolution No. 246**

#### **Appropriation for the Conduct of County Government for Fiscal Year 2015**

By Legislator: John D. Peck

Whereas, Pursuant to Sections 354 and 355 of the County Law the Budget Officer has prepared and submitted to this Board the 2015 Budget Officer's Tentative Budget, and

Whereas, Said Tentative Budget has been changed, altered and revised by this Board in accordance with Section 358 of the County Law, and

Whereas, Said Tentative Budget, as changed, altered and revised, has been adopted by this Board by Resolution No. 245.

Now, Therefore, Be It Resolved, That the numbers in the 2015 Budget Officer's Tentative Budget in the column entitled "Budget Officer's Recommendations," with such changes, alterations and revisions as have been approved by this Board, be inserted in the column entitled "Adopted," and be it further

Resolved, That, pursuant to Section 360 of the County Law, the several amounts specified in such budget in the column entitled "Adopted" be and are hereby appropriated for the objects and purposes specified, effective January 1, 2015.

Seconded by Legislator: Michael A. Montigelli

Roll Call Vote

Ayes: Adsit, Maxon, Hirschey, jareo, Gray, Drake, Peck, Reed, Doldo, Ferris, Montigelli, Nabywaniec, Docteur, Fitzpatrick

Absent: Thomas

Resolution passed.

### **Resolution No. 247**

#### **Adopting Capital Plan for 2015 - 2020**

By Legislator: Robert D. Ferris

Whereas, Pursuant to Resolution No. 357 of 1992 and Section 99-g of the General Municipal Law, the Budget Officer has prepared and submitted as part of the 2015 Budget Officer's Tentative Budget a Six Year Capital Plan for the years 2015-2020.

Now, Therefore, Be It Resolved, That said Capital Plan be and is hereby adopted.

Seconded by Legislator: Michael A. Montigelli

Roll Call Vote

Ayes: Maxon, Doldo, Reed, Gray, Montigelli, Drake, Nabywaniec, Jareo, Adsit, Docteur, Ferris, Hirschey, Peck, Fitzpatrick

Absent: Thomas

Resolution passed.

**Resolution No. 248**

**Certification of Taxes to the City of Watertown**

By Legislator: John D. Peck

Resolved, That the Clerk of the Board be and is hereby authorized and directed to certify to the Clerk and the Assessor of the City of Watertown, the apportioned share of the 2015 County Tax to be levied on real property within the City as follows:

County Tax ..... \$7,936,186.61

Seconded by Legislator: Michael A. Montigelli

All members present voted aye.

**Resolution No. 249**

**Levying Tax Map Maintenance Charges for 2015**

By Legislator: Robert D. Ferris

Resolved, That, Pursuant to Section 503 of the Real Property Tax Law, the twenty-two Towns of the County be and are hereby charged \$317,671 for 2015 Tax Map Maintenance, and be it further

Resolved, That the Clerk of the Board of Legislators be and is hereby authorized and directed to apportion said sum among the twenty-two Towns in the County of Jefferson in accordance with Resolution No. 248 of 1987, and that the amount apportioned to each Town be and is hereby levied and assessed against the taxable property of the respective Town.

Seconded by Legislator: Jennie M. Adsit

Roll Call Vote

Ayes: Maxon, Gray, Reed, Docteur, Adsit, Hirschey, Ferris, Montigelli, Naybwaniec, Jareo, Drake, Peck, Doldo, Fitzpatrick

Absent: Thomas

Resolution passed.

**Resolution No. 250**

**Approving Mortgage Tax Report**

By Legislator: Jennie M. Adsit

Whereas, This Board is in receipt of the semi-annual Mortgage Tax Report showing the amount to be credited to each tax district in the County of the money collected during the preceding six months ended September 30, 2014.

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

Seconded by Legislator: Robert D. Ferris

All members present voted aye.

### **Resolution No. 251**

#### **Levying Hudson River-Black River Regulating District Assessments**

By Legislator: John D. Peck

Whereas, The Board of the Hudson River-Black River Regulating District, pursuant to provisions of the Environmental Conservation Law, has filed a certified statement with the Clerk of the County of Jefferson showing the name of each public corporation or a brief description of each parcel of real estate and the name of the owner, or owners, so far as can be ascertained, and the proportionate amount of the cost of storage reservoirs and the expense of maintenance and operation of such reservoirs to be borne by each parcel of real estate during the year ending June 30, 2015, and

Whereas, Pursuant to Subdivision Six of Section 15-2123 of the Environmental Conservation Law, signed into law on August 8, 1983 "...All moneys required to be collected and not paid directly to the River Regulating District by the thirty-first day of October of the year in which the assessment is levied shall be payable to the County Treasurer as provided under subdivision four of this Section and shall be subject to a service fee of one percent of the total amount assessed which shall be added to the amount to be collected and which shall be in addition to any penalties which may be imposed in the case of failure to pay general taxes within the time prescribed by law, and when collected, such penalties shall be deemed part of the assessment...".

Now, Therefore, Be It Resolved, That, in accordance with the certified statement of annual assessment received from the Regulating District dated October 31, 2014, the sum set after the description of each parcel of real estate in the following list is hereby levied and assessed against said parcel of real estate to wit:

(Parcel Information will be forthcoming)

and be it further

Resolved, That the collector of taxes and assessments in each Town or City in which any such parcel of real estate is situated be and is hereby directed and commanded to collect said sum set forth after the description of each such parcel of real estate in the forgoing list, or in case the property is situated in more than one Town, to collect the sum set forth after the name of each Town following said description, in the same manner and by the same procedure as general taxes are collected and to pay the same to the County Treasurer of Jefferson County, and be it further

Resolved, That the Clerk of the Board of Legislators be and is hereby directed to furnish a certified copy of this resolution to the Council of the City of Watertown.

Seconded by Legislator: Jennie M. Adsit

Chairwoman Fitzpatrick entertained a motion to table the resolution pending receipt of the parcel information for the resolution. A motion to table was duly made by Legislator Gray seconded by Legislator Maxon and unanimously carried by the Board. Resolution tabled.

#### **Resolution No. 252**

#### **Recognizing Payments Received from New York State in Relation to the Mohawk Akwesasne Casino**

By Legislator: John D. Peck

Whereas, The State of New York and the Mohawk Nation at Akwesasne have entered into a compact wherein the State will receive certain payments from the Mohawk Akwesasne Casino operations, and

Whereas, The agreement includes the distribution of a portion of these funds to various counties in the region of the casino, and

Whereas, Jefferson County has received two payments in 2014, and

Whereas, The 2014 County Budget should be amended to recognize these payments, reduced by funds allocated to the Airport for needed equipment.

Now, Therefore, Be It Resolved, That the 2014 County Budget is amended as follows:

#### **Increase:**

01-1040-999.92725	Tribal-State Compact Revenue	\$230,619.09
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#### **Decrease:**

01-0599

Appropriated Fund Balance

\$230,619.09

Seconded by Legislator: Robert D. Ferris

Roll Call Vote

Ayes: Peck, Docteur, Montigelli, Doldo, Drake, Adsit, Reed, jareo, Gray, Maxon, Nabywaniec, Ferris, Hirschey, Fitzpatrick

Absent: Thomas

Resolution passed.

### **Resolution No. 253**

#### **Authorizing an Agreement with POMCO Group Relative to IRS Section 125 Flexible Spending Plans**

By Legislator: Robert D. Ferris

Whereas, Pursuant to Resolution 335 of 1995, Jefferson County established an IRS Section 125 pre-tax health insurance Plan for its employees, allowing for the pre-tax payments of employees' share of health premium equivalents, and

Whereas, Section 125 also permits the establishment of pre-tax flexible spending accounts to be used for eligible medical expenses not covered by the County's Health Plan, as well as for eligible dependent care expenses, and

Whereas, Jefferson County established such a plan pursuant to Resolution 214 of 2011, and

Whereas, Said programs require on-going administration, and

Whereas, Through a request for proposal process, the Director of Human Resources has identified the POMCO Group as a qualified provider of Flexible Spending Account Services, and

Whereas, The County must enter into an agreement with POMCO Group to administer that Plan, and

Whereas, The on-going costs of Plan administration will be covered by savings to FICA taxes realized by the pre-tax payments to individual flexible spending accounts.

Now, Therefore, Be It Resolved, That the County enter into an Agreement with the POMCO Group for Plan administration for a period of two years in the amount of \$4.00 per month per participant for one program or \$6.00 per month if the participant chooses both programs, and be it further

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

Seconded by Legislator: Jennie M. Adsit

All members present voted aye.

#### **Resolution No. 254**

#### **Authorizing Agreement for Performance of a Single Audit of Jefferson County**

By Legislator: Allen T. Drake

Whereas, The Federal Single Audit Act of 1984 requires that Jefferson County retain an independent accountant to perform a Single Audit of the County in accordance with Federal Office of Management and Budget Circular A-128, and

Whereas, Pursuant to a request for proposals (RFP), the firm of Drescher & Malecki, LLP was selected in 2010 for said services for a 3 year period with the option for a one year extension, and

Whereas, Drescher & Malecki, LLP performed the services for the fiscal years 2010, 2011, 2012 and 2013, and

Whereas, Due to the current transition to a new financial software system, the Treasurer has requested and the Audit Committee concurs, that the County enter into a one year agreement with Drescher & Malecki, LLP for the same services at a cost of \$55,000, after which time an RFP will be conducted for an new three year period.

Now, Therefore, Be It Resolved, That Jefferson County enter into an agreement with the firm of Drescher & Malecki, LLP for the performance of a Single Audit of Jefferson County in accordance with Federal Office of Management and Budget Circular A-133 or such other regulations and requirements as may be made applicable by the Federal government. Said agreement shall be for performance of a Single Audit of Jefferson County for County fiscal years 2014. Consideration to be paid to Drescher & Malecki, LLP shall be \$55,000, and be it further

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

Seconded by Legislator: Michael A. Montigelli

All members present voted aye.

#### **Resolution No. 255**

#### **Amending the 2014 County Budget and Capital Plan to**

**Provide for Empire State Development Grant Payment**

By Legislator: Jennie M. Adsit

Whereas, Pursuant to Resolution 120 of 2012, This Board of Legislators accepted an Empire State Development grant in the amount of \$1,500,000 for the construction of a 14,000 square foot hanger, and

Whereas, Said grant requires a 1% commitment fee and reimbursement to the Empire State Development of all out-of-pocket expenses related to the grant, and

Whereas, The 1% fee equals \$15,000 and the out-of-pocket expenses were \$510.29 for public hearing-related expenses, and

Whereas, Said expenses were paid from the Property Acquisition capital account and the 2014 County Budget and capital plan must be amended to show the expense from the proper account.

Now, Therefore, Be It Resolved, That the 2014 County Budget is amended as follows:

**Increase:**

20-9006-5610-2099.4 Airport Hanger & Business Center \$15,510.29

**Decrease:**

20-9006-6989.2064 Property Acquisition & Improvement \$15,510.29

and be it further

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

Seconded by Legislator: Anthony J. Doldo

Roll Call Vote

Ayes: Maxon, Ferris, Hirschey, Docteur, Drake, Doldo, Adsit, Montigelli, Peck, Gray, Reed, Nabywaniec, Jareo, Fitzpatrick

Absent: Thomas

Resolution passed.

**Resolution No. 256**

**Authorizing Agreement with the NYS Division of Homeland Security and Emergency**

**Services in Relation to the Federal Domestic Preparedness Equipment Program**

By Legislator: Jonathan L. Hirschey

Whereas, New York State Division of Homeland Security and Emergency Services has awarded Jefferson County \$52,000, as recipient of a grant, from the FY2014 Hazmat Grant Program (CFDA 97.067) through funding from the Department of Homeland Security’s State Homeland Security Program (SHSP).

Now, Therefore, Be It Resolved, That the Board of Legislators hereby authorizes the Chairman of the Board of Legislators to enter necessary agreements with the NYS Division of Homeland Security and Emergency Services and with Lewis County, subject to approval by the County Attorney as to form and content, and be it further

Resolved, That the 2014 County Budget is amended as follows:

**Increase:**

(Expenditures)

01-3410-3414.2300	Technical Equipment	\$ 5,000
01-3410-3414.2302	Radios	8,500
01-3410-3414.4485	Shared Municipal Services	15,000
01-3410-3414.4514	Uniforms & Clothing	1,500
01-3410-3414.4585	Operating Supplies	22,000

(Revenues)

01-3410-999.94320.414	Federal Homeland Security	\$52,000
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Seconded by Legislator: James A. Nabywaniec

Roll Call Vote

Ayes: Maxon, Gray, Reed, Nabywaniec, Ferris, Jareo, Drake, Docteur, Montigelli, Doldo, Peck, Hirschey, Adsit, Fitzpatrick

Absent: Thomas

Resolution passed.

**Resolution No. 257**

**Authorizing an Agreement with Rubenzahl, Knudsen and Associates for the Provision of Psychological Evaluation and Testing of Children at Risk of Out of Home Placement**

By Legislator: Jennie M. Adsit

Whereas, The Probation Department wishes to renew an agreement with Rubenzahl, Knudsen and Associates for the provision of psychological testing, evaluation and recommendation for treatment of children at risk of out of home placement, which has proven successful in providing information and treatment recommendations in a timely manner for Juvenile Delinquents and Persons in Need of Supervision and is much more cost effective when compared to residential placement costs for similar evaluations.

Now, Therefore, Be It Resolved, That Jefferson County enter into an agreement with Rubenzahl, Knudsen and Associates for the period January 1, 2015 through December 31, 2015 for the provision of psychological testing, evaluation and recommendation for treatment of children at risk of out of home placement, and expanded services to include on-going counseling when indicated. Compensation shall not exceed the sum of \$125.00 per hour for psychological assessments with an additional \$75.00 per hour for any feedback sessions for review of evaluations; \$75.00 for missed appointments if the individual fails to follow through with a 24-hour notice of cancellation; \$75.00 per hour for individual counseling sessions; and \$150.00 per hour for after-hour and expedited evaluations, and be it further

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

Seconded by Legislator: Scott A. Gray

All members present voted aye.

### **Resolution No. 258**

#### **Authorizing Agreement with Jefferson County Children's Home for the Provision of Non-Secure Detention Services**

By Legislator: Jennie M. Adsit

Whereas, Pursuant to Section 218-1a of County Law, Jefferson County is required to provide non-secure detention facilities for the temporary boarding and care of juveniles placed in the custody of the County by the Family Court, and

Whereas, The County desires to contract for such services through a contractual agreement with the Children's Home of Jefferson County which will provide a local group home of six beds with 24-hour awake staff, and the transport of juveniles to medical and counseling appointments, and

Whereas, The New York State Office of Children and Family Services will provide 49% reimbursement of the Non-Secure Detention Services Program.

Now, Therefore, Be It Resolved, That, Jefferson County enter into an agreement with the Children's Home of Jefferson County to provide non-secure detention beds and supportive

services to include some juvenile transports during the period January 1, 2015 through December 31, 2015 at a cost not to exceed \$240.00 per day/per juvenile, with an additional cost of \$175.00 per day for one-on-one staff charges, and be it further

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

Seconded by Legislator: James A. Nabywaniec

All members present voted aye.

### **Resolution No. 259**

#### **Authorizing an Agreement with Insights Forensic Counseling, Inc. for the Provision of Psychological Testing, Evaluation and Recommendations for Treatment of JDs, PINS at Risk of Out of Home Placement, and Adult Sexual Offenders**

By Legislator: Jonathan L. Hirschey

Whereas, Juvenile Delinquents (JDs), Persons in Need of Supervision (PINS), and adult sexual offenders under the supervision of the Probation Department are often ordered by the Courts to undergo sexual offender evaluation and subsequent treatment, and

Whereas, Counseling services in many instances prevent the placement of JDs and PINS in residential treatment, and adults from re-offending thereby saving Jefferson County a much greater cost.

Now, Therefore, Be It Resolved, That Jefferson County enter into an agreement with Insights Forensic Counseling, Inc. for the provision of court ordered sexual offender psychological testing, evaluation and recommendations for treatment of Juvenile Delinquents, Persons in Need of Supervision, and adult offenders. The contract period shall commence on January 1, 2015 and terminate on December 31, 2015. Compensation shall not exceed the sum of \$75.00 per hour for sexual offender evaluation and individual counseling; \$45.00 per hour for group counseling; and \$75.00 per hour when providing testimony in court relative to the services performed under the contract, and be it further

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

Seconded by Legislator: Anthony J. Doldo

All members present voted aye.

**Resolution No. 260**

**Amending the 2014 County Budget in Relation to the Road Machinery Fund**

By Legislator: James A. Nabywaniec

Whereas, Some of the equipment purchased in the Road Machinery Fund this year was for less than the budgeted amounts, and

Whereas, The County Highway auction proceeds are available for use, and

Whereas, The County Highway Superintendent is requesting that the unspent funds and unrecognized revenue be used to purchase pick up trucks and shop equipment this year, rather than budget for them in 2015, and

Whereas, The 2014 Budget must be amended to do so.

Now, Therefore, Be It Resolved, That the 2014 County Budget is amended as follows:

**Increase:**

Expenditures		
10-9004-5130.2403	Pickup Truck Replacement	\$ 60,605.00
10-9004-5130.2600	Shop Equipment	9,502.50
Revenue		
10-9004-999.92665	Sale of Equipment	56,892.50

**Decrease:**

10-9004-5130.2494	Loader	\$ 13,215.00
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Seconded by Legislator: Patrick R. Jareo

Roll Call Vote

Ayes: Docteur, ray, Reed, Drake, Maxon, Peck, Doldo, Hirschey, Ferris, Jareo, Montigelli, Nabywaniec, Adsit, Fitzpatrick

Absent: Thomas

Resolution passed.

**Resolution No. 261**

**Authorizing the Implementation and Funding in the First Instance 100% of the Federal**

**Aid and State “Marchiselli” Program Aid Eligible Costs of a Transportation Federal-Aid Project (Fisher’s Landing Road over Mullet Creek), Appropriating Funds Therefor, and Amending the 2014 County Budget and Capital Plan in Relation Thereto**

By Legislator: Jonathan L. Hirschey

Whereas, A Project for the Fisher’s Landing Road over Mullet Creek, PIN 775331 (the “Project”) is eligible for Funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

Whereas, The County of Jefferson desires to advance the Project by making a commitment of 100% of the federal and non-federal share of the cost of the Preliminary Engineering, Right of Way Incidentals and Construction Phases of the project.

Now, Therefore, Be It Resolved, That the Jefferson County Board of Legislators does hereby approve the Project, and be it further

Resolved, That the Jefferson County Board of Legislators hereby authorizes the Jefferson County Treasurer to pay in the first instance 100% of the federal and non-federal share of the cost of the Preliminary Engineering, Right of Way Incidentals and Construction Phases for the Project or portions thereof, and be it further

Resolved, That the sum of \$1,930,786, which includes the Preliminary Engineering, ROW and Construction phases, or so much thereof as is necessary is hereby appropriated from Account 20-9006-5113.2895 in the 2014 County Budget, and made available to cover the cost of participation in the above phases of the Project, and be it further

Resolved, That in the event the full federal and non-federal share of the costs of the project exceed the amount appropriated above, the Jefferson County Board of Legislators shall convene to appropriate said excess amount immediately upon the notification by the Chairman of the Jefferson County Board of Legislators thereof, and be it further

Resolved, That the Chairman of the Jefferson County Board of Legislators be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal and State Aid, subject to the approval of the County Attorney as to form and substance, on behalf of the County of Jefferson with NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality’s first instance funding of project costs, and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefor that are not federal-or State-aid eligible, and be it further

Resolved, That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and be it further

Resolved, That this Resolution shall take effect immediately, and be it further

Resolved, That the 2014 County Budget is hereby amended as follows:

**Increase:**

Revenue		
20-9006-999.94592	Federal Aid Bridges	\$ 432,000
20-9006-999.93592	State Aid Bridges	54,000
20-9006-5113.2895	N38 - Fishers Landing	540,000

Decrease:		
20-9006-5113.2901	A30 - North Harbor Road	\$ 54,000

and be it further

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

Seconded by Legislator: Anthony J. Doldo

Roll Call Vote

Ayes: Docteur, Montigelli, Peck, jareo, Drake, Adsit, Maxon, Gray, Hirschey, Ferris, Nabywaniec, Doldo, Reed, Fitzpatrick

Absent: Thomas

Resolution passed.

**Resolution No. 262**

**Amending the 2014 County Budget in Relation to Highway and Road Machinery Funds**

By Legislator: Jonathan L. Hirschey

Whereas, The Superintendent of Highways has requested a transfer among and between accounts in the Highway and Road Machinery funds to provide adequate funding through the calendar year, and

Whereas The 2014 Budget must be amended to do so.

Now, Therefore, Be It Resolved, That the 2014 Budget is amended as follows:

**Increase:**

Expenditures

10-9004-5130.4310.001	Internal Fleet Repair	\$ 30,000
10-9004-5310.4310.002	External Fleet Repair	20,000

Transfers

05-9003-9901.9001	Contribution to Road Machinery Fund	50,000
10-9004-999.95031	Transfer to Road Machinery Fund	50,000

**Decrease:**

Expenditures

05-9003-5142.4931	Snow Removal	\$ 50,000
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Seconded by Legislator: Jennie M. Adsit

All members present voted aye.

**Resolution No. 263**

**Authorizing Agreements and Amending the 2014 County Budget in Relation to the State  
FY14 Law Enforcement Terrorism Prevention Program (LETPP) Grant**

By Legislator: Jonathan L. Hirschey

Whereas, The New York State Office of Homeland Security provides grants to local governments to prepare for terrorist events through funding from the U.S. Department of Homeland Security's Office for Domestic Preparedness, and

Whereas, Jefferson County has been awarded \$32,500 from the FY14 Law Enforcement Terrorism Prevention Program (LETPP) (CFDA 97.067), and

Whereas, Said grant funds are to be used in furtherance of Investment Justifications identified by the State Office of Homeland Security, and

Whereas, Said funds will purchase equipment for the Sheriff's Department, and

Whereas, The County must enter into agreements with the New York State Office of Homeland Security to receive these grant funds, and

Now, Therefore Be It Resolved, That the County of Jefferson agrees to accept the \$32,500 LETPP grant, and be it further

Resolved, That the Chairman of the Board of Legislators be and is hereby authorized to execute said agreements on behalf of Jefferson County, subject to the review of the County Attorney as to form and content, and be it further

Resolved, That The 2014 County Budget is amended as follows:

**Increase:**

Revenue

01-3110.999.94320.114      Federal Homeland Security      \$ 32,500

Expenditures

01-3110-3114.2500      Building/Grounds Equipment      \$ 32,500

Seconded by Legislator: James A. Nabywaniec

Roll Call Vote

Ayes:            Reed, Hirschey, Adsit, Peck, Drake, Maxon, Jareo, Gray, Nabywaniec, Doldo,  
Docteur, Montigelli, Ferris, Fitzpatrick

Absent:        Thomas

Resolution passed.

**Resolution No. 264**

**Amending the 2014 County Budget to Recognize Insurance Recovery  
and Allocating Same in Sheriff's Department Budget**

By Legislator: Jonathan L. Hirschey

Whereas, The Sheriff's Department has received insurance settlement checks in the amount of \$2,585.41 and \$1,247.10 for damage to patrol units, and has requested that the settlement be used to supplement the external fleet expense line to pay for needed repairs.

Now, Therefore, Be It Resolved, That the 2014 County Budget is hereby amended as follows:

**Increase:**

01-3110-3110.4310.002      External Fleet Expense      \$ 3,832.51

01-3110-999.92680      Insurance Recoveries      \$ 3,832.51

Seconded by Legislator: James A. Nabywaniec

Roll Call Vote

Ayes:            Drake, Ferris, Maxon, Doldo, Nabywaniec, Hirschey, Montigelli, Reed, Adsit,  
Jareo, Gray, Docteur, Peck, Fitzpatrick

Absent:        Thomas

Resolution passed.

**Resolution No. 265**

**Amending the 2014 County Budget to Provide Additional Funds for the Conversion of the Jail Recreation Room to a 36-Inmate Dormitory**

By Legislator: Scott A. Gray

Whereas, Pursuant to Resolution 193 of 2014, This Board of Legislators provided \$95,000 for the purpose of converting the County Jail's recreation room to a 36-inmate dormitory, and

Whereas, The Sheriff believed the State of New York would donate the bunks required for said conversion and so their costs were not included in said resolution, and

Whereas, Said bunks are not available from the state and therefor the County must purchase them and the additional funds of \$27,000 must be provided.

Now, Therefore, Be It Resolved, That the 2014 County Budget is amended as follows:

**Increase:**

Expenditure

20-9006-3150.2038	Public Safety Facility	\$27,000
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Transfers

01-8992-9950.9006	To Capital Fund	\$27,000
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20-9006-999.95031.001	From General Fund	27,000
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**Decrease:**

Expenditure

01-1910-1990.4963	Contingent	\$27,000
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Seconded by Legislator: Anthony J. Doldo

Roll Call Vote

Ayes: Nabywaniec, Peck, Hirschey, Thomas, Gray, Reed, Jareo, Doldo, Adsit, Ferris  
Montigelli, Maxon, Drake, Docteur, Fitzpatrick

Absent: Thomas

Resolution passed.

**Resolution No. 266**

**Authorizing Agreements for The Governor’s Traffic Safety Committee’s Stop-DWI Crackdown Enforcement Grant and Amending the 2014 County Budget in Relation Thereto**

By Legislator: Jonathan L. Hirschey

Whereas, The New York State Stop-DWI Foundation has successfully coordinated and obtained Stop-DWI Crackdown Enforcement Grants for 40 counties throughout the state, and

Whereas, Jefferson County’s grant is for \$66,912, to be shared with the Watertown City Police Department and the NYS Park Police, and

Whereas, Agreements must be authorized with the Governor’s Traffic Safety Committee and the aforementioned agencies, and

Whereas, The 2014 County Budget must be amended to recognize said funding and allocate it to the appropriate accounts.

Now, Therefore, Be It Resolved, That the Chairman of the Board of Legislators be and is hereby authorized to execute agreements as necessary to obtain and distribute funding as described above, subject to the review of the County Attorney as to form and content, and be it further

Resolved, That the 2014 County Budget is amended as follows:

**Increase:**

Revenue:

01-3315-999.94389	Federal Aid Criminal Justice	\$66,912
01-3110-999.92614.003	Stop DWI Svcs Sheriff	27,552

Expenditure:

01-3110-3110-1300	Overtime	\$27,552
01-3315-3315.4428	Public Safety Svcs. - Other Govt	39,360
01-3315-3315.4414	Supporting Services	27,552

Seconded by Legislator: Scott A. Gray

Legislator Maxon reiterated concerns expressed previously regarding overtime use in this manner, and said he would like to see better staffing practices so this can be done in conjunction with their regular schedules.

Roll Call Vote

Ayes: Nabywaniec, Adsit, Docteur, Peck, Hirschey, Montigelli, Drake, Ferris, Reed, Gray, Doldo, Maxon, Fitzpatrick

Nays: Jareo

Absent: Thomas

Resolution passed.

**Resolution No. 267**

**Amending the County Budget in Relation to the Watertown International Airport**

By Legislator: Patrick R. Jareo

Whereas, There are several pieces of equipment necessary to assist in the efficient operation of the Watertown International Airport, and

Whereas, Said equipment is being programmed for purchasing in the 2015 County Budget, and

Whereas, The lead time in securing said equipment might result in implementation of important revenue generating activity at a much later date than what is desired for the maximum capture of such revenues particularly related to the fixed based operation, and

Whereas, Programed funding from the recently settled tribal-state compact has now been received by the County, and

Whereas, Said efficient airport equipment needs have been reviewed by the Airport Advisory Committee and the committee concurs with the earlier purchase of said equipment along with a corresponding reduction in requested equipment funding for the airport in 2015, and

Whereas, The 2014 County Budget must be amended to do so.

Now, Therefore, Be It Resolved, That the 2014 County Budget is amended as follows:

**Increase:**

Expenditures:

01-5610-5610.2460	Snow Removal Equipment	\$ 35,000
01-5610-5611.2068	Airport Ground Service Equipment	\$ 134,000

Revenue

01-1040-999.92725	Tribal-State Compact Revenue	\$ 169,000
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Seconded by Legislator: Anthony J. Doldo

Legislator Peck advised that following a tour at the Airport he does have a comfort level with making this purchase, but suggested next time we apply for a grant to build a hanger we have the piece of equipment to go in it. He recognized the impact that the FBO has on the overall

operation, believes this is a good investment and looks forward to seeing reports concerning continued development at the Airport.

Roll Call Vote

Ayes: Peck, Ferris, Nabywaniec, Drake, Reed, Jareo, Doldo, Gray, Hirschey, Montigelli, Maxon, Adsit, Docteur, Fitzpatrick

Absent: Thomas

Resolution passed.

**Resolution No. 268**

**Amending the 2014 County Budget Relative to Community Services Department**

By Legislator: Allen T. Drake

Whereas, Additional appropriations are needed to cover current and projected care, maintenance and examination services to patients placed in NYS Office of Mental Health (OMH) facilities pursuant to County criminal or family court orders through year end 2014, and

Whereas, These costs for services are shared 50/50 between New York State and Jefferson County.

Now, Therefore, Be It Resolved, That the 2014 County Budget be and is hereby amended as follows:

**Increase:**

01-599	Appropriated Fund Balance	\$200,000
Expenditure		
01-4310-4390.4413	Medical Fees - Court Commitments	\$200,000

Seconded by Legislator: Anthony J. Doldo

Roll Call Vote

Ayes: Doldo, Nabywaniec, Peck, Adsit, Jareo, Hirschey, Maxon, Ferris, Reed, Drake, Docteur, Montigelli, Gray, Fitzpatrick

Absent: Thomas

Resolution passed.

**Resolution No. 269**

**Amending the 2014 County Budget Relative to Mental Hygiene/Community Services and Authorizing Amended Agreements in Relation Thereto**

By Legislator: Jeremiah J. Maxon

Whereas, Reallocations of previously unallocated and anticipated under utilized state and county aid funds within mental health agency programs need to be made to ensure the quality of existing Mental Health Association and Northern Regional Center for Independent Living (NRCIL) services, and to support new initiatives with Credo’s Mental Health Clinic and family support services at Family Health Counseling Service.

Now, Therefore, Be It Resolved, That the 2014 County Budget be and is hereby amended as follows:

**Increase:**

01-4310-4320.4702	CREDO Community Center	\$54,650
01-4310-4320.4708	Northern Regional Center for Ind. Living	20,000
01-4310-4320.4721	Mental Health Association	30,000
01-4310-4320.4737	Family Counseling Service	10,000

**Decrease:**

01-4310-4320.4701	Cerebral Palsy Association	\$18,440
01-4310-4320.4707	CMHC Outpatient	13,350
01-4310-4320.4718	Jefferson Rehabilitation Center	51,000
01-4310-4320.4732	Children’s Home	31,860

and be it further

Resolved, That the Board of Legislators does hereby grant its approval for the Community Services Board to enter into any necessary agreements/amended agreements with the agencies for these changes.

Seconded by Legislator: Allen T. Drake

All members present voted aye.

Chairwoman Fitzpatrick entertained a motion to vote on Resolution Nos. 270-282 as a block as they are all service related resolutions. A motion was duly made by Legislator Maxon seconded by Legislator Ferris and unanimously carried by the Board.

**Resolution No. 270**

**Authorizing Agreement with Carthage Area Hospital for Laboratory Services in  
Connection with the Public Health Service Diagnostic and Treatment Center**

By Legislator: Jonathan L. Hirschey

Whereas, Certain laboratory tests are required in the operation of the Jefferson County Public Health Service Clinics.

Now, Therefore, Be It Resolved, That Jefferson County renew an agreement with Carthage Area Hospital, which calls for provision of the following laboratory testing services to the Jefferson County Public Health Service at the rates listed below for the period January 1, 2015 through December 31, 2017.

<u>Test</u>	<u>Charge</u>
Gonorrhea Culture	\$20.00 per test
Liver Profile	\$31.00 per test
Hepatitis B Antibody	\$41.00 per test
Induced Sputum Culture	\$18.00 per test
Sputum Culture	\$18.00 per test

and be it further

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

Seconded by Legislator: Allen T. Drake

See vote following Resolution No. 282.

**Resolution No. 271**

**Authorizing Agreements for Outpatient Therapy Services Rendered  
for the Public Health Service**

By Legislator: Jeremiah J. Maxon

Whereas, The Public Health Service provides various services to its clients, the cost of which may be coverable and payable by Medicare, Medicaid and other third party payers, and

Whereas, There are instances where it is necessary for Jefferson County to participate in the delivery of outpatient therapy services to beneficiaries, and

Whereas, Federal and state regulations require execution of a written contract with outpatient therapy providers in order for Jefferson County to receive direct payment from all payers for care provided in the outpatient therapy setting, and

Whereas, An initial arrangement was made with Carthage Area Hospital for services with the required agreement to include the provision that established or negotiated fees or charges of outpatient therapy shall be paid by the Public Health Service which will then bill third party insurances for reimbursement.

Now, Therefore, Be It Resolved, That Jefferson County renew the agreement with Carthage Area Hospital for outpatient therapy services delivered to Public Health Service clients during the period January 1, 2015 through December 31, 2017, and be it further

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

Seconded by Legislator: Jonathan L. Hirschey

See vote following Resolution No. 282.

**Resolution No. 272**

**Authorizing Agreement with Hospice of Jefferson County for Registered Professional Nursing Services Rendered for the Public Health Service**

By Legislator: Anthony J. Doldo

Whereas, The Public Health Service provides various services to its clients, the cost of which may be coverable and payable by Medicare, Medicaid and other third party payers, and

Whereas, There are instances where it is necessary for Jefferson County to participate in the delivery of services to beneficiaries, and

Whereas, Federal and state regulations require execution of a written contract with Hospice of Jefferson County in order for Jefferson County to receive direct payment from all payers for care provided, and

Whereas, An arrangement is needed with Hospice of Jefferson County for services with the required agreement to include the provision that established or negotiated fees or charges for professional services shall be paid by the Public Health Service which will then bill third party insurances for reimbursement as appropriate.

Now, Therefore, Be It Resolved, That Jefferson County renew an agreement with Hospice of Jefferson County for Registered Professional Nursing services to be delivered to Public Health Service clients at the rates listed below during the period January 1, 2015 through December 31, 2017.

<u>Service</u>	<u>Rate</u>
Registered Professional Nurse – Initial Evaluation	\$130 per visit

Registered Professional Nurse – Revisit

\$90 per visit

and be it further

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

Seconded by Legislator: Allen T. Drake

See vote following Resolution No. 282.

**Resolution No. 273**

**Authorizing Agreement for the Provision of Audiology Services  
to Clients of the Home Health Care Programs**

By Legislator: Jonathan L. Hirschey

Whereas, The Jefferson County Public Health Service is required to provide audiology evaluation services for Long Term Home Health Care Program (LTHHCP) clients, and

Whereas, After evaluating the level of care and needs, Public Health recommends renewing an agreement with an audiologist in Jefferson County to address the requirement for evaluating clients on service.

Now, Therefore, Be It Resolved, That Jefferson County renew an agreement with Sara Grimshaw Sugden of Watertown Audiology to provide audiology services for Public Health LTHHCP clients at a rate of \$156 per visit for the period of January 1, 2015 through December 31, 2017, and be it further

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

Seconded by Legislator: Jeremiah J. Maxon

See vote following Resolution No. 282.

**Resolution No. 274**

**Authorizing Agreement with Lewis County for Provision of  
Diagnostic and Treatment Center Services**

By Legislator: Jonathan L. Hirschey

Whereas, Provisions of the NYS Department of Health Municipal Public Health Services Plan require that the Lewis County Public Health Agency possess a system to minimize the incidence of sexually transmitted diseases and the current level of such diseases in said County is insufficient to warrant the establishment of a Lewis County STD/HIV clinic.

Now, Therefore, Be It Resolved, That Jefferson County renew an agreement with Lewis County for the provision by the Jefferson County Public Health Service for sexually transmitted disease clinic services to residents of Lewis County during the period of January 1, 2015 through December 31, 2017 at a rate of \$55 per clinic visit and for gonorrhea culture testing at \$2.50 per through Center for Disease Detection or \$20 per by Carthage Area Hospital, said amounts to be paid by Lewis County. Laboratory rates may be revised if the prevailing charges change during the term of this agreement, and be it further

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

Seconded by Legislator: Anthony J. Doldo

See vote following Resolution No. 282.

#### **Resolution No. 275**

##### **Authorizing Agreement with Samaritan Medical Center for Use of Facilities to the Medical Examiner Program**

By Legislator: Anthony J. Doldo

Whereas, It is necessary for Jefferson County to utilize facilities, staff and testing in connection with the Medical Examiner (M.E.) Program, and

Whereas, Samaritan Medical Center has the ability to provide autopsies for county reimbursement of costs attributable to the County M.E. Program, and

Whereas, For autopsies, costs include use of the institutional facilities, morgue staff, other support services, laboratory tests, x-rays and supplies at an initial cost per case plus laboratory tests or x-rays as provided for per Samaritan Medical Center charge schedules.

Now, Therefore, Be It Resolved, That Jefferson County renew and agreement with Samaritan Medical Center for autopsies for the period January 1, 2015 through December 31, 2017, and be it further,

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

Seconded by Legislator: Jonathan L. Hirschey

See vote following Resolution No. 282.

**Resolution No. 276**

**Authorizing Agreement with Erie County Department of Health for  
Toxicology Testing Services**

By Legislator: Jonathan J. Hirschey

Whereas, The Erie County Department of Health Medical Examiner's Forensic Toxicology Laboratory has been providing toxicology blood, urine and organ analyses to the Jefferson County Medical Examiner Program.

Now, Therefore, Be It Resolved, That Jefferson County renew an agreement with the Erie County Health Department Medical Examiner Forensic Toxicology Laboratory for provision of toxicology testing services in one blended charge of \$345 per test,

Whereas, Erie County prefers a two year agreement (January 1, 2015 through December 31, 2016) in order to ensure a constant rate during its term.

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

Seconded by Legislator: Jeremiah J. Maxon

See vote following Resolution No. 282.

**Resolution No. 277**

**Authorizing Agreements for Toxicology Testing Services**

By Legislator: Jeremiah J. Maxon

Whereas, The Public Health Service requests to establish backup contracts for the provision of forensic toxicology laboratory with two (2) companies in the event that Erie County Department of Health Medical Examiner's Forensic Toxicology Laboratory for toxicology blood, urine and organ analyses to the Jefferson County Medical Examiner Program is not available.

Whereas, dual lab contracts are requested to evaluate their respective service in the event that Erie County is unable to provide toxicology services for Jefferson County in the future.

Now, Therefore, Be It Resolved, That Jefferson County enter into agreements with NMS Labs (National Medical Services) and AIT Laboratories (American Institute of Toxicology) for provision of backup toxicology testing services,

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

Seconded by Legislator: Jonathan L. Hirschey

See vote following Resolution No. 282.

#### **Resolution No. 278**

##### **Authorizing Agreement for Outpatient Observation Therapy Services Rendered to the Public Health Service**

By Legislator: Anthony J. Doldo

Whereas, The Public Health Service provides various services to its clients, the cost of which may be coverable and payable by Medicare, Medicaid and other third party payers, and

Whereas, There are instances where it is necessary for Jefferson County to participate in the delivery of Outpatient Therapy Services to beneficiaries, and

Whereas, Federal and state regulations require execution of a written contract with Outpatient Observation Therapy providers in order for Jefferson County to receive direct payment from all payers for care provided in the Outpatient Therapy setting, and

Now, Therefore, Be It Resolved, That Jefferson County renew an agreement with Samaritan Medical Center to include the provision that established or negotiated fees or charges of Outpatient Therapy shall be paid by the Public Health Service which will then bill third party insurances for reimbursement for Outpatient Observation Therapy services delivered to Public Health Service clients during the period January 1, 2015 through December 31, 2017, and be it further

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

Seconded by Legislator: Jonathan L. Hirschey

See vote following Resolution No. 282.

#### **Resolution No. 279**

##### **Authorizing Agreement with Jack Venesky, CPA for Professional Accounting Services**

By Legislator: Jonathan L. Hirschey

Whereas, Jefferson County is required to prepare Medicare and Medicaid cost reports and audits prepared by the Public Health Service for the Certified Home Health Agency (CHHA), Long Term Home Health Care Program (LTHHCP) and Diagnostic & Treatment Center (D&TC).

Now, Therefore, Be It Resolved, That Jefferson County renew an agreement with Jack Venesky, CPA, for the preparation of both a Medicare (MC) and Medicaid (MA) CHHA Cost Report; audit of the LTHHCP MA Cost Report; preparation of a D&TC Cost Report; use of developed software packages and the provision of technical, accounting, financial and reimbursement advice to the Public Health Service, and be it further

Resolved, That the period of said agreement shall be January 1, 2015 through December 31, 2017 providing that the Jefferson County Board of Legislators appropriates funding for each budget year. Consideration to be paid by the County for the above described professional services shall be up to a total not to exceed the following amounts for the term:

<u>Service</u>	<u>Charge</u>
CHHA MC and Medicaid Cost Report	\$30,750
AHCF – Medicaid	
Other Professional Services	

Charges may be subject to revision should federal and state regulations require additional cost reports, and be it further

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

Seconded by Legislator: Anthony J. Doldo

See vote following Resolution No. 282.

### **Resolution No. 280**

#### **Authorizing Agreement with Drescher & Malecki LLP for Professional Accounting Services**

By Legislator: Jonathan L. Hirschey

Whereas, Jefferson County is required to have certified cost reports and audits prepared by the Public Health Service for the Certified Home Health Agency (CHA), Long Term Home Health Care Program (LTHHCP) and Diagnostic & Treatment Center (D&TC).

Now, Therefore, Be It Resolved, That Jefferson County enter into an agreement with Drescher & Malecki LLP for the certification of Medicare (MC) and Medicaid (MA) CHHA, LTHHCP and D&TC Cost Reports. This Accounting Firm currently provides services to Jefferson County. It is projected this annual service will cost \$3,900.

Resolved, That the period of said agreement shall be January 1, 2015 through December 31, 2017 providing that the Jefferson County Board of Legislators appropriates funding for each budget year. Consideration to be paid by the County for the above described professional services shall be up to a total not to exceed the following amounts for the term:

<u>Service</u>	<u>Charge</u>
Certification of MC and MA CHHA/LTHHCP/ D&TC Cost Reports	Staff \$65/Hour Senior \$100/Hour Manager \$125/Hour Partner \$175/Hour

Charges may be subject to revision should federal and state regulations require additional cost reports, and be it further

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

Seconded by Legislator: Anthony J. Doldo

See vote following Resolution No. 282.

**Resolution No. 281**

**Authorizing Agreement in Connection with the Long Term Home Health Care Program Waivered Services In Relation to Home Delivered Meals**

By Legislator: Jonathan L. Hirschey

Whereas, The availability of home delivered meals enhances services currently being provided by the County's Long Term Home Health Care Program (LTHHCP) delay or prevent long term institutional care and are special Medicaid waivered services, and

Whereas, Reimbursement for the cost of this additional service is based on the annual Medicaid Cost Report and yearly promulgated rates.

Now, Therefore, Be It Resolved, That Jefferson County renew an agreement for the provision of home delivered meal delivery for the period January 1, 2015 through December 31, 2017 as follows:

<u>Contractor</u>	<u>Service</u>	<u>2015 Rate</u>
Jefferson County Office for the Aging	Supply, Prepare and Deliver Meals	\$6.46/hot or frozen or evening meal

\*(increases/decreases in rates for 2016-2017 are contingent upon the

Consumer Price Index as outlined in the Prestige bid specifications for OFA meals)

and be it further

Resolved, That the Directors of Public Health and the Office for the Aging be and are hereby authorized and directed to execute said interdepartmental agreement on behalf of Jefferson County.

Seconded by Legislator: Jeremiah J. Maxon

See vote following Resolution No. 282.

**Resolution No. 282**

**Authorizing Agreement in Connection with the Long Term Home Health Care Program Waivered Services In Relation to Personal Emergency Response System**

By Legislator: Anthony J. Doldo

Whereas, The availability of personal emergency response systems currently being provided by the County’s Long Term Home Health Care Program (LTHHCP) delay or prevent long term institutional care and are special Medicaid waived services, and

Whereas, Reimbursement for the cost of these additional services are based on the annual Medicaid Cost Report and yearly promulgated rates.

Now, Therefore, Be It Resolved, That Jefferson County renew an agreement with Lifeline Systems Company, Inc. for the provision of the following service for the period January 1, 2015 through December 31, 2017:

<u>Contractor</u>	<u>Service</u>	<u>Rates</u>
Philips Lifeline Systems Company, Inc.	Personal Emergency Response	
A. Installation		No Charge
B. Monitoring		
Voice Unit (One Person)		\$30.00/month
Voice Unit (Second Button)		\$ 5.00/month

and be it further

Resolved, That the Chairman of the Board of Legislators or Public Health Director be and is hereby authorized and directed to execute said agreements on behalf of Jefferson County.

Seconded by Legislator: Allen T. Drake

All members present voted aye on Resolution Nos. 270-282.

**Resolution No. 283**

**Appointing and Re-Appointing Members to Jefferson County Public Health Service  
Professional Advisory Committee**

By Legislator: Anthony J. Doldo

Resolved, That the following individuals be and are hereby newly appointed and reappointed as members of the Professional Advisory Committee for terms to expire as indicated below:

<u>Members</u>	<u>Term to Expire</u>
<u>Appointments:</u>	
Maureen A. Gilligan	12/31/17
<u>Re-Appointments:</u>	
Kathleen E. Hunter	12/31/18
Catherine M. Moore	12/31/18
Patricia V. Signor, RPh	12/31/18

Seconded by Legislator: Jeremiah J. Maxon

All members present voted aye.

**Resolution No. 284**

**Appointing and Re-Appointing Members to Jefferson County Public Health Service  
Health Services Advisory Board**

By Legislator: Jonathan L. Hirschey

Resolved, That the following individuals be and are hereby newly appointed and reappointed as members of the Health Services Advisory Board for terms to expire as indicated below:

<u>Members</u>	<u>Term to Expire</u>
<u>Appointments:</u>	
Maja Lundborg-Gray, MD	12/31/17
Stephen J. Todd, M.S.	12/31/18
<u>Re-Appointments:</u>	
Major Paul M. Faestel, MD, MPH	12/31/17
Stephanie A. Graf, M.A.	12/31/17

Seconded by Legislator: Anthony J. Doldo

All members present voted aye.

**Resolution No. 285**

**Authorizing Agreement for Public Health Service Participation in the  
Central New York Epidemiological Alliance**

By Legislator: Jeremiah J. Maxon

Whereas, The county health departments of Cayuga, Cortland, Jefferson, Lewis, Madison, Onondaga, Oswego, and Tompkins comprise the Central New York Epidemiological Alliance, and

Whereas, The county health departments of the Central New York Epidemiological Alliance have worked together as an alliance since August 2008 and all have responsibilities for public health emergency planning and response, and

Whereas, From time to time, some public health problems may require public health services that exceed the capacities of the individual county health departments, and

Whereas, The county health departments of the Central New York Epidemiological Alliance are desirous of establishing an intermunicipal agreement to provide mutual aid to each other during a public health emergency for the period of July 1, 2014 through June 30, 2019.

Now, Therefore, Be It Resolved, That Jefferson County enter into an intermunicipal shared services agreement with Cayuga, Cortland, Lewis, Madison, Onondaga, Oswego, and Tompkins Counties for the provision of mutual aid public health preparedness and response services for the period July 1, 2014 through June 30, 2019, and be it further

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

Seconded by Legislator: Jonathan L. Hirschey

All members present voted aye.

**Resolution No. 286**

**Amending the 2014 County Budget Relative to Emergency Medical Services  
Educational Courses in Conjunction with Jefferson Community College**

By Legislator: Jeremiah J. Maxon

Whereas, the Public Health Service – Emergency Medical Services unit provides education courses in conjunction with Jefferson Community College, and

Whereas, The Public Health Service – Emergency Medical Services pays tuition to Jefferson Community College, and

Whereas, the Public Health Service Emergency Medical Services receives reimbursement from Jefferson Community College for students who successfully complete the courses.

Now, Therefore, Be It Resolved, That the 2014 County Budget is amended as follows:

**Increase:**

Revenue		
01-4050-999.91689.004	EMS – JCC Revenue	\$38,808
Expenditure		
01-4050-4057.4650	EMS – JCC Tuition	\$38,808

Seconded by Legislator: Anthony J. Doldo

Roll Call Vote

Ayes: Peck, Reed, Maxon, Adsit, Docteur, Nabywaniec, Doldo, Ferris, Jareo, Drake, Gray, Montigelli, Hirschey, Fitzpatrick

Absent: Thomas

Resolution passed.

**Resolution No. 287**

**Amending the 2014 Budget Relative to Public Health Home Care Software Maintenance**

By Legislator: Allen T. Drake

Whereas, Jefferson County Public Health Service has an agreement with MISYS for maintenance of the Allscripts software; and

Whereas, this has been invoiced and paid on a monthly basis in the past, and

Whereas, for efficiency and ease of processing, invoicing was changed to an annual basis.

Now, Therefore, Be It Resolved, That the 2014 County Budget is amended as follows:

**Increase:**

01-4050-4050.4114.003	PH Home Health Computer Software Maint.	\$38,690
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**Decrease:**

01-4050-4050.1100	PH Home Health Personal Services	\$38,690
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Seconded by Legislator: Jeremiah J. Maxon

All members present voted aye.

**Resolution No. 288**

**Accepting Donations on Behalf of the Department of Social Services  
and Amending the 2014 County Budget**

By Legislator: Jeremiah J. Maxon

Whereas, Various businesses and individuals have donated funds to the Jefferson County Department of Social Services to be used for the Foster Care Program, and

Whereas, The 2014 County Budget must be amended to recognize said donations.

Now, Therefore, Be It Resolved, That Pursuant to County Law Section 215 (3), this Board of Legislators gratefully accepts said donations and be it further

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

**Increase:**

Revenue:

01-6010-999.92705	Donations	\$2665.00
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Expenditure:

01-6010-6010.4624	Client Incidentals	\$2665.00
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Seconded by Legislator: Anthony J. Doldo

Roll Call Vote

Ayes: Doldo, Ferris, Adsit, Hirschey, Montigelli, Reed, Nabywaniec, maxon, Gray, Drake, Peck, Jareo, Docteur, Fitzpatrick

Absent: Thomas

Resolution passed.

**Resolution No. 289**

**Authorizing Agreement with the New York State Division of Criminal Justice Services**

By Legislator: Anthony J. Doldo

Whereas, The New York State Division of Criminal Justice Services has awarded Jefferson County a \$100,000 grant on behalf of the North Country Regional Youth Justice Team (NCRYJT), which includes Clinton, Essex, Franklin, Hamilton, St. Lawrence, Jefferson and Lewis Counties (the grant required that the applicant be a municipality), and

Whereas, Said grant will provide training for professionals and staff in those counties to meet juvenile needs as identified by the NCRYJT and will be administered by the Children's Home of Jefferson County, which will also provide the required \$11,111 local match, and

Whereas, Said funds are contained within the 2015 County Budget.

Now, Therefore, Be It Resolved, That Jefferson County enter into said agreement with the New York State Division of Criminal Justice Services, and that the Chairman of the Board of Legislators be and is hereby authorized and directed to execute said agreement on behalf of Jefferson County, subject to the review of the County Attorney as to form and content.

Seconded by Legislator: Jeremiah J. Maxon

All members present voted aye.

**Resolution No. 290**

**Authorizing Notice Of Intent (NOI) for Jefferson County Municipal Separate Storm Sewer System (MS4) Permit from the New York State Department of Environmental Conservation**

By Legislator: Jeremiah J. Maxon

Whereas, Pursuant to Resolution 217 of 2014, This Board of Legislators authorized a coalition agreement with the County municipalities which now fall under the requirements of the U. S. Environmental Protection Agency's (EPA) MS4 requirements because of the United States Bureau of the Census' designation of an area of Jefferson County as an "urbanized area" in excess of 50,000 residents, based on the 2010 Census population data, and

Whereas, Said agreement included the use of the County's Soil & Water Conservation District as an advisor, and

Whereas, The District, in consultation and with agreement of County staff, has prepared a required Notice of Intent to be authorized under the New York State Department of Environmental Conservation's (which oversees the EPA's program in New York), General Permit for MS4's, which must be submitted to the DEC, and

Whereas, This Board of Legislators must approve said NOI, which has been provided to the Board for its review, for said submission.

Now, Therefore, Be It Resolved, That Jefferson County hereby approves of the Notice of Intent as presented and authorizes its submission to the New York State Department of Environmental, under the signature of the County Administrator.

Seconded by Legislator: Robert D. Ferris

All members present voted aye.

### **Resolution No. 291**

#### **Authorizing Agreement with New York State Office of Mental Health and Amending the 2014 County Budget in Relation Thereto**

By Legislator: Patrick R. Jareo

Whereas, The Department of Employment and Training has received an \$11,000 grant from the New York State Office of Mental Health for its part in the Ticket-to-Work program, and

Whereas, The 2014 County Budget must be amended to recognize the revenue and allocate the funds to the proper expenditure accounts, and

Whereas, An agreement must be authorized.

Now, Therefore, Be It Resolved, That the Chairman of the Board of Legislators be and is hereby authorized to execute any necessary agreement for the funds described above on behalf of Jefferson County, subject to the review of the County Attorney as to form and content, and be it further

Resolved, That the 2014 County Budget is hereby amended as follows:

#### **Increase:**

Revenue		
25-6340-999.94790	Federal Aid Job Training	\$11,000
Expenditures		
25-6340-6340.4111.001	Audio-Visual Equipment	400

25-6340-6340.4111.003	Computer Equipment	8,200
25-6340-6340.4119	Computer Software	2,400

Seconded by Legislator: James A. Nabywaniec

Roll Call Vote

Ayes: Montigelli, Reed, Gray, Jareo, Ferris, Docteur, Nabywaniec, Hirschey, Maxon, Drake, Peck, Adsit, Doldo, Fitzpatrick

Absent: Thomas

Resolution passed.

Chairwoman Fitzpatrick entertained a motion to waive the Standing Rules to permit the introduction of an additional resolution for consideration. A motion was duly made by Legislator Docteur seconded by Legislator Reed and unanimously carried by the Board.

### **Resolution No. 292**

#### **Memorial for Robert J. Thomas**

By Legislator: Philip N. Reed, Sr.

Resolved, That a suitably inscribed memorial page be set apart in the 2014 Journal of Proceedings in memory of the late Robert J. Thomas who died November 10, 2014 in Glen Park, NY. Mr. Thomas served as District 2 Legislator representing the Towns of Brownville and Lyme from 1996 - November 10, 2014, and served as Chairman of the Board of Legislators from 2002 - 2005.

Seconded by Legislator: Robert D. Ferris

Roll Call Vote

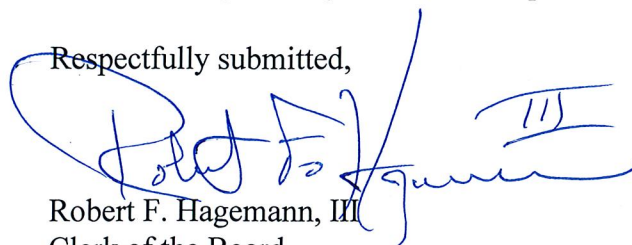
Ayes: Montigelli, Hirschey, Peck, Nabywaniec, Adsit, Gray, Maxon, Ferris, Drake, Docteur, Doldo, Reed, Jareo, Fitzpatrick

Absent: Thomas

Resolution passed.

There being no further business of the Board, on a motion by Legislator Ferris seconded by Legislator Montigelli and unanimously carried, the meeting was adjourned at 7:55 p.m.

Respectfully submitted,



Robert F. Hagemann, III  
Clerk of the Board