

REGULAR SESSION

TUESDAY, JUNE 3, 2014

Vice Chairman Docteur called the meeting to order at 7:00 p.m.

ROLL CALL OF MEMBERS

All members present except Chairwoman Fitzpatrick and Legislator Thomas.

PRIVILEGE OF THE FLOOR

Casey Porter, New York State Dairy Princess and former Jefferson County Dairy Princess addressed the Board saying it was an honor to represent Jefferson County whose dairy industry provides countless jobs in the community and is a top 5 dairy producer in the State. She was equally proud to represent New York State as it is the 3rd highest dairy producing state in the United States. She thanked the Board for continuing to support the dairy industry in Jefferson County and encouraged them to take part in dairy celebrations throughout June which is dairy month.

MINUTES OF LAST SESSION

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

PETITIONS, NOTICES AND COMMUNICATIONS

The 2013 Annual Report was received from Credo Community Center for the Treatment of Additions, Inc..

REPORTS OF STANDING COMMITTEES

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

REPORTS OF COUNTY OFFICERS AND OTHERS

A report on Interest Allocation by Fund and a Summary of Cash in Banks as of April 30, 2014 was received from the County Treasurer.

A report on budget transfers for the month of May was received from the County Administrator.

A report on erroneous assessments for the month of May was received from the County Auditor.

The County Treasurer provided the 2013 Annual Financial Report for the County.

LOCAL LAWS, RESOLUTIONS AND MOTIONS

Resolution No. 149

**Amending the 2014 County Budget and Capital Plan Relative to
Jefferson Community College**

By Legislator: Michael J. Docteur

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

Whereas, Pursuant to Resolutions 108 and 123 of 2011, 153 and 255 of 2012, and 204 of 2013, This Board of Legislators established and subsequently amended a capital account to fund such projects, and

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

Whereas, It is necessary to amend the 2014 County Budget and capital plan to recognize the new chargebacks and state aid for this account.

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

Increase:

(Expenditures):

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

20-9006-999.92240	Capital Chargebacks	\$150,000
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20-9006-999.93097	State Aid College	150,000
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and be it further

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

Seconded by Legislator: Michael A. Montigelli

Roll Call Vote

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

Absent: Thomas, Fitzpatrick

Resolution passed.

Resolution No. 150

**Setting Time and Place for Public Hearing on Tentative
2014-2015 Jefferson Community College Budget**

By Legislator: Michael A. Montigelli

Resolved, That a public hearing on the Tentative Jefferson Community College Budget for College Fiscal Year 2014-2015 be held before this Board of Legislators on Tuesday, July 1, 2014 at 7:00 p.m. in the Chambers of the Board of Legislators, 195 Arsenal Street, Watertown, NY, and be it further

Resolved, That the Clerk of the Board be and is hereby directed to give notice of said public hearing as required by law.

Seconded by Legislator: Robert D. Ferris

All members present voted aye.

Resolution No. 151

**Amending the 2014 County Budget and Capital Plan with
Respect to the Issuance of Bond Anticipation Notes (BAN)**

By Legislator: Michael J. Docteur

Whereas, The State Comptroller's Office recommends showing BAN payments as short term, rather than long term debt, and

Whereas, The proceeds from BANs will be recorded as a liability in the capital fund and not reported as revenue, and

Whereas, The BAN interest payments should be budgeted in the general fund rather than the debt service fund, and

Whereas, The 2014 County Budget must be amended to reflect these changes.

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

Increase:

Transfers:

01-8992-999.95031	From Debt Service Fund	\$105,000
55-9150-9901.9000	To General Fund	105,000
Expenditures:		
01-9150-9730.7000	BAN Interest	105,000
Revenues:		
20-9006-999.93097.201	State Aid College	\$500,000
Decrease:		
Revenues:		
20-9006-999.95730.203	BAN JCC Collab. Learning Ctr.	\$1,000,000
20-9006-999.95730.205	BAN P25 Radio Comm. Sys.	500,000
Expenditures:		
55-9150-9730.7000.203	JCC Collab. Learning BAN Int.	75,000
55-9150-9730.7000.205	P25 Radio Comm. BAN Int.	30,000

and be it further

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

Seconded by Legislator: Allen T. Drake

Roll Call Vote

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

Absent: Thomas, Fitzpatrick

Resolution passed.

Resolution No. 152

Appointing Director of Weights and Measures

By Legislator: Michael J. Docteur

Whereas, A vacancy exists in the position of County Director of Weights and Measures, and

Whereas, Section 180 of the New York State Agriculture and Markets Law requires that the position of Director of Weights and Measures shall be in the competitive class of Civil Service, and

Whereas, The incumbent Assistant Director of Weights and Measures holds a competitive permanent appointment and is therefore eligible and qualified for a provisional promotional appointment to Director, and

Whereas, The County Administrator has recommended the Assistant Director as a qualified individual to be appointed Director of Weights and Measures.

Now, Therefore, Be It Resolved, That, pursuant to Section 180 of the Agriculture and Markets Law, James Richmire be and is hereby appointed as Director of Weights and Measures for the County of Jefferson, pursuant to provisions of Civil Service Law, and be it further

Resolved, That, pursuant to Section 205 of County Law, the annual salary for the remainder of the year will be paid in accordance with the Management Compensation Plan for 2014.

Seconded by Legislator: Michael A. Montigelli

Legislator Doldo expressed appreciation to Keith Frantz for his service to the County in this capacity, and said both he and Mr. Richmire have always conducted themselves in a professional and courteous manner whenever he has dealt with them at his business.

Vice Chairman Docteur said he has also had professional interaction with these individuals and witnessed their interaction with the public as well and was impressed.

All members present voted aye.

Legislator Thomas arrived at the meeting.

Resolution No. 153

Authorizing the Vacating of Judgment of Foreclosure for Owners of Certain Parcels of Real Property and Discontinuance of Foreclosure Proceeding.

By Legislator: Allen T. Drake

Whereas, pursuant to Section 1.6 of the Administrative Regulations for the Sale of Real Property Acquired by the County Pursuant to Real Property Tax Foreclosure Proceedings, certain owners of foreclosed properties have tendered offers to re-purchase County's right of foreclosure obtained in certain Tax Foreclosure proceedings, by depositing in trust with the County funds in an amount equal to all the tax, penalties, and interest, together with the County's established administrative fee, and

Whereas, The said owners and the amounts deposited are set forth in Attachment "A" which is hereby incorporated herein, and made a part hereof.

Now, Therefore, Be it Resolved, that Pursuant to Section 1.6 of the Administrative Regulations

for the Sale of Real Property Acquired by the County Pursuant to Real Property Tax Foreclosure Proceedings, the Board of Legislators does hereby approve of the re-purchase of the County's right of foreclosure to those individuals set forth in Exhibit "A", in considerations of the amounts paid by such individuals as shown on said Exhibit, and be it further

Resolved, That the County Attorney be and is hereby is authorized to file with the Court a motion seeking an Order to vacate the Judgement of Foreclosure, discontinuing the *in rem* tax foreclosure action and cancelling the Notice of Pendency of such action in regard to the respective parcel(s) of property.

Seconded by Legislator: Jennie M. Adsit

EXHIBIT A

JEFFERSON COUNTY DELINQUENT TAX BUYBACKS AS OF 6/03/2014

Town	Parcel #	Name
Alexandria	7.22 1-49.1 (New #77.22-1-58)	Charles T. Dewberry
Alexandria	7.38-2-3	Cindy M. Chaltain
Alexandria	14.15-1-32	Mark A. Sherbino
Alexandria	15.06-1-37	Lewis Williams
Antwerp	36.33-1-42	Ronald Bartle
Antwerp	35.00-1-37.1	Charles R. And Justine Hibbler
Antwerp	36.40-1-30	Michael A. Lamont
Antwerp	25.00-1-7.1	Gerald N. Marshall
Brownville	73.73-1-39	Lisa Searchfield
Brownville	71.12-1-13	Charles Joseph Vasseur, Jr.
Cape Vincent	39.81-2-87.1	Rebecca J. Dowling
Cape Vincent	59.08-1-19.2	Albert & Patricia Kuellertz
Cape Vincent	59.08-1-19.14	Albert & Patricia Kuellertz
Clayton	42.00-1-12.6	Jeffrey Cohen
Clayton	20.48-1-51.3	Gregory E. & Mary E. Day
Clayton	19.20-1-32	Jeanette F. Dedek LLC
Clayton	31.15-1-11.1	Steve Dorr
Clayton	31.06-1-3.1	Clyde H. Garnsey
Hounsfield	82.00-3-19.1	Stanley E. Hall
Hounsfield	81.00-1-19	Northern New York Credit Union (Williams, John)
Leray	55.64-1-1.91	James J. O'Brien
Orleans	32.19-1-25	Eugene & Tina Archer
Orleans	44.00-1-9.14	Albert Languet
Orleans	33.00-1-41	Orleans Rail & Aggregate Co. LLC (Northland Truck Stop, Inc.)

Pamelia Rodman Rutland	64.00-2-4 100.00-1-18.1 76.09-1-42.1 (New #76.09-1-42)	William Perkins Thomas W. And Joni Smith
Theresa	23.80-2-27	Jon Rich
Theresa	45.00-2-9.9	Jay T. And Nichole S. Bechdel
Theresa	33.00-2-19.2	Sharon Hartwell
Theresa	33.00-2-2	Orleans Rail & Aggregate Co. LLC (Northland Truck Stop, Inc.)
Theresa	33.00-2-21.1	Orleans Rail & Aggregate Co. LLC (Northland Truck Stop, Inc.)
Theresa	33.00-2-21.2	Orleans Rail & Aggregate Co. LLC (Northland Truck Stop, Inc.)
Theresa	24.05-2-78	Richard J. Villone
Wilna	77.00-1-18	Jason & Carrie Pierce (Lewis Bintz)

Attorney Paulsen reminded everyone that the deadline to pay taxes and redeem parcels involved in the auction was today at 5:00 p.m., the total taxes collected for these parcels is \$333,901, and the auction for the remaining parcels will be held at the State Office Building on Saturday, June 7, 2014, 8:00 a.m. registration, 9:00 a.m. the auction will begin.

All members present voted aye.

Resolution No. 154

Re-appropriating Funds for Payments to the Jefferson County Local Development Corporation

By Legislator: Michael J. Docteur

Whereas, Pursuant to Resolutions 206 and 227 of 2013, this Board of Legislators authorized the surplus funds realized from the dissolutions of the Jefferson County Job Development Corporation (hereinafter "JCJDC") and the Jefferson County Agricultural Corporation (hereinafter "JCADC") to be paid to the Jefferson County Local Development Corporation (hereinafter "JCLDC"), as the functions, duties and personnel of the former JCJDC and JCADC were assumed by the JCLDC pursuant to an agreement with the County of Jefferson, and

Whereas, The funds which were received and recognized by the aforementioned resolutions in 2013 have now dropped to fund balance, and

Whereas, The 2014 County Budget must be amended to re-appropriate and allocate these funds to the proper account.

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

Increase:

01-0599 Appropriated Fund Balance \$443,596.56

(Expenditure)

01-8989-6420.4690 Jefferson County Local Development Corporation \$443,596.56

Seconded by Legislator: Jennie M. Adsit

Roll Call Vote

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

Absent: Fitzpatrick

Resolution passed.

Resolution No. 155

**Accepting Donations on Behalf of the Department of Fire and
Emergency Management and Amending the 2014 County Budget**

By Legislator: Scott A. Gray

Whereas, The Jefferson County STAR Team has donated \$911.20 to Jefferson County for the purpose of purchasing STAR team clothing, and

Whereas, The 2014 County Budget must be amended to recognize said donation and allocate it to the appropriate budget line.

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

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

Increase:

Revenue:

01-3410-999.92705 Donations \$911.20

Expenditure:

01-3410-3413.4514 Uniforms & Clothing \$911.20

Seconded by Legislator: Patrick R. Jareo

Legislator Ferris asked if the STAR team was still active. Legislator Gray stated that there has been some controversy surrounding the team, but it is still operating and functioning and is very active. Legislator Docteur added that they are a great group of people that provide a great service to the community. Legislator Peck asked what the relationship is between the STAR team and the County. Administrator Hagemann advised that it is a volunteer organization and the County supplies the equipment to them to do their job.

Roll Call Vote:

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

Absent: Fitzpatrick

Resolution passed.

Resolution No. 156

Authorizing Agreement with NYS Division of Criminal Justice Services in Relation to Aid to Prosecution Program

By Legislator: Jennie M. Adsit

Whereas, The Jefferson County District Attorney's Office has been awarded an Aid to Prosecution grant from the NYS Division of Criminal Justice Services Bureau of Justice Funding (BJF) in the amount of \$39,900, for the period April 1, 2014 through March 31, 2015, and

Whereas, BJF now processes grants through an electronic format.

Now, Therefore, Be It Resolved, That Jefferson County hereby accepts said grant award, and be it further

Resolved, That the Chairman of the Board of Legislators be and is hereby authorized and directed to execute any and all documents as may be required to fulfill the requirements of this grant award on behalf of Jefferson County.

Seconded by Legislator: Jonathan L. Hirschey

All members present voted aye.

Resolution No. 157

Authorizing Agreement with NYS Division of Criminal Justice Services in Relation to Aid to Defense Program

By Legislator: Jonathan L. Hirschey

Whereas, The Jefferson County Public Defender's Office has been awarded an Aid to Defense grant from the NYS Division of Criminal Justice Services Bureau of Justice Funding (BJF) in the amount of \$13,100 for the period April 1, 2014 through March 31, 2015, and

Whereas, BJF now processes grants through an electronic format.

Now, Therefore, Be It Resolved, That Jefferson County hereby accept said grant award, and be it further

Resolved, That the Chairman of the Board of Legislators be and is hereby authorized and directed to execute any and all documents as may be required to fulfill the requirements of this grant award on behalf of Jefferson County.

Seconded by Legislator: Anthony J. Doldo

All members present voted aye.

Resolution No. 158

Changing the Membership and Terms and Appointing Members to the Jefferson County Fire Advisory Board

By Legislator: Jennie M. Adsit

Whereas, Pursuant to Section 225-a of the County Law and Resolution No. 57 of 1950, the County established the Jefferson County Fire Advisory Board, and

Whereas, Pursuant to Section 225-b of the County Law and Resolution No. 197 of 1995, the County established the Jefferson County Emergency Medical Services Board, and

Whereas, Pursuant to Resolutions 83 and 99 of 2006, the County changed the memberships of these boards and made them identical in order to act with one voice in advising the County on matters pertaining to either, or both services, and

Whereas, The Director of Fire & Emergency Management and the Director of Emergency Medical Services recommend that the memberships of these boards should be reduced (from 21 to 18) and the membership term shortened (from 3 years to 2 years), and

Whereas, This Board concurs with said recommendations.

Now, Therefore, Be It Resolved, That the membership of the Fire Advisory Board be decreased to 18, to include five members of the fire service, five members of the emergency medical service, five interested members of the general public, and three legislators, and be it further

Resolved, That the positions of all members be established as two year terms to run coterminously with terms of the legislator appointees, and be it further

Resolved, That all vacancies will be filled for the balance of the unexpired term during which vacancy occurs, and be it further

Resolved, That the following are appointed and or re-appointed to each Board for terms to expire as indicated, effective immediately:

Appointee	Representing	Term to Expire
Debra Singleton	EMS	12/31/15
Larry Girard	EMS	12/31/15
James McLane	EMS	12/31/15
Dave Sherman	EMS	12/31/15
Thomas Zecher	EMS	12/31/15

Appointee	Representing	Term to Expire
James Adams	General Public	12/31/15
Dr. Maja Lundborg-Gray	General Public	12/31/15
Joseph Goss	General Public	12/31/15
William Griffith	General Public	12/31/15
Kathy LaClair	General Public	12/31/15

Robert Simpson	Fire Service	12/31/15
Gerry Kostyk	Fire Service	12/31/15
Steve Mott	Fire Service	12/31/15
Justin Taylor	Fire Service	12/31/15
Barry Waite	Fire Service	12/31/15

Seconded by Legislator: Anthony J. Doldo

All members present voted aye.

Resolution No. 159

Accepting Funding in Connection With Public Health Rabies Control Activities And Amending the 2014 County Budget in Relation Thereto

By Legislator: Jeremiah J. Maxon

Whereas, The Jefferson County Public Health Service (JCPHS) was notified that Senator Patricia Ritchie's Office is providing additional funding in the amount of \$12,500 for enhanced rabies control activities to county residents, and

Whereas, The Public Health Service will use these funds to support increased offerings of rabies vaccinations within Jefferson County, and

Whereas, The donated funds are to be used to cover all associated costs of additional clinics inclusive of Public Health staff time (for logistics, planning and operations), veterinarian staff, advertising and necessary supplies (vaccines, syringes, etc.), and any remaining funds will be utilized to support vaccination clinic operations in 2015 as traditionally offered by JCPHS, and

Whereas, The Public Health Service recognizes the importance of collaboration with community partners in enhanced rabies control through rabies education and vaccination efforts.

Now, Therefore, Be It Resolved, That Jefferson County hereby authorizes the receipt and use of the funding to reduce rabies incidence in the county, and be it further

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

Increase:

Revenue

4050.999.93452	State Aid Public Health Other	\$12,500
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Expenditure:

4050-4042.1110	Temporary	\$ 565
4050-4043.4415	Advertising	2,500
4050-4042.4510	Medical Supplies	8,534
4050-4042.4313	Travel	400
4050-4042.1300	Overtime	425
4050-4042.8030	Social Security	76

Seconded by Legislator: Anthony J. Doldo

Roll Call Vote

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

Absent: Fitzpatrick

Resolution passed.

Resolution No. 160

Authorizing the Execution of Agreements for Participation with United Health Care of New York, Inc., Oxford Health Plan (NY) Inc., and United Health Care Insurance Company

By Legislator: Jonathan L. Hirschey

Whereas, The Public Health Service provides various services to its clients, the cost of which will be coverable and payable by United Health Care and United's affiliates, and

Whereas, It is advantageous for Jefferson County to participate in United Health Care and United's Affiliates' Plans and deliver services to beneficiaries, and

Whereas, United Health Care and United's Affiliates require execution of a written agreement in order for Jefferson County to receive direct payment for the care provided.

<u>Service Categories</u>	<u>Rates</u>
Physical Therapy	\$110 per visit
Occupational Therapy	\$110 per visit
Speech Therapy	\$110 per visit
Skilled Nursing	\$130 per two (2) hour visit; \$65 for each additional hour
Medical Social Worker	\$110 per visit
Home Health Aide	\$ 25 per hour
Licensed Practical Nurse	\$ 90 per two (2) hour visit; \$45 for each additional hour

Now, Therefore, Be It Resolved, That authorization is herewith granted for the Public Health Service, to enter into agreement for involvement with United Health Care and United's Affiliates and enable direct payment for services provided to clients. Such agreements shall include provisions requiring that reimbursement shall be paid by the Plan, and be it further

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

Seconded by Legislator: Michael J. Docteur

All members present voted aye.

Resolution No. 161

Authorizing Agreement with the New York State Department of Health for a Rural Minority Health Program Grant Program Extension

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 grant award in the amount of \$46,000 for the period 06/01/14 – 07/31/15, 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 and reducing obesity, and

Whereas, The project's goals and objectives are to conduct BMI (Body Mass Index) screening and referral, physical activity and nutrition education, and breastfeeding campaigns, and

Whereas, Said grant funding will partially offset currently budgeted salary and fringe expenditures.

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.

Seconded by Legislator: Allen T. Drake

Legislator Maxon expressed concerns about use of the BMI because the goal of the project is for people to be in better health rather than be termed obese. He expressed concern that this was government dictating how we live our lives.

Legislator Jareo asked if there was any update from last week from Public Health in terms of guidelines for the program. Public Health Director Hall said she still had not been given guidelines for the program but explained that the BMI would be taken at the beginning of the project and at the end only to determine final outcomes. The grant is to improve nutrition and physical activity through education in order to have a better, active lifestyle.

Legislator Reed advised that this a strictly a volunteer program for people who want to better themselves, we are not imposing anything on anyone.

Legislator Jareo asked who would be assessing these people to participate in the program as he felt most physicians offices and health care providers would already be making evaluations of patients and counseling them on improvements in their health. Ms. Hall advised that it would be done through physicians offices, family health centers, and other community agencies aimed at a certain demographic and would extend services currently being offered.

Legislator Maxon asked if staffing would be increased in order to offer this program and if not what are the staff that will be working on it currently doing. Ms. Hall advised that existing staff would be administering the program and they are currently working on education in other areas such as lead poisoning, reflectors with the Amish, lyme disease, rabies, and emergency preparedness. Legislator Maxon observed that this grant would then be one of many funding sources that the department is using to fund education programs in the community. Ms. Hall related that it is serving a different population than current programs. Legislator Maxon observed that it appears the grant is very exclusive in the population it serves.

Legislator Doldo asked since this is a 2014-2015 grant how far will the \$46,000 extend and how many people will it serve. Ms. Hall related that the Department has been receiving money from

this source since 2012 for various purposes and she was not sure at this time how many people it will serve.

Legislator Jareo asked if the Department had received grant money for this same purpose in the past. Ms. Hall stated that the goals for this funding change from year to year and the grants become aligned with the current goals. Legislator Jareo stated that there must be some experience with projects of this nature in the past and asked who they have been serving and where their referrals have come from. Ms. Hall advised that she does not have referral service numbers with her but can get them, and Public Health also has it mapped out age-wise in demographics. Legislator Jareo observed that if the program participants are coming from actual physicians offices who have more education then they would be more apt to see the need for help. If the participants are coming from other people in the health care industry, not meaning any disrespect to community providers, he would be more concerned about them using the BMI alone in labeling people as obese, and BMI alone is not a good metric to use in that light.

All members present voted aye except Legislators Doldo, Adsit and Maxon who voted nay.

Resolution No. 162

Accepting Donations to the Public Health Service and Amending the 2014 County Budget in Relation Thereto

By Legislator: Anthony J. Doldo

Whereas, Public Health has received cash donations in memory of patients served in the amount of \$200 and \$20 for which the department plans to purchase nursing equipment, and

Whereas, It is necessary to amend the 2014 County Budget to recognize said revenue and appropriate the additional dollars, and

Whereas, The Public Health Service will gratefully acknowledge the donations and convey a thank you to the parties.

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

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

Increase:

01-4050-999.92705	Gifts and Donations	\$220
01-4050-4050.4509	Medical Expenses	\$220

Seconded by Legislator: Jonathan L. Hirschey

Roll Call Vote

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

Absent: Fitzpatrick

Resolution passed.

Resolution No. 163

Authorizing Agreement for Provision of Mental Hygiene Services and Amending the 2014 County Budget in Relation Thereto

By Legislator: Allen T. Drake

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 2014 for the consideration of thirty seven thousand nine hundred eighty eight dollars and sixty three cents (\$37,988.63), 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 2014 County Budget be amended as follows:

Increase:

01-4310-4320.4707	Children's Home Mental Health Clinic Program	\$37,988.63
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Decrease:

01-1910-1990.4963	Contingent	37,988.63
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Seconded by Legislator: Jonathan L. Hirschey

Legislator Maxon expressed grave concerns that this is the third year in a row that the County has

reached into the contingency fund to pay for programs that have unreimbursable costs under State Law. He felt \$38,000 was excessive for the County to take from the contingent budget especially at a time when sales tax numbers are down.

Legislator Peck expressed concerns about this payment becoming too routine and he felt that more pressure should be put on Albany to pick up some of these mental health costs that aren't covered because of State Laws, rather than have them borne by County taxpayers.

Legislator Jareo echoed the comments concerning this payment being a problem moving forward, and said it is a bitter pill to swallow especially mixed with the reduction in sales tax.

Vice Chairman Docteur stated that this was discussed at length in Committee and Roger Ambrose gave an explanation and details at that time regarding the matter, and is present tonight if he is needed.

Legislator Reed asked what the alternative is if the Board does not fund the program as he is not a member of the Committee and did not attend the meeting. Mr. Hagemann explained that the responsibility to provide that service lies with County government unless an agency steps forward to undertake the program. He further related that Genesis (Mercy) provided the service until they went out of business at which time an RFP was done and the Childrens Home was awarded the contract. However, before the Clinic could be set up New York State changed their reimbursement policies significantly for these services and the County and Children's Home had to work with the State on a more favorable rate structure as it was the first clinic in the State to operate under the new policies.

Legislator Gray stated that there were two other organizations that answered the RFP; one did not follow through to the end of the process, and the second, because of its current financial condition had the County gone with them, we would be putting much more money than \$38,000 into the program. The program has drawn down money from the County in the two years operating under the Childrens Home, less each year, and hopefully at some point will be self sustaining. He said there were significant start up costs associated with setting up the clinic, the rates had to be ramped up over two years and they had heavy recruiting costs for a psychiatrists.

Community Services Director Roger Ambrose stated that it is the responsibility of Community Services and the County to make sure adequate services are available for the mentally ill in the community, and we access New York State funds in order to be able to do that. He said the process for accessing those funds has gone through a restructuring process in the last five years and is complicated, complex and very hard to understand. He said when making this transition to the Childrens Home they were given indications early on that reimbursement rates were going to be substantially higher than they turned out to be once the Clinic was operational. The budget, staffing pattern, and services provision were all based on those reimbursement rates. In any organization that works under a Medicaid model there is at least a 6 month gap in between the time they start services and the time reimbursements are received. There was a time when the Children's Home second guessed whether they wanted to continue the operation, and the County rightfully was able to help with funding as it was important to make sure the operation

succeeded. The Childrens Home program has a caseload of 800-900 clients at a time, 1200 unique individuals come through the program annually, and they get about 80-100 referrals every month. He said two other hospitals provide clinical services on a much smaller scale but they are still vital to the community; some of those organizations have other programs that can help absorb some of the costs associated with operating a mental health clinic, none of the organizations are making money off the mental health clinic but it is a vital service.

With regard to not supporting the program, he related that when Mercy could no longer provide the service there was a time it didn't look like any provider was going to step forward and serious concerns were expressed about what it would do to the emergency room, the local health care providers and physicians who were being asked to provide prescriptions for psychotropic medications that they were not trained, prepared or comfortable doing. He felt the transition to the Children's Home has gone well, it has provided a service to the community, access to services is improving as the first mental health clinic other than the Childrens Home under the new regulations has just opened at Credo and as programs open waiting lists are going down.

Legislator Reed stated that mental health is just as important as physical health and asked Mr. Ambrose to expand on what it would mean to the local community if mental health counseling, and services were not available.

Mr. Ambrose stated that at some point in the near future he wanted to talk about how the State restructuring process is going to impact our community because it is important for the Board to understand. Currently they are working closely with law enforcement to prevent mentally ill people from entering the legal system and landing in local or state jails. If someone does enter the legal system and is unable to aid in their defense, they can be sent to a State hospital at a cost of \$1,000 a day until competency is restored and the County is responsible for half of those costs. Supported housing is expensive, but it is less expensive than going through the State hospital or going through the emergency room process and being an in-patient; and there is a safety aspect in our community that we provide appropriate oversight to individuals that need it.

Mr. Ambrose stated that the program is considered a success in providing care, but it is hard to gauge what a successful business model is for a not-for-profit. He said they want all their not-for-profits to provide all the care within their budgets that they have revenue to support, but there are unforeseen costs and the State restructuring will increase those costs to the community providers, but how and how much is difficult to predict. He continued that as State hospital beds decrease those individuals will now be served in the community through in-patient at Samaritan Medical Center (SMC), supported housing programs, and residential programs, which will incur increased costs for staffing because they are very difficult individuals to work with on an ongoing basis. Recruiting is a constant drain on all the agencies, while some may have more flexible funds, others do not so they ask for support to do that. He explained that psychiatrists and nurse practitioners or anyone that works in the mental health field are in very high demand throughout the country and State. They can go anywhere to do mental health work, and probably at better pay than what can be offered here; it isn't about finding work, it is about where they want to work. Mr. Ambrose continued that the BSW and MSW programs at JCC are geared toward keeping people here, but these are clinicians, when the problem is psychiatrists and there are no

JCC programs that can train a psychiatrist. They do recruitment through Upstate Medical Center in Syracuse, but there is no educational program in the immediate area that provide that level of expertise.

Legislator Jareo did not see this issue as being services are necessary and whose responsibility they are to provide, but rather a budgeting issue and asked what changed from last year. Mr. Ambrose said non-compensated care costs will always be ongoing, and reimbursement rates have risen in the clinic which is why the Children's Home has not needed the level of support that they have received in the past. The first year revenues were at 70% of what they anticipated when they started the clinic, the second year was at 85%, and this year is at 100% reminding legislators of the 6 month gap in providing services vs. receiving compensation. Even though they are at 100% reimbursement, he said it is hard to predict if we will see a request next year.

Legislator Nabywaniec said the County was in a crisis situation when Mercy closed abruptly and commended Mr. Ambrose for locating a vendor to provide the service and for working with them and through the new State system to get a program together. The cash flow at the Children's Home got to a point where their whole organization was going to be in jeopardy if they continued. He said he is not happy about going to contingency, but knowing the reality of what it could be costing the County especially if people ended up at the Public Safety Building, or in emergency rooms, etc and having the benefit of sitting through the meetings in the past working through a crisis situation he would support the resolution.

Legislator Reed stated that it could cost the County much more money indirectly if this program is not supported, and even if it is, if someone doesn't get the proper mental health and ends up at SMC or in the legal system it could make this dollar amount seem small.

Mr. Ambrose said it is a voluntary program that is offered and he was not positive what would happen if the resolution was not supported, however we would need to recruit another provider if the Children's Home could no longer provide the services. With regard to the new charges resulting from the State reducing inpatient beds he recommended approaching the State with a specific plan to offset the costs that the County will be incurring.

Legislator Maxon suggested that not-for-profit organizations often run back to the government funding source if they fall short, and he did not want to encourage that behavior by supporting the resolution, he felt the Children's Home should do a better job budgeting, like the private sector does. Mr. Ambrose said ultimately the government is the funding source for not-for-profits of this nature.

Legislator Peck appreciated the work previously done by senior Board members in establishing this program, recognized that there is more work to be done to perfect the program and suggested letters be written to our State representatives in support of more funding for mental health programs in our community.

Legislator Doldo expressed concern that it appears funding is going toward clients and not really to the recruitment process, as has been stated. He further noted that the word annual was taken

out of the resolution and he believed in previous discussions it was termed a three year program with the Children's Home to receive additional funds.

Mr. Hagemann explained that the County is limited in the kinds of funding it can cover in these instances, and recruitment of professionals that treat the clients is an eligible expense, we can't just provide gap funding for requests from agencies. He reminded that the Children's Home fiscal year is July to June, not a calendar year, like the County, so they are at year end now. When ongoing assistance to get through the rate restructuring process was initially discussed, it was identified to be likely in the first three years. It was hoped that by the third year of clinic operations the Children's Home would be at a break even point, but he could not guarantee that the Children's Home or any other agency would not submit a request next year. He said the initial request was for much more than 38,000 but the recommendation is to fund that amount because those are the services we can legally fund.

Legislator Gray said he could appreciate the private sector comments made, but the County is here to provide human services, public safety and a variety of services that the private sector does not provide, that is our function and role in this community. He said the private sector is not in this business because they are not profitable, and are funded by taxpayers for the greater good of our community for a variety of reasons; it may help offset public safety, help educate people for a healthier community, etc. So the County is going to be faced with funding these services; a Public Health Department that employs people to go out and find grants on a yearly basis to provide educational programs, otherwise there are no employees. He stated that we have an obligation to provide some of these services to the community and it is going to cost us money, the object is to find the most efficient and cost effective way to provide these services, with the best provider. He said this is a fairly good bargain with the Children's Home, their financials are looked at on an annual basis because they present what their metric is for their caseloads. They make requests and we counter with what the County can contribute for consideration of a service being provided. Resolutions such as this go through a great deal of scrutiny prior to arriving for Board action, and the alternative is very expensive.

There being no further discussion, all members present voted aye except Legislators Jareo, Maxon and Doldo who voted nay.

Resolution No. 164

Authorizing Grant Agreement, State Environmental Quality Review Act (SEQR) Determination, and Amending the 2014 County Budget in Relation to a 2013 Community Development Block Grant Award from the NYS Office of Community Renewal

By Legislator: Philip N. Reed, Sr.

Whereas, Jefferson County has been notified by the New York State Office of Community Renewal (OCR) that its 2013 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 VII) 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 2014 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 2014 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: Robert J. Thomas

Roll Call Vote

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

Absent: Fitzpatrick

Resolution passed.

Resolution No. 165

**Amending the 2014 County Budget in Relation to Jefferson County's
Housing Improvement Program**

By Legislator: Jeremiah J. Maxon

Whereas, Jefferson County has received consecutive annual competitive Community Development Block Grant (CDBG) awards from 2007 through 2013 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, The Guidelines were subsequently amended by Resolutions 42 and 291 of 2009, 283 of 2010, 130 of 2012, and 110 of 2013, and

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

Whereas, The County has recently received such a reimbursement in the amount of \$13,946.33, and the 2014 County Budget must be amended to recognize this revenue and appropriate it to the proper account.

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

Increase:

Revenue		
30-8668-999.92170	Community Development Income	\$13,946.33
Expenditure		
30-8668-8668.4014	CDBG Housing Rehabilitation	\$13,946.33

Seconded by Legislator: Patrick R. Jareo

Roll Call Vote

Ayes: Drake, Montigelli, Maxon, Hirschey, Adsit, Doldo, thomas, Gray, Nabwaniec, Docteur, Peck, Reed, Jareo, Ferris

Absent: Fitzpatrick

Resolution passed.

Resolution No. 166

Authorizing a Contract with Community Planning and Environmental

**Associates to Assist with an Update to the Jefferson County
Agriculture and Farmland Protection Plan Update**

By Legislator: Jeremiah J. Maxon

Whereas, Resolution 78 of 2014 recognized a grant award from the New York State Department of Agriculture and Markets to assist with an update to the County's 2002 Agricultural and Farmland Protection Plan, and

Whereas, After notification of the award, the County issued a Request for Proposals for professional services, consistent with project specifications required by the New York State Department of Agriculture and Markets, from qualified firms that could perform tasks necessary for the update, and

Whereas, A working committee of County staff, agricultural organization representatives, and members of the County's Agricultural and Farmland Protection Board reviewed proposals and conducted interviews of preferred firms, and

Whereas, The Agricultural and Farmland Protection Board has endorsed the recommendation of the working committee to retain Community Planning and Environmental Associates of Berne, NY to perform services for the update of the County's 2002 Agricultural and Farmland Protection Plan for a fee of \$45,000.

Now, Therefore, Be It Resolved, that the Chair of the Board of Legislators is hereby authorized to execute a contract with the above referenced firm, subject to the approval of the County Attorney, for a fee not to exceed \$45,000.

Seconded By Legislator: Philip N. Reed, Sr.

All members present voted aye.

Resolution No. 167

**2014-15 Local Government Efficiency Program for North Country Regional Shared
Geographic Information Services (GIS) Implementation Project**

By Legislator: Philip N. Reed, Sr.

Whereas, The Board of Legislators, through Resolution No. 131 of 2012, authorized participation in a 2011-2012 Local Government Efficiency Grant (LGE) application to secure planning study funds for North Country Regional Shared Geographic Information System (GIS) services with partnering agencies including: the Development Authority of the North Country, Lewis County, St. Lawrence County, the City of Watertown, and New York State Tug Hill Commission; (hereafter referred to as partners or co-applicants), and

Whereas, The Development Authority of the North Country, acting as project lead and fiscal agent for the County and other partners, was awarded a \$70,000 project consisting of \$63,000 grant and \$7,000 local co-share; the Development Authority made available the local co-share for all partners, and

Whereas, The purpose of the planning study was to study the feasibility of shared GIS services, partnerships, and service delivery efficiencies among governments that currently deploy GIS mapping technology in the region and to develop recommendations for shared services projects, and

Whereas, The aforementioned co-applicants have accepted the recommendations of the planning study and identified three priority recommendations for implementation in a project referred to as the “North Country Regional Shared GIS Implementation Project”, and

Whereas, The scope of the North Country Shared GIS Services Implementation Project will encompass: 1) Consolidating features of the partners’ public map viewers into one Regional Public Map Viewer; 2) Developing a specialized, Self-Service Map Viewer platform that can be used by the partners for special projects and accessed by internal departments within the partnering agencies; and 3) Acquiring Light Detection and Ranging (LiDAR) data for the tri-county region (excluding Fort Drum and the Adirondack Park) and deriving various elevation products from the LiDAR data to be made publically available via the Regional Public Map Viewer, and

Whereas, The Development Authority of the North Country is seeking support from the partners to act as the lead applicant for the North Country Shared GIS Services Implementation Project with a Department of State Local Government Efficiency (LGE) Implementation Grant for a total project cost up to \$1,000,000, and

Whereas, The Development Authority of the North Country has agreed to provide the necessary 10% local share for the regional map viewer and self-service map viewers applications on behalf of the Authority and its County partners, and 5% local share for the LiDAR data, matching the County’s share, and

Whereas, The County understands that they will be required to pay \$7,500, which represents 5% of Jefferson County’s portion of the LiDAR data that will benefit their County and region.

Now, Therefore, Be It Resolved, That the Board of Legislators authorizes the County to participate as a co-applicant as required for the LGE application to be filed with the NYS Department of State by the Development Authority of the North Country as lead applicant.

Be It Further Resolved, That the County authorizes the Development Authority of the North Country’s Executive Director, or his designee, to execute all financial and/or administrative processes relating to the implementation of the grant program project as lead applicant.

Be It Further Resolved, That the County will provide the required documentation and the support

of its staff (as necessary) to assist the Development Authority of the North Country and partners in performance of the North Country Shared GIS Services Implementation Project.

Seconded by Legislator: Patrick R. Jareo

All members present voted aye.

Resolution No. 168

Authorizing Appointments and Re-Appointments to the Jefferson-Lewis Workforce Investment Board

By Legislator: Patrick R. Jareo

Whereas, The Workforce Investment Act of 1998, Public Law 105-200, requires that there be established a local Workforce Investment Board (WIB) to oversee local job training services and activities, and

Whereas, Chapter 2, Section 117(a)(b) of the Workforce Investment Act authorizes the establishment, membership, and composition of the local Workforce Investment Board, and

Whereas, Chapter 2, Section 117(c) of the Workforce Investment Act authorizes the appointment and certification for local Workforce Investment Board membership, and

Whereas, Article V of the Workforce Investment Board By-Laws indicate the procedures for membership on the Board, and

Whereas, The Counties of Jefferson and Lewis seek to appoint individuals to the local Workforce Investment Board who have interest and experience in the delivery of local workforce development services, and

Now, Therefore Be It Resolved, That the Board of Legislators hereby authorizes the Chairman of the Board to appoint the following individuals to serve as members of the Jefferson-Lewis Workforce Investment Board for the terms indicated.

Patrick Sheppard, District Manager, Access-VR, is hereby appointed to fill the unexpired term of Duane Watson, said term to expire June 30, 2015.

Sandy Petrillose, Coordinator of Community Based Employment, Jefferson Rehabilitation Center, is hereby appointed to fill the vacancy of Dave Moran, said term to expire June 30, 2017.

Carol Urbanowicz, Human Resources Supervisor, Hi-Lite Markings, is hereby appointed to fill the vacancy of Tina Wildhaber, said term to expire June 30, 2017

Be It Further Resolved, That the Board of Legislators hereby authorizes the Chairman of the

Board to re-appointment the following individuals to three year terms, said terms to commence July 1, 2014 and expire June 30, 2017:

Jefferson County:

Peter Fazio	Office for the Aging
Mary Beth LaValle	Knowlton Technologies
Jill Parker	City Electric Company, Inc.
Jody Pettit	Hilton Garden Inn
Lynn Pietroski	Greater Watertown North Country Chamber of Commerce
Kathy Watson	Timeless Frames
Peter Whitmore	Jreck Sub

Lewis County:

Matthew Cooper	Bernier, Carr & Associates
Scott Mathys	Lewis County Opportunities
Michael Schantz	Qubica AMF
Eric Virkler	Lewis County

Seconded by Legislator: Jeremiah J. Maxon

All members present voted aye.

Resolution No. 169

Jefferson County Opposes Clean Water Act Regulation Proposed by the Environmental Protection Agency and Army Corps of Engineers

By Legislator: Jeremiah J. Maxon

Whereas, Jefferson County affirms its commitment to environmental stewardship and the protection of our natural resources, and recognizes the need to harmonize municipal programs and services with the legislative intent and objectives of the Clean Water Act (CWA), and

Whereas, The CWA was not intended to protect ditches and other channels through which water flows intermittently nor was it intended to capture seeps, wet areas, isolated man-made ponds and other structures not currently subject to the CWA, and

Whereas, The Environmental Protection and Agency (EPA) and the United States Corps of Engineers (Corps) have developed a proposed regulation on Definition of “Waters of the United States” under the Clean Water Act to clarify the EPA and Corps’ understanding and definition of the CWA that will inform all of EPA’s regulatory programs and policy actions, and

Whereas, This proposed regulation creates greater uncertainty rather than clarity and would now

capture a significant number of public works activities and transportation infrastructure that will now be subject to the CWA and its costly and time-consuming permitting and regulatory protocols, and

Whereas, The proposed regulation greatly expands the number of projects subject to jurisdictional determination or CWA permitting which do not currently require such oversight at great expense to the taxpayers of Jefferson County with little, if any, substantive environmental benefit while diverting scarce resources from other programs that do provide environmental protection and conservation benefits, and

Whereas, The financial impact of the proposed regulation to Jefferson County will create significant ongoing maintenance costs and delays to Jefferson County citizens due to the need for jurisdictional determinations and expanded jurisdictional authority of EPA and the Corp, and

Whereas, Jefferson County believes that the standards for making jurisdictional determinations under the CWA and clarification or definition of the intent of the CWA should be accomplished only through the U.S. Congress, and limited by the decisions of the U.S. Supreme Court.

Now, Therefore, Be it Resolved, That Jefferson County urges EPA and the Corps to withdraw the proposed CWA regulation immediately, work collaboratively with states and local governments to clarify federal jurisdiction under the CWA that is reasonable, environmentally responsible and respects the authority of state and local governments in ensuring the protection of our water resources, and

Be it Further Resolved, That Jefferson County supports any federal legislation consistent with the above recommendations and urges its Congressional and State representatives to intercede with EPA and request that EPA report to them on their response and adaptations regarding the aforementioned concerns, and

Be it Further Resolved, That a copy of this Resolution, suitably engrossed, should be transmitted to U.S. Senators Charles Schumer and Kirsten Gillibrand, U.S. House Representative Bill Owens , EPA Administrator Gina McCarthy, New York Governor Andrew Cuomo, New York State Senator Patty Ritchie, New York Assembly Representatives Will Barclay, Ken Blankenbush and Addie Russell as well as EPA Region 2 Administrator Judith Enck.

Seconded by Legislator: Philip N. Reed, Sr.

Legislator Peck appreciated the Board taking up this resolution to oppose the proposed EPA regulations as in couldn't be more apparent that the federal government wants to encroach upon private practices and private landowners and dictate how citizens should handle their own land minerals, water and air quality through such regulation.

All members present voted aye.

Vice 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 Peck seconded by Legislator Montigelli and unanimously carried by the Board.

Resolution No. 170

Authorizing an Amendment to the Inter-Municipal Agreement Between the County of Jefferson and City of Watertown Relating to the Operations of a Joint Public Safety Building.

By Legislator: Scott A. Gray

Whereas, The City of Watertown and County of Jefferson have shared the costs and use of the Metro Jefferson Public Safety Building located on Waterman Drive in the City of Watertown under an inter-municipal agreement dated July 26, 1993, and

Whereas, The City of Watertown located its Police Department headquarters in the Public Safety building and the County of Jefferson located its Sheriff's Department and County Jail otherwise known as the Jefferson County Correctional Facility at said Public Safety building, and

Whereas, In the Interests of public safety, economies of scale, and correctional best practice the Public Safety building security entrance is designed to be used by both the City of Watertown Police Department and the Jefferson County Sheriff's Department for the entry and exit of arrested persons, inmates and law enforcement personnel and said entrance area incorporates several holding cells designated for persons arrested and held by the City of Watertown Police Department prior to their arraignment before a court of appropriate jurisdiction, and

Whereas, Said inter-municipal agreement at Section 18 (iv) provides that the County will supervise prisoners held in City's designated holding cells for a fee equal to one half the established per diem County charge for boarding inmates, and

Whereas, In January of 2014 the New York State Commission of Corrections notified the County Sheriff that the presence of un-arraigned prisoners in the holding cells designated for use by the City of Watertown Police Department is a violation of New York State Law because the holding cells are deemed by the Commission a part of the Jail facility and the placement of such prisoners in the facility must be discontinued, and

Whereas, In order to comply with New York State Law and continue a longstanding shared services collaboration between the City and the County, County has sought and expects to soon obtain, home rule legislation from the New York State Legislature permitting the County Jail to house un-arraigned prisoners in its jail facility, and

Whereas, Pursuant to New York State Commission of Corrections mandates, in the event un-arraigned prisoners held by the City of Watertown Police Department are not arraigned before a Justice within certain time lines, the Sheriff must remove the un-arraigned prisoner from the holding cell and place said prisoner(s) into designated housing in the general population of the

jail. This requirement represents a new and additional financial burden on County in the event such transfers must take place, and

Whereas, The Jail facility is from time to time at its maximum approved capacity and the addition of an un-arraigned City prisoner(s) may directly necessitate the removal of another jail inmate(s) to a jail facility in another county within New York State, it is the intention of the City and County to amend and modify the inter-municipal agreement to provide for compensation to the County in the event: (1) the City Police Department is unable to timely arraign a prisoner and that prisoner must be removed to general population jail housing, and; (2) the County Jail population is at its maximum capacity and the addition of an un-arraigned City prisoner(s) requires the out boarding of another inmate(s).

Now, Therefore, Be It Resolved, That the Chairwoman is hereby authorized and directed to execute an amendment to the 1993 City/County inter-municipal agreement regarding the operation of the Metro Jefferson Public Safety building providing for:

(1) an additional fee in the amount of the per diem rate (as most recently established) for the boarding of inmates at the Jefferson County Correctional Facility to be charged to the City of Watertown for each prisoner transferred from holding to housing in general population because the prisoner was not timely arraigned according to Commission of Corrections mandated time lines and;

(2) in the event the addition of a City prisoner to general population directly results in the transfer of another inmate to another county jail and after advanced notice having been provided to the City Police, the City will reimburse County the reasonable and necessary outbound transportation costs.

said amendment to be subject to the approval of the County Attorney as to form and content.

Seconded by Legislator: Michael A. Montigelli

County Attorney Paulsen commended Jefferson County's New York State representatives as they have done a wonderful job in getting the Home Rule Legislation through both houses of the Legislature, and said the bill is now on the Governor's desk for signature. He had discussions with the Sheriff's Department and the Watertown City Attorney regarding a modification to the existing operating agreement with the City for the Public Safety Building and this resolution is the end result. He went over how the three holding cells were used in the past at half the daily rate broken down on an hourly basis. Once the home rule legislation is passed the holding cells can be used again however the Commission on Corrections has established time frames for arraignments; 4 hours if there is more than one person per cell, and 12 hours if they are alone in the cell. The City believes it can meet those arraignment deadlines with the arrangement of part time City Court judges performing arraignments during off hours and on weekends. After those time frames un-arraigned detainees are to be moved into the Jail, processed as any normal inmate and put in a designated cell at a cost to the City (\$148.00/day). If this necessitates outboarding an existing prisoner, the City will be responsible for an established cost. He said this was presented

to the City Council last night by (their) Attorney Slye and they will be voting on it at their June 16, 2014 meeting.

Undersheriff Trudeau explained that according to Correction Law a detainee has to have so many square feet, access to a toilet, etc. and the holding cells are meant for that, but after 4 hours for multiple individuals in a cell and 12 hours for individuals if they are still un-arraigned you have to move him/her into a better situation. With the new regulations under the home rule legislation, the floor plan of the Jail will be changed so the Commission on Corrections has to come in and approve the changes, including any staffing they feel is needed. He said they have to designate certain cells where these detainees will be housed.

Legislator Gray stated that the City is reserving its right to maintain the two holding cells they are currently using at the City Municipal Building as an alternative in case there is a backup at the Public Safety Building.

Administrator Hagemann pointed out that timely arraignments make all these issues go away which is the aim of everyone involved in this process. He said the City does not see this agreement costing them a lot of money because there will be timely arraignments.

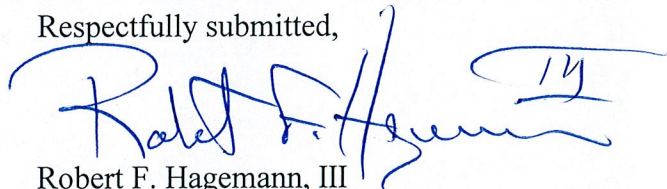
Legislator Montigelli expressed appreciation to the Undersheriff and Attorney Paulsen for the extra work they have done to bring this matter to an amenable conclusion.

Legislator Doldo said before this process began the detainees couldn't be a part of the general population, but questioned why they now can. Attorney Paulsen stated that it is the act of the State Legislature in the home rule legislation that allows it. Mr. Hagemann said that begs the question as to why not change the law then, so this process would not be necessary.

There being no further discussion, all members present voted aye.

There being no further business of the Board, on a motion by Legislator Peck seconded by Legislator Gray and unanimously carried, the meeting was adjourned at 8:30 p.m.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Robert F. Hagemann, III". The signature is stylized and includes a circled number "14" at the end.

Robert F. Hagemann, III
Clerk of the Board