

## **REGULAR SESSION**

**TUESDAY, JUNE 2, 2015**

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

### **ROLL CALL OF MEMBERS**

All members present except Legislators Docteur and Jareo.

### **PRIVILEGE OF THE FLOOR**

Jay Matteson, Agriculture Coordinator, invited legislators to sit on the reviewing stand for the Dairy Festival Parade this Friday, June 5<sup>th</sup> beginning at Watertown High School and proceeding down Washington Street to the State Office Building. He advised that there are many informational dairy displays and activities set up in the State Office Building following the parade as well as the huge ice cream sundae being scooped up and given out by the Dairy Princess and her court.

John Peck reminded his fellow legislators that June is dairy month and while last year was a very successful year for a majority of the dairy industries in the County, this year has proven to be very challenging with a lot of snow fall, a late spring frost, and the dramatic down swing in dairy prices by more than \$10.00. However, they did not expect dairy prices to go as low as in 2009 and 2012, there is a lot of activity in the industry and the businesses that expanded last year are continuing to capitalize on those gains. He invited legislators to enjoy the milk and homemade cookies he brought to share in honor of Dairy Month.

### **READING OF MINUTES OF LAST SESSION, IF REQUESTED**

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

### **PRESENTATION OF PETITIONS, NOTICES AND COMMUNICATIONS**

None.

### **REPORTS OF STANDING COMMITTEES**

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

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

The County Auditor provided a report on Erroneous Assessments for the month of May, 2015.

## **LOCAL LAWS, RESOLUTION AND MOTIONS**

Chairwoman Fitzpatrick entertained a motion to waive the Standing Rules to permit the introduction of Resolution No. 115 now, as well as a Local Law and a resolution for a public hearing at the end of the meeting. Such motion was made by Legislator Ferris seconded by Legislator Maxon and unanimously carried.

### **Resolution No. 115**

#### **Appointing Successor to District 6 Legislator**

By Legislator: Scott A. Gray

Whereas, A vacancy exists due to the resignation of District 6 Legislator Jonathan L. Hirschey, and

Whereas, Pursuant to Local Law No. 1 of 1997, a vacancy on the Board of Legislators shall be filled by a majority vote of the remaining members of the Board of Legislators at a meeting called within a period of one week following the occurrence of such vacancy.

Now, Therefore, Be It Resolved, That the Board of Legislators hereby appoints Mr. Daniel R. McBride as District 6 Legislator to serve for the balance of the 2014-2015 County Legislator term of office.

Seconded by Legislator: John D. Peck

All members present voted aye.

County Clerk Gizelle Meeks conferred the Oath of Office on Legislator McBride and Chairwoman Fitzpatrick welcomed him to the Board.

### **Resolution No. 116**

#### **Concurring in Request for Enactment of Home Rule Legislation - Assembly Bill A7411-A, Senate Bill S5171-A - Amending the New York State Tax Law to Authorize the County of Jefferson to Impose an Additional Rate of Sales Tax of One Percent**

By Legislator: Michael A. Montigelli

Whereas, By Resolution No. 80 of 2015, this Board of Legislators requested the introduction of a bill in the State Legislature which would amend the New York State Tax Law to allow the County of Jefferson to impose up to an additional sales tax of one percent (1%) until November 30, 2017, and

Whereas, The aforesaid legislation has been introduced in both houses of the State Legislature as

Assembly Bill A7411-A and Senate Bill S5171-A, and

Whereas, Article IX of the State Constitution and Section 40 of the New York State Municipal Home Rule Law require a home rule request be made to the State Legislature before the aforesaid Bills may be enacted into law, and

Whereas, The Chairman of this Board has determined to make a home rule request for the enactment of the aforesaid Bills into law.

Now, Therefore, Be It Resolved, That this Board does hereby concur in the home rule request of the Chairman of this Board for enactment of Assembly Bill A7411-A and Senate Bill S5171-A to amend the New York State Tax Law to allow the County of Jefferson to impose up to an additional sales tax of one percent (1%) until November 30, 2017, and be it further

Resolved, That the Chairman of this Board and the Clerk of this Board are authorized to file the appropriate home rule request with the New York State Assembly and the New York State Senate.

Seconded by Legislator: Robert D. Ferris

Legislator Maxon stated his opposition to the resolution as there was no information on potential efficiencies to reduce expenses, however he said there are various reasons that sales tax is better than property tax.

Chairwoman Fitzpatrick advised that she will be appointing members to an Efficiency Ad Hoc Committee in the very near future.

All members present voted aye except Legislator Maxon who voted nay.

### **Resolution No. 117**

#### **Setting Time and Place for Public Hearing on Tentative 2015-2016 Jefferson Community College Budget**

By Legislator: Michael J. Docteur

Resolved, That a public hearing on the Tentative Jefferson Community College Budget for College Fiscal Year 2015-2016 be held before this Board of Legislators on Tuesday, July 7, 2015 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: Allen T. Drake

All members present voted aye.

**Resolution No. 118**

**Amending Real Property Tax Services Fees**

By Legislator: Michael A. Montigelli

Whereas, Pursuant to Resolution 350 of 1991, Jefferson County adopted policies and procedures relating to the collection of fees for goods or services provided by departments, and

Whereas, Said policies require that the rates for such fees be established or approved by the Board of Legislators, and

Whereas, By Resolution 37 of 2003 the Board of Legislators established fees for Real Property Tax Services, which were amended by Resolutions 94 of 2005 and 199 of 2006, and the Director of Real Property Services has proposed further changes to those fees.

Now, Therefore, Be It Resolved, That the following fees be set for goods and services provided by the Department of Real Property Services as presented by the Director:

**Real Property Tax Services Fees**

<b><u>Item-Service</u></b>	<b><u>Fee</u></b>
Custom Aerial Tax Map	\$15.00
Custom Tax Map w/o Aerial Background	\$12.50
Tax Map with Aerial Background (no custom work required)	\$12.50
<i>**All Custom or Aerial Maps done 30x42**</i>	
<b>Full Size Tax Map</b>	<b>30x42</b>
General Public	\$8.00
Reduced Fee	\$4.00
<b>Reduced Size Tax Map</b>	<b>18x24</b>
General Public	\$5.00
Reduced Fee	\$2.50
<b>Miscellaneous Tax Mapping Fees</b>	
Electronic Copy PDF Map (Emailed)	\$2.00
Snapshot of Tax Map PDF	\$2.00
Online Access--Tax Map Database Subscription--Annual	\$240.00

**Copier**

Non-Tax Map Items \$0.25/Page

**Miscellaneous Items**

County Assessment File \$500.00

Tax Map File Digitized \$500.00

(Any company that is doing work for a Town would not be charged for Shapefiles or DWG files if they provide appropriate documentation)

Tax Map File Digitized/Town \$25.00

**Revaluation Fees**

County Participation (Town Charge) \$2.50/Parcel  
Impact Notice/Mailing Cost Paid By Town  
Information Letter Printing \$0.06/Parcel

**Subdivision Filings**

1 – 3 Lots \$25.00  
4 – 9 Lots \$50.00  
10 or More \$100.00

**Ad Hoc Reports**

Setup Fee \$25.00  
Printed Report \$0.25/Page  
Electronic Copy (Emailed) Included  
Electronic Copy (On CD) \$2.00  
Mailing Labels \$0.03/Label

**Roll Index**

**In PDF Format by Town with Village**

Setup Fee \$25.00  
Printed Report \$0.25/Page  
Electronic Copy (Emailed) Included  
Electronic Copy (On CD) \$2.00

**Assessment Rolls\*\***

**In PDF Format by Town with Village**

Setup Fee	\$50.00
Printed Report	\$0.25/Page
Electronic Copy (Emailed)	Included
Electronic Copy (On CD or Disk)	\$2.00

**Tax Bills & Rolls**

School	\$0.20/Each
Village	\$0.40/Each

<b>Certified Assessment Roll Pages</b>	\$1.00/Each
<b>Certified Tax Maps</b> (full size tax maps only)	\$5.00/Certify Price of Map \$5.00/Certify

**\*\*Does Not Include Index**

**Actual Cost of Mailing Added to Above Figures**

and be it further

Resolved, that such fees become effective immediately upon the adoption of this resolution.

Seconded by Legislator: Allen T. Drake

All members present voted aye.

**Resolution No. 119**

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

By Legislator: Michael J. Docteur

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: Robert D. Ferris

### EXHIBIT A

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

<b>Town</b>	<b>Parcel #</b>	<b>Name</b>
Adams	99.13-2-13	Renee L. Corbett
Adams	100.17-1-41	Richard L. And Joann E. Shaw
Alexandria	7.29-3-22.1	Gerry C. Carroll
Alexandria	7.22-1-39	John E. And Lillian A. Dingman
Alexandria	7.29-3-19	Estate of Evelyn O. Petrie
Alexandria	3.78-1-1.1	Pine Tree Point Resort
Alexandria	3.78-1-1.2	Pine Tree Point Resort
Alexandria	22.00-3-56.2	Tommy L. Robinson
Antwerp	17.06-1-45	Donald K. Maloy
Antwerp	17.06-1-47.1	James Maloy
Brownville	72.14-1-13.2	Donna S. Perrin
Brownville	73.73-2-3	Mark F. And Susan M. Scheffner
Cape Vincent	49.00-1-47.3	White Farms LLC
Cape Vincent	49.00-1-7	White Farms LLC
Cape Vincent	49.00-1-46.1	White Farms LLC
Champion	93.00-2-34	Clifford E. Dorchester
Ellisburg	112.00-1-10	Anthony Garcia
Ellisburg	111.20-1-32	Sally Kleiboer
Henderson	105.18-1-1.116	Erik J. Dunk
Hounsfield	89.00-2-36.1	Kenneth M. Lawrence
Hounsfield	81.17-1-27	Robert C. Marsden
Hounsfield	72.19-1-15.3	Tyler Phillips
Leray	45.00-3-8.2	Mark J. Forbes
Lyme	60.08-1-4.4	Mervin A. Mellen Estate
Lyme	60.08-1-4.5	Mervin A. Mellen Estate
Lyme	70.13-2-1.1	Carl & Elizabeth Rippe
Lyme	50.00-2-37.5	St. Lawrence Storage
Lyme	52.09-1-4.1	Bernard W. Tierney, Jr.
Orleans	32.00-2-10	Ann R. Dibble
Orleans	32.00-2-12	Ann R. Dibble

Orleans	21.00-1-71.12	Scott Miller
Orleans	32.11-1-46	Jane C. & Gerry W. White
Pamelia	74.05-1-3.22	Valerie E. Perry
Pamelia	74.09-1-5.2	George W. Rankin
Rodman	114.00-1-40.3	Donald K. & Nichole A. Edgar
Theresa	33.00-2-15.1	Robert Fasshauer
Theresa	15.00-1-15	Dana Kaiser
Theresa	15.00-1-14	Dana Kaiser
Theresa	34.11-1-17.2	Richard A. Leonard Jr.
Theresa	23.13-1-4.2	Eric M. Wilson
Watertown	82.11-1-25.21	Jay Hall
Watertown	90.18-1-27.1	S. of the Border Trading Post Inc.
Watertown	90.18-1-27	S. of the Border Trading Post Inc.

All members present voted aye.

### **Resolution No. 120**

#### **Conditionally Authorizing the Execution of an Agreement to Sell Certain Tax Delinquent Real Property in the Town of Lyme. (Tax Map Parcel No. 61.51-1-36)**

By Legislator: Robert D. Ferris

Whereas, Tax Map Parcel No. 61.51-1-36 in the Town of Lyme is subject to multiple real property tax liens and a tax foreclosure by the County of Jefferson is pending, and

Whereas, The aforementioned parcel has been previously used as a gasoline sales station and contains underground petroleum storage tanks (“UST’s”), piping, above ground pumps and facilities, and

Whereas, The County of Jefferson has undertaken investigation of the environmental conditions of the property and the cost of removal of the UST’s pursuant to provisions of Environmental Conservation Law and Real Property Tax Law, and

Whereas, The County has offered to obtain title through tax foreclosure and convey said title to a third party willing and able to remove the UST’s and remediate any petroleum contamination associated with the parcel by means of a sealed bid process, and

Whereas, Bids have been received and evaluated by the *Ad Hoc* Committee for Real Property Tax Matters and a recommendation having been made by said *Ad Hoc* Committee that the bid be awarded to CST Development, LLC for the purchase price of \$11,101.00, and

Now, Therefore, Be It Resolved, That should the County come into title of the above referenced parcel as a result of foreclosure of real property tax liens, the parcel shall be sold to CST Development, LLC for the amount of \$11,101.00 and other applicable terms of the bid, with the buyer to bear the cost of an applicable filing and recording costs, and the Chairwoman of the

Board and the County Attorney are authorized to execute any documents necessary to accomplish such conveyance, and it is further

Resolved, That prior to the County taking a judgment of foreclosure in regard to said parcel, the Chairwoman of the Board of Legislators be and hereby is authorized to execute a Contract of Purchase and Sale with the buyer, providing for the sale of said parcel as outlined above, with the following further conditions in said contract: (1) a “put” clause whereby the County may compel the buyer to take title to the parcel from the County; (2) a provision requiring the buyer to defend, indemnify and hold harmless the County and all of its agents, officers employees, contractors and servants for and from any and all environmental liability which may or does attach as a consequence of the County’s temporary ownership of the said parcel following tax foreclosure.

Seconded by Legislator: Allen T. Drake

All members present voted aye.

### **Resolution No. 121**

#### **Authorizing Conveyance of Unused Right of Way Benefitting County Forest Lands**

By Legislator: Robert D. Ferris

Whereas, Wayne Blount purchased a one acre lot in the Town of Worth (Tax Map Parcel No. 120.00-1-7) on or about December, 2014 and said parcel is bounded by County Route 93 and County forest land on the remaining three sides, and

Whereas, A Prior deed to the parcel, granted by the County of Jefferson in 1961, reserved to the County of a 12 ft. right of way across the length of the parcel, and

Whereas, Said right of way prohibits construction of a residential premises on the parcel and encumbers the parcel from full development, and

Whereas, Said right of way is unused by Jefferson County and unnecessary for purposes of access to its lands, and

Whereas, The County desires to remedy any encumbrance to the development of the parcel to its full potential by conveying to the fee owner any interest the County may hold in the right of way described in the chain of title in exchange for consideration of \$500.00.

Now, Therefore, Be It Resolved, That the Chairwoman of the Board, be and hereby is authorized and directed to execute a quit claim deed conveying the described interest of the County of Jefferson to Wayne Blount, subject to the review and approval of the County Attorney as to form and content, and be it further

Resolved, That the Chairwoman of the Board and the County Attorney are authorized and

directed to execute all necessary documents for purposes of closing this conveyance, upon tender of the purchase price of \$500.00 by the buyer.

Seconded by Legislator: Michael A. Montigelli

All members present voted aye.

### **Resolution No. 122**

#### **Authorizing Watertown International Airport to Apply for a Grant through the Northern Border Regional Commission for the Purchase of Weather Equipment**

By Legislator: James A. Nabywaniec

Whereas, The airport's continued growth in passenger enplanements and importance of essential air service to the community requires reliable and accurate weather services, and

Whereas The Northern Border Regional Commission (NBRC) offers, amongst other goals, grants to develop the transportation infrastructure of its region, and

Whereas, The grant funding, if awarded, will aid in the investment of weather equipment that will enable the airport to maintain safe reliable weather observations to commercial air carriers, general aviation and business flights that operate at the Watertown International Airport, and

Whereas, The weather equipment in conjunction with an agreement with the Federal Aviation Administration to augment the automated weather system will reduce cancellations and delays as a result of weather sensor malfunctions or readings of unrepresented weather conditions, and

Whereas, The grant share is expected to be \$25,000 and the local contribution of \$25,000, with the local share to be budgeted in the 2016 airport operating budget, and

Whereas, The NBRC requires board approval for the actual submittal of a grant request for the upcoming year.

Now, Therefore, Be It Resolved, The Board of Legislators authorizes the Airport Manager to prepare all necessary documents to apply for this NBRC grant and execute all appropriate grant award documents related to this program, and be it further

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

Seconded by Legislator: Anthony J. Doldo

All members present voted aye.

**Resolution No. 123**

**Amending the 2015 County Budget in Relation to  
the FY 2013 State Technical Rescue and Urban Search (USAR) Grant**

By Legislator: Scott A. Gray

Whereas, Pursuant to Resolutions 59 of 2014 and 66 of 2015, this Board of Legislators accepted a grant from The New York State Division of Homeland Security and Emergency Services for a FY13 Technical Rescue and Urban Search (USAR) grant, funded through the federal Department of Homeland Security’s State Homeland Security Program (SHSP) (CFDA 97.067) and subsequently re-appropriated the remaining funds in the 2015 County Budget, and

Whereas, The Director of Fire and Emergency Management Services advises that equipment was purchased under budget and has requested that the remaining funds be transferred to the radios account.

Now, Therefore Be It Resolved, That the 2015 County Budget is amended as follows:

**Increase:**

01341400 02302	Radios	\$ 17,854.44
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**Decrease:**

01341400 04585	Operating Supplies	7,354.44
01341400 04416	Professional Fees	7,500.00
01341400 04313	Travel	3,000.00

Seconded by Legislator: Anthony J. Doldo

All members present voted aye.

**Resolution No. 124**

**Authorizing Memorandum of Agreement with the New York  
State Division of Homeland Security and Emergency Services**

By Legislator: James A. Nabywaniec

Whereas, The New York State Division of Homeland Security and Emergency Services proposes to provide Jefferson County, at no cost, certain software licenses and hardware to enable five County users to participate in a Mutualink Edge Subscription Service, which serves as a commoncommunications platform across counties for emergency management and public safety planning and response, and

Whereas, Said equipment and software licenses, would be provided on a loan basis only, subject to the terms of a Memorandum of Agreement (MOA) with the Division, for a period of one year unless extended by written approval by both parties, and

Whereas, The Jefferson County Director of Fire and Emergency Services recommends entering into this agreement.

Now, Therefore, Be It Resolved, That Jefferson County enter into an MOA as described above, and that the Chairman of the Board of Legislators 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: Anthony J. Doldo

All members present voted aye.

### **Resolution No. 125**

#### **Authorizing Agreement in Relation to the State Alternatives to Incarceration (Pre-Trial Release) Program Funding**

By Legislator: James A. Nabywaniec

Whereas, New York State Division of Criminal Justice Services (DCJS) Alternatives to Incarceration has awarded Jefferson County \$9,114 for the operation of a Pre-Trial Release Program during the period July 1, 2015 through June 30, 2016, and

Whereas, The County must enter into an agreement with the New York State Division of Criminal Justice Services to receive these grant funds, and

Whereas, Jefferson County does hereby commit to providing 50% matching funds for operation of the alternatives program.

Now, Therefore, Be It Resolved, That the County of Jefferson agrees to accept the \$9,114, and the Chairman of the Board of Legislators be and is hereby authorized and directed to execute said grant agreements on behalf of Jefferson County, subject to the review of the County Attorney as to form and content.

Seconded by Legislator: Anthony J. Doldo

All members present voted aye.

### **Resolution No. 126**

#### **Establishing Public Defender Petty Cash Fund**

By Legislator: Scott A. Gray

Whereas, The Public Defender has requested, and the County Treasurer and Auditor concur, that a petty cash fund for the Office of the Public Defender should be established in the amount of \$150.

Now, Therefore, Be It Resolved, Pursuant to Section 371, Subdivisions 1 and 2 of the County Law, This Board of Legislators hereby establishes a petty cash fund in the amount of \$150 in the Office of the Public Defender.

Seconded by Legislator: James A. Nabywaniec

Legislator Peck questioned the need for a petty cash fund in the Public Defender's Office. Mr. Kaskan explained that it will be used for small expenses that would have taken weeks to get through a normal audit cycle, and said it will be audited on an annual basis. Mr. Hagemann added that this is being done at the recommendation of the County Treasurer as much as the request of the department. All members present voted aye.

#### **Resolution No. 127**

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

By Legislator: Anthony J. Doldo

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, 2015 through September 30, 2016, 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: James A. Nabywaniec

All members present voted aye.

#### **Resolution No. 128**

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

By Legislator: Scott A. Gray

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 \$59,850, for the period April 1, 2015 through September 30, 2016, and

Whereas, BJJ 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: Anthony J. Doldo

All members present voted aye.

### **Resolution No. 129**

#### **Amending the 2015 County Budget Relative to Mental Hygiene/Community Services and Authorizing Amended Agreement with Credo Community Center in Relation Thereto**

By Legislator: Jeremiah J. Maxon

Whereas, By Resolution No. 110 of 2015 contracts for various mental hygiene programs were authorized for the Credo Community Center for the Treatment of Addictions, and

Whereas, The New York State Office of Alcoholism and Substance Abuse Services (NYSOASAS) has approved additional state aid in the amount of \$46,329 for Credo Residential Programs to accommodate changes in the Federal SNAP (Supplemental Nutrition Assistance Program) expected to negatively effect revenues in these programs, and

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

Now, Therefore, Be It Resolved, That the 2015 County Budget be and is hereby amended as follows:

**Increase:**

Revenue		
01431000 94484	Federal Aid - Alcohol & Substance Abuse Serv.	\$46,329
Expenditure		
01432000 04702	Credo Community Center	\$46,329

and be it further

Resolved, That the Board does hereby grant its approval for the Community Services Board to enter into any necessary amended agreements with Credo Community Center for the Treatment of Addictions and New York State for these changes.

Seconded by Legislator: Michael J. Docteur

Roll Call Vote

Ayes: Gray, Adsit, Peck, Montigelli, Drake, Ferris, McBride, Johnson, Maxon, Reed, Nabywaniec, Doldo, Fitzpatrick

Absent: Jareo, Docteur

Resolution passed.

### **Resolution No. 130**

#### **Amending the 2014 County Budget in Relation to the Department of Social Services**

By Legislator: Michael J. Docteur

Whereas, The NYS Office of Children and Family Services (OCFS) has awarded Jefferson County funding for the co-location/collaboration of a Behavioral Health and Child Protective Services Initiative in the amount of \$120,000 (\$60,000 per year) for the period of May 1, 2015 - April 30, 2017, and

Whereas, The funding was made available through the Child Abuse Prevention and Treatment Act and will be used to collaborate with the Community Clinic of Jefferson County for the co-location of a Behavioral Health Specialist within the Child Protective Services (CPS) Unit at DSS who will work in partnership with CPS workers and make necessary referrals and recommendations for families referred to CPS, and

Whereas, In addition to providing direct services, this collaboration will also allow additional staff training related to secondary trauma experienced by workers, and psychodynamic education related to mental health needs of service recipients, and

Whereas, It is necessary to amend the County Budget to accept and allocate the funding for the 2015 calendar year, and the remaining funding will be included in the 2016 and 2017 budgets by DSS.

Now, Therefore, Be It Resolved, That the 2015 County Budget is amended as follows:

**Increase:**

Expenditure  
01601000 04416                      Professional Fees                      \$35,000

Revenue  
01601000 94610                      Federal Aid Social Services Admin                      35,000

Seconded by Legislator: Allen T. Drake

Roll Call Vote

Ayes:                      Nabywaniec, Johnson, Adsit, Drake, Montigelli, Ferris, Reed, Peck, McBride,  
   Maxon, Doldo, Gray, Fitzpatrick

Absent:                      Jareo, Docteur

Resolution passed.

**Resolution No. 131**

**Establishing Time and Place for Public Hearing Related to the  
North Country Direct Homeownership Assistance Program**

By Legislator: Philip N. Reed, Sr.

Whereas, Through the North Country Regional Economic Development Council application process, St. Lawrence County received an award of \$850,000 under the Community Development Block Grant (NYS CDBG) program (administered by the New York State Office of Community Renewal), to administer the North Country Direct Homeownership Assistance Project (NC DHAP) in Clinton, Essex, Franklin, Hamilton, Jefferson, Lewis and St. Lawrence Counties, and

Whereas, The NYS Office of Community Renewal (OCR) requires that all recipients of CDBG funds meet citizen participation requirements, including a public hearing held in each of the Counties, and

Now, Therefore, Be It Resolved, Pursuant to Section 104(A)(2) of the Federal Housing and Community Development Act, as amended, a CDBG public hearing shall be held on Tuesday, June 9 at 5:00 p.m. in the Planning Department conference room at 175 Arsenal Street, Watertown, NY, and be it further

Resolved, Notice of such public hearing shall be given in accordance with law, and be it further

Resolved, The Department of Planning is hereby authorized as the County's agent to act in connection with this public hearing.

Seconded by Legislator: Robert D. Ferris

All members present voted aye.

**Resolution No. 132**

**Recognizing the Dissolution of the Workforce Investment Board  
and Authorizing Appointments to the Workforce Development Board**

By Legislator: Jeremiah J. Maxon

Whereas, The Workforce Investment Board will be dissolved by order of the President of the United States with the passing of the Workforce Innovation & Opportunity Act (WIOA), Public Law 113-128, and

Whereas, Pursuant to the Order of Dissolution, the former Workforce Investment Board will need to be dissolved as of June 30, 2015 and a new Workforce Development Board (WDB) will need to be appointed by the Board of Legislators effective July 1, 2015, and

Whereas, Workforce Innovation & Opportunity Act Sec 107(a)(b) requires that 20% of the WDB consist of members of labor organizations and an organization that meets the needs of those with barriers to employment, and

Whereas, The Workforce Development Board membership must be in line with the funding distribution, resulting in 80% of the membership from Jefferson County and 20% membership from Lewis County, and

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

Now, Therefore Be It Resolved, That the Workforce Investment Board is hereby dissolved as of June 30, 2015, and be it further

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 Development Board for the terms indicated.

<u>Member</u>	<u>Term to Expire</u>
<u>Jefferson County Representatives</u>	
George Anderson, Current Applications	6/30/2018
Michael Britt, Samaritan Medical Center	6/30/2018
MaryBeth LaValle, Knowlton Technologies	6/30/2017
Lynn Murray, Murcrest Farms	6/30/2016
Jody Pettit, Hilton Garden Inn	6/30/2017
Carol Urbanowicz, Hi-Lite Airfield Services	6/30/2017
Kathy Watson, Timeless Frames	6/30/2017

<u>Member</u>	<u>Term to Expire</u>
Christine Rolfe, WPBS	6/30/2018
Peter Whitmore, Jreck Subs	6/30/2017
Sandra Petrillose, JRC	6/30/2017
Donald Alexander, Jefferson County Economic Dev.	6/30/2018
Robert Hagemann, Jefferson County	6/30/2016
Carole McCoy, SUNY Jefferson	6/30/2016
<u>Jefferson-Lewis Representatives</u>	
June O'Neill, Commissioners Representative No. Co.	6/30/2017
Patrick Sheppard, Regional Director, Access-VR	6/30/2018
John O'Driscoll, IBEW	6/30/2018
Dale Stehlin, Bricklayers & Allied Craftworkers	6/30/2018
* Fred Montego, NYSUT	6/30/2018
Stephen Todd, Jefferson-Lewis BOCES	6/30/2016
<u>Lewis County Representatives</u>	
Matthew Cooper, Bernier, Carr & Associates	6/30/2017
Michael Schantz, Qubica AMF	6/30/2017
Joseph Todora, Nursing Home Administrator	6/30/2017
Tracey Yarina, FiberMark	6/30/2018
Eric Virkler, Lewis County Economic Development	6/30/2017

Seconded by Legislator: Robert D. Ferris

All members present voted aye.

### **Resolution No. 133**

#### **Authorizing Workforce Innovation and Opportunity Act Chief Elected Official Local Agreement**

By Legislator: Philip N. Reed, Sr.

Whereas, Pursuant to Resolutions 222 of 2014 and 341 of 2002, Jefferson County entered into an agreement with Lewis County in regard to the administration and sharing of funds provided to the Counties of Jefferson and Lewis under the Workforce Investment Act of 1998, and

Whereas, The Workforce Investment Board will be dissolved and a new Workforce Development Board created as of July 1, 2015 under the Workforce Innovation and Opportunity Act, and

Whereas, New York State requires that the Counties enter into a current agreement, and

Whereas, Said agreement details the sharing of funds and the responsibilities of each County,

and

Whereas, Said agreement is to be signed by the Chief Elected Officer of each County and approved by the County Boards.

Now, Therefore, Be It Resolved, That the Board of Legislators does hereby enter into a Chief Elected Official Local Agreement with Lewis County for a term of July 1, 2015 through June 30, 2016, and be it further

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

Seconded by Legislator: Robert D. Ferris

All members present voted aye.

In conjunction with waiving the Standing Rules at the beginning of the meeting, Chairwoman Fitzpatrick introduced a Local Law and requested a motion and second.

## **COUNTY OF JEFFERSON**

### **LOCAL LAW INTRO NO. II OF 2015**

#### **A LOCAL LAW OF THE COUNTY OF JEFFERSON, NEW YORK, ALLOWING FOR COMMON, SAFE ITEMS TO BE EXCLUDED FROM THE DANGEROUS FIREWORKS DEFINITION AS PERMITTED BY NEW YORK STATE PENAL LAW SECTION 405(B)**

By Legislator: Jeremiah J. Maxon

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

#### Section 1. Legislative Intent

- A. Whereas on November 21, 2014 Governor Cuomo signed into law Chapter 477 of the Laws of 2014 (S.7888/A10141).
- B. Whereas this state law amended the State Penal Law, the Executive Law and the General Business Law placing further restrictions on dangerous fireworks while at the same time recognizing that certain fireworks should not be labeled dangerous when they pose little to no danger to the public and by labeling them dangerous only restricts business and personal enjoyment.
- C. Whereas the Governor signed this version of the bill into law in part due to its strong home rule authority, only allowing for certain fireworks to be sold and used in

municipalities that affirmatively enact a local law authorizing such action.

- D. In keeping with Chapter 477 of the Laws of 2014, and Penal Code Section 405 this Board further finds and determines that “sparkler devices” may be sold and enjoyed, only in the manner described below, within Jefferson County.
- E. This Board finds that allowing our residents the use of safe “sparkler devices” will benefit them and our local businesses.
- F. The National Fire Protection Association adopted a recommended safety code (NFPA 1124) for the manufacture, transportation, storage and retail sales of fireworks.
- G. Whereas this local law and State Chapter 477 of the Laws of 2014 are compliant with the safety standards established in NFPA 1124.
- H. This Board further finds that the sale and use of “sparkler devices” is permitted with the following restrictions:
  - 1) Sales will only be permitted on or between June 1<sup>st</sup> through July 5<sup>th</sup> and December 26<sup>th</sup> and January 2<sup>nd</sup> of each calendar year.
  - 2) All distributors, manufacturers, and retailers must comply with any and all state laws and regulations regarding registration requirements.
  - 3) Only those 18 years of age or older may purchase said products.

## Section 2. Definitions:

“Sparkling Devices” are defined as follows:

“Sparkler Devices” which are ground-based or hand-held devices that produce a shower of white, gold, or colored sparks as their primary pyrotechnic effect. Additional effects may include a colored flame, an audible crackling effect, an audible whistle effect, and smoke. These devices do not rise into the air, do not fire inserts or projectiles into the air, and do not explode or produce a report (an audible crackling-type effect is not considered to be a report). Ground-based or hand-held devices that produce a cloud of smoke as their sole pyrotechnic effect are also included in this category. Types of devices in this category include:

- 1. Cylindrical Fountain: cylindrical tube containing not more than seventy-five grams of pyrotechnic composition that may be contained in a different shaped exterior such as a square, rectangle, cylinder or other shape but the interior tubes are cylindrical in shape. Upon ignition, a shower of colored sparks, and sometimes a whistling effect or smoke, is produced. This device may be provided with a spike for insertion into the ground (spike fountain), a wood or plastic base for placing on the ground (base fountain), or a wood or cardboard handle to be hand held (handle fountain). When

more than one tube is mounted on a common base, total pyrotechnic composition may not exceed two hundred grams, and when tubes are securely attached to a base and the tubes are separated from each other on the base by a distance of at least half an inch (12.7 millimeters), a maximum total weight of five hundred grams of pyrotechnic composition shall be allowed.

2. Cone Fountain: cardboard or heavy paper cone containing not more than fifty grams of pyrotechnic composition. The effect is the same as that of a cylindrical fountain. When more than one cone is mounted on a common base, total pyrotechnic composition may not exceed two hundred grams, as is outlined in this subparagraph.
3. Wooden Sparkler/Dipped Stick: these devices consist of a wood dowel that has been coated with pyrotechnic composition. Upon ignition of the tip of the device, a shower of sparks is produced. Sparklers may contain up to one hundred grams of pyrotechnic composition per item.
4. Novelties which do not require approval from the United States Department of Transportation and are not regulated as explosives, provided that they are manufactured and packaged as described below:
  - a. Party Popper: small devices with paper or plastic exteriors that are actuated by means of friction (a string or trigger is typically pulled to actuate the device). They frequently resemble champagne bottles or toy pistols in shape. Upon activation, the device expels flame-resistant paper streamers, confetti, or other novelties and produces a small report. Devices may contain not more than sixteen milligrams (0.25 grains) of explosive composition, which is limited to potassium chlorate and red phosphorus. These devices must be packaged in an inner packaging which contains a maximum of seventy-two devices.
  - b. Snapper: small, paper-wrapped devices containing not more than one milligram of silver fulminate coated on small bits of sand or gravel. When dropped, the device explodes, producing a small report. Snappers must be in inner packages not to exceed fifty devices each, and the inner packages must contain sawdust or a similar, impact-absorbing material.

### Section 3. Separability

If any part of or provisions of this law, or the application thereof to any person or circumstance, shall be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part of or provision of, or application directly involved in the controversy in which such the remainder of this law, or the application thereof to other persons or circumstances.

### Section 4. Effective Date

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

Seconded by Legislator: Anthony J. Doldo

Legislator Peck questioned the rationale of New York State in making counties go through this exercise. Chairwoman Fitzpatrick believed that certain fees are collected by the State for the ability to sell or distribute these items. County Attorney Paulsen understood that it was an upstate vs. downstate issue in that New York City did not want these items to be legal and this is a way for them to opt out, or rather other counties to opt in.

Legislator McBride questioned if this took precedent over a burn ban if it were in effect. Attorney Paulsen reminded legislators that the local law is only for a small window from June 1 - July 5 and December 26 - January 2 every year. Mr. Hagemann believed the burn ban would take precedence with the June - July time frame only coming into question.

On a motion by Legislator Ferris seconded by Legislator Maxon and unanimously carried, the Local Law was laid on the table pending a public hearing.

### **Resolution No. 134**

#### **Setting Time and Place for Public Hearing on Local Law Intro No. II of 2015**

By Legislator: Anthony J. Doldo

Resolved, That this Board of Legislators shall hold a public hearing on a proposed local law entitled "A Local Law of the County of Jefferson, New York, Allowing for Common, Safe Items to be Excluded from the Dangerous Fireworks Definition as Permitted by New York State Penal Law Section 405(B)" on Tuesday, June 30, 2015 at 7:00 P.M. in the Chambers of the Board of Legislators, Historic Courthouse, 195 Arsenal Street, Watertown, NY, and be it further

Resolved, That the Clerk of the Board of Legislators shall give notice of said public hearing as required by law.

Seconded by Legislator: Michael A. Montigelli

All members present voted aye.

It was the consensus of the Board to move the July meeting from July 14<sup>th</sup> to July 7<sup>th</sup> because the Jefferson County Fair begins on July 14<sup>th</sup> and will conflict with the meeting.

Mr. Hagemann reminded legislators that there will be a Special Session of the Board on June 30, 2015 for a public hearing and adoption of Local Law Intro. No. II of 2015.

Legislator Reed thanked the Board for their support of Production Unlimited (JRC) and Mike Kaskan in particular for writing Resolution No. 51 as Jefferson County was the lead in getting action started on this initiative. He said the resolution was used as a template for other communities across the State and resulted in movement from New York State with regard to models for these workshops. The people affected by this matter were truly appreciative of the

County's efforts on their behalf.

Legislator Doldo commended the DSS Fraud Unit for aggressively going after individuals who are taking advantage of the system and cheating tax payers out of money, and encouraged them to keep up the good work.

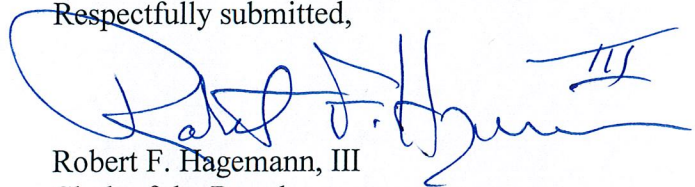
Because this was Mr. Kaskan's last Board meeting before retirement, Legislator Ferris thanked him for everything he has done and his service to the County, and said he will be sorely missed.

Legislator Maxon advised that a recent press release from Senator Ritchie stated that she sponsored a bill asking the State to open underutilized State prisons to ease local jail overcrowding and asked if there was anything the County could do on the record to try and make this actually happen.

Chairwoman Fitzpatrick stated that she was not opposed to doing a formal resolution about this, but it is not a new subject, legislators have been working on this initiative for quite a few years and have spoken to numerous individuals in Albany about it. She said this would help many counties but the State always finds a stumbling block to making the arrangement and it usually involves cost vs. payment. Legislator Reed said counties all but demanded that a cost analysis be done by the State but they have not done so to date, and always come up with excuses not to have the plan go forward. He said new personnel in the Department of Correctional Services (DOCS) were finally cooperative in allowing the County to use space for a dormitory to ease outboarding costs, and we will keep pushing for using space in the State facilities whether a formal resolution is done or not. He offered that when Assemblyman Blankenbush was a legislator he sat in on many meetings relative to using State facilities so he is familiar with the issue. Legislator Peck recommended that we include this as a suggestion in our efficiency plan to the State of New York for savings related to the 2% tax cap. Legislator Maxon expressed strong support for that suggestion.

There being no further business of the Board, on a motion by Legislator Ferris seconded by Legislator Peck and unanimously carried, the meeting was adjourned at 7:35 p.m.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Robert F. Hagemann, III". The signature is written in a cursive style with a large initial "R". To the right of the signature, there is a small handwritten mark that looks like "111".

Robert F. Hagemann, III  
Clerk of the Board