

REGULAR SESSION

TUESDAY, JUNE 7, 2016

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

ROLL CALL OF MEMBERS

All members present except Legislator Docteur and Legislator Fitzpatrick.

PRIVILEGE OF THE FLOOR

Neil Habig, Developer and Dan Fitzgerald, Northeast Development Director from Apex Clean Energy made a presentation to the Board concerning the Galloo Island Wind Project. They said the project will be 32 turbines up to 600 ft. tall at the blade tip with the potential to generate energy for 35,000 homes (110 megawatts each), and they will be connected to the mainland via a 30 mile underwater cable to Oswego.

Mr. Habig stated that the biggest differences between the previous project and this one are that 84 turbines were proposed while they are only looking at 32, which will produce limited infrastructure on the island, and the previous project had 40 miles of transmission line on land, and they are proposing an underwater cable to Oswego with the existing infrastructure only about 1,000 feet from the Lake shore where there is an existing generating plant. Subject to a number of things coming together they are targeting the Project to be commercially operational at the end of 2018 with construction starting late in 2017 and moving into 2018. They are currently working on the required interconnection agreement with New York ISO and National Grid and expect it to be in place by the end of 2017. In the Article 10 process they are continuing with public involvement including outreach in the community, the next phase is the Preliminary Scoping Statement which was submitted to the Public Service Commission as of June 6th and sets into motion a 21 day comment period, any comments will be input into the application. He said the Article 10 process will likely continue for at least another 12 months through the application and application review process.

With regard to local benefits there would be 100-150 short term construction jobs with residual benefits to lodging, restaurants, etc., and 3-5 long term well paying technical jobs (wind turbine technicians, operations personnel, etc.), and pilot revenues for the taxing jurisdictions in excess of \$20 million over the life of the Project. He said the pilot could allow for revenue adjustment between the taxing jurisdictions which is independent of any tax advantage and is something the County could pursue. He said the Pilot would provide a stable revenue over time and would avoid assessment challenges for the life of the agreement. Also, there is little or no offsetting service burden in terms of cost requirements (schools, new roads, etc.) for the project in the County.

Mr. Habig was aware of concerns that the Galloo wind towers may have an effect on operations at Fort Drum Wheeler Sack Airfield, and he understands the Development Authority

of the North Country (DANC) is doing an in depth land use study. He showed a graphic depicting Galloo wind towers at 250 ft. above sea level and the Wheeler Sack Airfield radar which is 35 miles away with a base elevation of 700 ft above sea level; conversely the Maple Ridge Wind Farm is only about 16 miles away at an elevation of about 1800 ft above sea level. He further noted that Galloo is not in an active civilian or military flight route or training areas. He said they met with officials from both the Wheeler Sack Airfield and the Watertown Airport who confirmed that the Project is not in any active air space.

With regard to aesthetics, Mr. Habig had a simulated view of what the turbines would look like from Westcott's Beach which is about 11 miles away, and said if they came up with a simulation that was closer they will post it on their website. He advised that additional information on the Project is on their website gallooislandwind.com and they are in the process of setting up hours for their local office at 203 West Main Street, Sackets Harbor, NY so people can stop by with questions. They have had three open houses so far and will have another meeting in Henderson in the middle of July, specific times/dates will be posted on the website.

In terms of the pilot, they will be making application to the IDA and hope to do that at the July IDA meeting, and then the IDA will coordinate with the local taxing jurisdictions. Mr. Habig and Mr. Fitzgerald answered questions of legislators relative to the project.

Cindy Grant, 12610 House Road, Clayton, NY urged legislators not to offer Apex Clean Energy any pilots for wind projects in the County. She said wind projects only produce short term jobs, very few long term jobs are realized, and the wind developers could walk away at any time. She encouraged legislators to visit Wind-Watch.org or WiseEnergy.org for more information on the negative effects of industrial wind power.

READING OF MINUTES OF PREVIOUS SESSION

The minutes of the May 3, 2016 Board Session stand approved in the absence of objection or correction.

PETITIONS, NOTICES AND COMMUNICATIONS

Correspondence from Senator Ritchie was received acknowledging receipt of Board resolutions concerning DMV fees and taking over the cost of the District Attorney salary increase. She has sponsored a bill in the Senate allowing counties to retain a larger share of the money collected at local DMVs for work done on behalf of the State (S.4964-B); and cosponsored a bill requiring the state to cover the cost of mandated salary raises for district attorneys (S.7408).

Correspondence was received from NYSAC Executive Director Stephen Acquario acknowledging receipt of Board Resolution No. 123 "Calling for an Increase in the Share of Revenue Counties Retain for Providing State DMV Services".

Correspondence was received from Young/Sommer LLC regarding their submission of a

Preliminary Scoping Statement (PSS) for the Galloo Island Wind, LLC to the New York State Public Service Commission.

REPORTS OF STANDING COMMITTEES:

The Finance & Rules Committee reported favorably on resolutions referred from other jurisdictional committees and on Legislator's expenses.

Resolution No. 142

Payment of Legislators' Expenses

By Legislator: James A. Nabywaniec

Whereas, This Committee to whom claims of the members of the Board were referred, has examined and audited such claims and finds the total to be \$635.60 we have allowed:

Legislator Expense: \$635.60

Now, Therefore, Be It Resolved, That the County Treasurer be and is hereby directed to draw checks payable to the claimants as audited.

Seconded by Legislator: Carolyn D. Fitzpatrick

All members present voted aye.

Resolution No. 143

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

By Legislator: Daniel R. McBride

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: James A. Nabywaniec

JEFFERSON COUNTY DELINQUENT TAX BUYBACKS - 06/07/16

Town	Parcel #	Name
Adams	108.05-1-54	Nathan Davenport
Adams	107.00-2-86	Erik J. Dunk
Adams	100.00-2-9.4	Erik J. Dunk
Adams	108.09-1-18	GSR Development Co Inc.
Adams	107.00-4-12.1-101	Ralph & Elaine Overton
Adams	100.17-2-44.31	Ruth A. Vanwaldick Estate
Alexandria	14.00-2-1.3	Mary F. Hudson
Alexandria	15.06-2-57	Josh Thiroux & Char Lynn Briscoe
Antwerp	36.33-1-18	Rodney & Carol Davidson
Antwerp	17.06-1-37	Patricia Tharrett Ellis
Antwerp	17.06-1-47.2	James Maloy
Brownville	62.00-1-32.22	Jessica L. & David J. Brown
Cape Vincent	59.12-1-53.3	George H. IV & Lori A. Gould
Cape Vincent	59.12-1-53.8	George H. IV & Lori A. Gould
Cape Vincent	40.09-1-49.3	Richard Grant
Cape Vincent	40.00-1-62.3	Mickey F. & Chassidy M. Reff
Cape Vincent	49.00-1-8.1	White Farms LLC
Cape Vincent	49.26-1-10.1	White Farms LLC
Cape Vincent	49.00-1-6.1	White Farms LLC
Cape Vincent	49.00-1-17	White Farms LLC
Clayton	20.11-1-12.71	Melanie L. Wiltse-Williams
Clayton	31.00-2-14.1	Charles E. & Lisa Young
Clayton	20.00-1-46	Charles E. & Lisa Young
Ellisburg	123.00-2-28.251	Chardeb LLC
Ellisburg	123.00-2-28.23	Chardeb LLC
Ellisburg	123.17-1-45.23	Cynthia L. Grossman
Ellisburg	111.00-1-3.4	Larry Schraenkler & Juanita Mayeau
Henderson	105.19-3-18	Ronald Barr & Linda Bailey
Henderson	106.00-2-56.1	Roger Durham
Hounsfield	88.20-1-14	Sean O'Sullivan
Leray	75.49-1-14	Shannon Norman

Leray	55.00-1-1.4	Mark F. & Suan M. Scheffner
Lyme	61.50-1-15	Michael L. Comins
Lyme	62.00-2-39.16	Kelly & Audrey Corby
Lyme	61.13-1-34	Patrick J. Fasano
Lyme	50.00-2-37.2	Cecil Mellen
Lyme	70.00-1-20	Charles R. & Elizabeth H. Pizer
Lyme	71.08-2-32.13	Kristopher J. Shawcross
Lyme	61.10-1-12.21	St. Pius X Church Federal Credit Union
Lyme	61.10-1-12.3	St. Pius X Church Federal Credit Union
Lyme	61.05-2-54	Walton J. & Rachel Sugrue
Orleans	32.11-1-38	Susan M. Scheffner
Pamelia	54.19-1-47	Jurgen H. Verne
Rodman	100.00-1-9.1	Diane Slesinski (formerly South of the Border Trading Post)
Rutland	75.16-1-16	Donald Zahn
Theresa	8.15-1-1	Ernest J. Baldwin
Theresa	15.00-1-40	Brandy L. Booth
Theresa	9.00-2-24	Philip J. Gentle
Theresa	45.11-1-22.1	Susan M. Scheffner
Theresa	45.11-1-22.2	Susan M. Scheffner
Theresa	15.00-1-57.2	Tammy D. White
Watertown	91.11-1-8.1	Daniel & Terri Bray
Wilna	86.41-1-55	Bruce & Stephanie Clemons
Wilna	86.00-2-17.11	Gerard A. Crawford II
Wilna	68.11-1-3	Bartlett E Jr. & Julie Gill
Wilna	78.00-2-24.1	Lawrence Stenoski
Wilna	78.00-2-24.2	Lawrence Stenoski
Worth	126.00-1-23	Becky Anne Reddish

All members present voted aye.

Resolution No. 144

Setting Time and Place for Public Hearing on Tentative 2016-2017 Jefferson Community College Budget

By Legislator: Carolyn D. Fitzpatrick

Resolved, That a public hearing on the Tentative Jefferson Community College Budget for College Fiscal Year 2016-2017 be held before this Board of Legislators on Tuesday, July 5, 2016 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

Mr. Hagemann advised that President McCoy would be present at the June Finance & Rules Committee meeting to make a formal presentation concerning the 2016-2017 JCC Budget.

All members present voted aye.

Resolution No. 145

Appointing Member to Jefferson Community College Board of Trustees

By Legislator: Michael J. Docteur

Resolved, That, pursuant to Section 6306 of the Education Law, Michael W. Crowley be and is hereby appointed to the Jefferson Community College Board of Trustees for a term to expire June 30, 2023.

Seconded by Legislator: Daniel R. McBride

All members present voted aye.

Resolution No. 146

Adjusting and Eliminating Positions in the County Treasurer's Office

By Legislator: William W. Johnson

Whereas, A Senior Account Clerk position (#05) in The Treasurer's Office was not funded in the 2016 County Budget with the understanding that it may be deleted during the 2017 County Budget cycle, if it was not needed, and

Whereas, The responsibilities of the Account Clerk position (#06) have become more involved and complex and are more in line with the level of responsibility of a Senior Account Clerk, and

Whereas, The Treasurer has recommended that the person in the Account Clerk position be moved into the Senior Account Clerk position, and the Account Clerk position be eliminated.

Now, Therefore, Be It Resolved, That the Board of Legislators concurs with the recommendation to transfer the person in the Account Clerk (#06) position to the Senior Account Clerk (#05) position along with the appropriate funding, and the Account Clerk (#06) position is hereby eliminated.

Seconded by Legislator: Daniel R. McBride

All members present voted aye.

Resolution No. 147

**Amending 2016 County Budget in Relation to Highway Department
Computer Software Fund**

By Legislator: Michael J. Docteur

Whereas, The Superintendent of Highways has requested transfers between accounts to provide funding for the purchase of a Fleet Management Software System, and

Whereas, The 2016 County Budget must be amended to do so.

Now, Therefore, Be It Resolved, That the 2016 County Budget is hereby amended as follows:

Increase:

10513000 04119	Computer Software	\$ 24,000
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Decrease:

10513000 02600	Shop Equipment	16,000
10513000 02700	Bridge Equipment	8,000

Seconded by Legislator: William W. Johnson

All members present voted aye.

Resolution No. 148

**Authorizing Agreement for Development and Submission of a Community Development
Block Grant (CDBG) Application to the NYS Office for Community Renewal,
and for Development and Administration of Grant Program**

By Legislator: William W. Johnson

Whereas, Jefferson County is eligible to apply for 2016 Federal Community Development Block Grant (CDBG) funds from the NYS Office for Community Renewal, and

Whereas, Through the professional services assistance of Avalon Associates, Inc, the County has received nine consecutive (2007-2015) annual CDBG awards totaling \$6 million which have been used for housing rehabilitation activities for income eligible Jefferson County residents, and

Whereas, Jefferson County remains committed to pursuing feasible affordable housing resources to improve the quality of the County's housing stock and to assist low to moderate income County residents, and

Whereas, The County issued a new Request for Proposals for the next three year period (2016-

2018) to identify qualified community development firms that could assist with grant preparation, program development activities, and program implementation for CDBG housing assistance initiatives, and

Whereas, Through the RFP process, Avalon Associates has been identified as a firm with the required credentials, expertise, and experience to assist the County in developing a 2016 CDBG housing proposal and application for a sum of \$7,500, which would be a County cost and is contained in the 2016 Budget, and

Whereas, Avalon Associates has also proposed, if a CDBG grant is awarded, to develop the program and assist in grant administration for a lump sum of \$15,000 (eligible grant expense); provide actual program delivery services (e.g., qualifying applicants; inspecting properties; preparing loan and construction documents) for \$2,250 per housing unit (eligible grant expense); and fixed general and grant administration services fees as authorized by the grant program (eligible grant expense).

Now, Therefore, Be It Resolved, That Jefferson County enter into an agreement with Avalon Associates as described for the terms above for the 2016 CDBG program year, with an option to extend the agreement for the 2017 and 2018 CDBG program years, and be it further

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

By Legislator: James A. Nabywaniec

All members present voted aye.

Resolution No. 149

Calling on the State of New York to Fully Reimburse Counties for Mandated County Costs for Indigent Defense Services - Public Defender

By Legislator: Daniel R. McBride

Whereas, On April 4, 2016 the Office of Indigent Legal Services issued new “Criteria and Procedures for Determining Assigned Counsel Eligibility”, which are scheduled to become effective on October 3, 2016, and

Whereas, This new criteria took the existing program, which used the federal income levels to be 125% of the Federal poverty line and increased it to 250% of the Federal poverty line, thereby vastly increasing the number of eligible individuals, to which we strongly object, and

Whereas, In addition, we also object to the elimination of household assets in this new criterial formula, including no longer taking spousal income into consideration, and

Whereas, The new eligibility criteria will increase caseloads of most county providers and impose additional administrative requirements and costs on county providers, and

Whereas, The higher caseloads and increased administrative responsibilities will have significant, adverse effects on county providers unless there is additional funding appropriated to support providers in complying with the new eligibility criteria, and

Whereas, The new eligibility criteria have been issued by New York State without any additional State funding to support providers in their implementation; the vast majority of counties will not be able to provide the additional resources necessary to implement the eligibility criteria while continuing to provide quality representation to clients and while being constrained by the state-imposed property tax cap which leaves little room to address increased services without state assistance.

Now, Therefore, Be It Resolved, That the County of Jefferson calls on the State of New York to immediately pass legislation and appropriate additional funding to support Counties in complying with the new eligibility criteria, and not pass this unfunded mandate on to local taxpayers and be it further

Resolved, That certified copies of this resolution be forwarded to Governor Andrew M. Cuomo, Senator Patty Ritchie, Assemblywoman Addie Russell, Assemblyman Kenneth Blankenbush and the New York State Association of Counties.

Seconded by Legislator: Allen T. Drake

Mr. Hagemann advised that an agreement has been reached to postpone implementation of this project until April 1, 2017 and there are ongoing discussions concerning the programming changes and the associated costs with the potential for some shared costs with New York State. Chairman Gray added that discussions are about a phased in full takeover of the program over a seven year period.

All members present voted aye.

Resolution No. 150

Support to the National Oceanic and Atmospheric Administration for the Nomination of the “Great Lake Ontario National Marine Sanctuary”

By Legislator: Carolyn D. Fitzpatrick

Whereas, For the first time in nearly 20 years the National Oceanic and Atmospheric Administration (NOAA) is accepting nominations to add new National Marine Sanctuaries (NMS) to the 15 already established regions in the world, and

Whereas, Recognizing the significant and beneficial economic, educational and recreational impact an NMS designation would mean for local communities along the southeastern quadrant of Lake Ontario, in 2015 a regional task force comprised of elected and appointed leaders of the counties of Oswego, Jefferson, Cayuga and Wayne, the City of Oswego and the State of New York to coordinate a nomination to NOAA was established, and

Whereas, The proposed “Great Lake Ontario National Marine Sanctuary” will establish international recognition for the unique maritime historic and cultural resources of the four county Southeastern Lake Ontario region, and

Whereas, The Goals of the nomination project are:

1. To preserve and protect the region’s and the nation’s legacy of maritime heritage resources and artifacts, both submerged and onshore, within the boundaries of the proposed National Maritime Sanctuary corridor.
2. To expand and enrich regional research and educational programs and opportunities for all levels of educational pursuit from primary school science and history education to post graduate study in marine technology and maritime cultural heritage sciences, including NOAA’s National Sea Grant College Program, ensuring increased knowledge and the development of future leaders and experts in the many fields related to Great Lakes maritime heritage and research.
3. To build and strengthen partnerships and collaborations between federal, state, local, and international agencies for implementing best practices in maritime heritage resource management.
4. To pursue and develop strengthened partnerships and co-programming in the areas of tourism, education, and heritage preservation with regional heritage resource collections such as the Erie Canalway National Heritage Corridor, the Canadian Ontario Ministry of Tourism, Culture, and Sport, and NOAA’s network of other National Marine Sanctuaries.
5. To support, strengthen, and grow the economic and tourism goals of the counties of Jefferson, Oswego, Cayuga and Wayne, along with the City of Oswego and New York State; to develop conservation and management strategies for submerged cultural resources that are concurrent with commercial and recreational uses of the waterway; and by providing additional resources to, and creating greater partnerships with, local and regional heritage tourism initiatives through building upon heritage tourism and recreational opportunities within and linked to the NMS.

Whereas, The proposers recognize the existing economic benefits that are provided through the continued use of this area as a significant recreational fishery, and recognize that commercial shipping is important to the economic vitality of the Great Lakes region and the nation; and

Whereas, The nomination is being crafted to limit the scope of the proposed NMS to submerged cultural resources, so that recreational fishing and boating and diving, commercial shipping, and harbor activities can continue unimpeded; and

Whereas, Other areas that have been designated as an NMS have experienced economic growth resulting from increased tourist visitation; enhanced sportfishing, boating, and diving; growth in marine technology industries; and international university research activities.

Now, Therefore, Be It Resolved, That the Jefferson County Board of Legislators supports the nomination of the “*Great Lake Ontario National Marine Sanctuary*” and looks forward to a mutually beneficial partnership with participating communities, stakeholders, and the National Oceanic and Atmospheric Administration’s National Marine Sanctuaries Program, and be it further

Resolved, That a certified copy of this Resolution, shall be included in the nomination proposal as recognition of this body’s support for this initiative, and be it further

Resolved, That the Clerk of the Board provide a certified copy of this Resolution to Governor Andrew Cuomo, Senator Charles Schumer, Senator Kirsten Gillibrand, Congresswoman Elise Stefanik, State Senator Patty Ritchie, Assemblyman Kenneth Blankenbush, and Assemblywoman Addie Russell.

Seconded by Legislator: Michael J. Docteur

Legislator Maxon said he would not support the resolution and understood that it was specific to our submerged maritime heritage, however he did not see the benefits of asking the federal government to come in and create a new layer of bureaucracy.

Legislator Jareo said the resolution was proposed with good intentions, but was concerned about the federal government trying to control our shores, recreation and fisheries and said he would be voting against the resolution also.

Legislator Ferris said he was also not in favor of the resolution reiterating concerns expressed by Legislators Maxon and Jareo.

All members present voted aye except Legislators Jareo, Maxon, Ferris and Doldo.

Resolution No. 151

Approving Appointments to the Thousand Islands Regional Tourism Development Corporation

By Legislator: Allen T. Drake

Resolved, That, pursuant to the Articles of Incorporation for the Thousand Island Regional

Tourism Development Corporation, the following appointments by this Board to the Thousand Island Regional Tourism Development Corporation for terms to expire December 31, 2017 are hereby approved:

At Large Representative	Peter Whitmore
Alexandria Bay Representative	Ronald Thomson
Jefferson County Administrator	Robert Hagemann
At Large Representative	Peyton Taylor

Seconded by Legislator: Michael J. Docteur

All members present voted aye.

Resolution No. 152

**Accepting Donation on Behalf of the Department of Fire and
Emergency Management and Amending the 2016 County Budget**

By Legislator: Jeremiah J. Maxon

Whereas, The Northern New York Community Foundation’s Garrett W. Loomis Firefighters Fund has presented the Jefferson County Department of Fire and Emergency Management with a check for \$2,500 for safety equipment used in the training of firefighters in the County, and

Whereas, The 2016 County Budget must be amended to recognize this donation.

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 2016 County Budget is amended as follows:

Increase:

Revenue:

01341000 92705	Donations	\$2,500
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Expenditure:

01341000 04585	Operating Supplies	\$2,500
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Seconded by Legislator: Robert D. Ferris

Roll Call Vote

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

Absent: Fitzpatrick, Docteur

Resolution passed.

Resolution No. 153

**Adopting Revised Guidelines and Administrative Procedures in Relation
to the County's Housing Improvement Program funded by NYS
Community Development Block Grant (CDBG) Awards**

By Legislator: Jennie M. Adsit

Whereas, Jefferson County has received consecutive annual competitive Community Development Block Grant (CDBG) awards from 2007 through 2015 from the New York State Office of Community Renewal to implement and administer a county-wide Housing Improvement Program, and

Whereas, Local Guidelines and Administrative Procedures for implementation and local administration of the program were last adopted by the County Board of Legislators on August 5, 2014, and

Whereas, Guidelines and administrative forms are periodically updated to incorporate changes to meet program and regulatory requirements associated with all current and subsequent awards, and

Whereas, Updates to the Guidelines and Administrative Procedures must be adopted by the Board of Legislators.

Now, Therefore, Be it Resolved, That this Board of Legislators, having been provided with an updated copy of the Guidelines and Administrative Procedures for Jefferson County, dated May 10, 2016, hereby adopts them and they shall become effective immediately for all County-sponsored housing rehabilitation activities conducted with Small Cities Community Development Block Grant funding.

Seconded by Legislator: Robert D. Ferris

All members present voted aye.

Resolution No. 154

**Authorizing Agreements with NYS Department of Education Approved Agencies
for the Provision of Special Education Services for Preschool Children with Disabilities**

By Legislator: Carolyn D. Fitzpatrick

Whereas, New York State Education Law requires that municipalities enter into agreements with agencies approved by the NYS Commissioner of Education to offer special education services to preschool children with disabilities who are determined by the Board of Education of local school districts to require placement in such special education programs, and

Whereas, The New York State Commissioner of Education has approved a number of providers of services and has set rates for all special education program services, and

Whereas, In conjunction with the operation of the Special Education Services for Preschool Children with Disabilities program, it is necessary to enter into contracts with approved services providers at said established rates.

Now, Therefore, Be It Resolved, Pursuant to Section 4410 of the New York State Education Law, Jefferson County is hereby authorized to enter into agreements for the term July 1, 2016 through June 30, 2017, for the provision of special education services to children ages three through five with disabilities with the following New York State Education Department approved service providers:

<u>Provider</u>	<u>Service</u>
Benchmark Family Services	Evaluations Special Education Classroom Special Education Itinerant Teaching
Building Blocks SLP, OT & PT Family Services, PLLC	Evaluations Special Education Itinerant Teaching
Jefferson Rehabilitation Center	Evaluations Special Education Classroom Special Education Itinerant Teaching
Milestones Children's Center	Evaluations Special Education Itinerant Teaching

and be it further

Resolved, That the need for such special education services is to be determined by local School Boards of Education, at rates established by the NYS Commissioner of Education as certified by the Director of the Budget of the State of New York, and shall be in a form and contain such terms and conditions as may be acceptable to the NYS Commissioner of Education, and be it further

Resolved, That the Chairman of the Board of Legislators and the Director of Community Services be and are hereby authorized and directed to execute such agreements on behalf of Jefferson County, subject to approval by the County Attorney as to form and substance, and be it

further

Resolved, That the Director of Community Services be and is hereby directed to send a letter notifying local School Boards of Education of the rates of each of the special education service providers and the percentage of local share of such cost.

Seconded by Legislator: Allen T. Drake

All members present voted aye.

Resolution No. 155

**Authorizing Agreements and Establishing Rates for Provision of Related Services
in Connection with the Program for Preschool Children with Disabilities**

By Legislator: Michael J. Docteur

Whereas, The Program for Preschool Children with Disabilities provides a variety of related services to children aged three to five years with certain disabilities, such services to be provided in the least restrictive environment, be it home or agency based, and

Whereas, Chapter 243 of the Laws of 1989 require that counties maintain a list of appropriately certified or licensed professionals to deliver related services to preschool children with disabilities and set a reasonable reimbursement rate for such services, subject to the approval of the New York State Education Department.

Now, Therefore, Be It Resolved, That, pursuant to Section 4410 of the Education Law, Jefferson County enter into an agreement with each of the following parties for the provision of the indicated service(s). The term of said agreement shall be for the period July 1, 2016 through June 30, 2017 in accordance with the requirements of the State Education Law and regulations:

<u>Provider</u>	<u>Service</u>
Benchmark Family Services	Speech Therapy Physical Therapy Occupational Therapy
Building Blocks SLP, OT & PT Family Services, PLLC	Speech Therapy Physical Therapy Occupational Therapy
Jefferson Rehabilitation Center	Speech Therapy Physical Therapy Occupational Therapy

Special Programs, Inc. D.B.A. Little
Lukes Childcare Center

Speech Therapy
Physical Therapy
Occupational Therapy

The Rowland Center, Inc.

Speech Therapy
Physical Therapy
Occupational Therapy

and be it further

Resolved, That the rates of payment for Preschool Related Services by a Speech Pathologist, Occupational Therapist and Physical Therapist are hereby established as follows:

	On-site	Off-site
Individual Up to 59 Minutes	\$ 34.00	\$ 59.00
Individual Over 60 Minutes	\$ 49.00	\$ 73.00
Group Up to 59 Minutes	\$ 25.00	\$ 39.00
Group Over 60 Minutes	\$ 39.00	\$ 54.00

and be it further

Resolved, That the rates of payment for Preschool Related Services by Certified Occupational Therapy and Licensed Physical Therapy Assistants are hereby established as follows:

	On-site	Off-site
Up to 59 min.	\$ 25.00	\$ 39.00
Over 60 min.	\$ 34.00	\$ 47.00
Group Up to 59 Minutes	\$ 22.00	\$ 34.00
Group Over 60 Minutes	\$ 31.00	\$ 44.00

and be it further

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

Resolved, That the Director of Community Services is hereby authorized and directed to take such steps and execute such documents as may be necessary to secure approval of the rates established herein by the New York State Education Department.

Seconded by Legislator: Anthony J. Doldo

All members present voted aye.

Resolution No. 156

Amending the 2016 County Budget in Relation to Community Services

By Legislator: Carolyn D. Fitzpatrick

Whereas, The Community Services office has to pay legal fees for an impartial hearing as required by New York State Education Department regulation for a preschool student, and

Whereas, A 2016 County Budget amendment is necessary to transfer the needed funds, and these costs will be reimbursed at 59.5% through the normal claiming process.

Now, Therefore, Be It Resolved, That the 2016 County Budget is hereby amended as follows:

Increase:

01431200 04411	Preschool Legal Fees	\$15,000
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Decrease:

01296000 04401	Preschool Services	\$15,000
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Seconded by Legislator: Anthony J. Doldo

All members present voted aye.

Resolution No. 157

**Authorizing Personal Care Aide Services be Added to
Certified Home Health Agency Certificate of Need**

By Legislator: Jeremiah J. Maxon

Whereas, The Jefferson County Public Health Service (JCPHS) has been providing personal care aide services through the Long Term Home Health Care Program (LTHHCP) since 1985, and

Whereas, The New York State Department of Health (NYSDOH) has created Managed Long Term Care Plans (MLTCs) to provide long term care services in place of the LTHHCP, and

Whereas, JCPHS contracts with MLTCs to provide services including personal care aide, and

Whereas Personal care aid services are listed on the LTHHCP Certificate of Need (CON), and need to be added to the Certified Home Health Agency (CHHA) CON.

Now, Therefore, Be It Resolved, That this Board of Legislators hereby approves the addition of personal care aide services to the CHHA CON via NYSDOH CON application.

Seconded by Legislator: Robert D. Ferris

All members present voted aye.

Resolution No. 158

Authorizing Agreements in Connection with Lead Poisoning Prevention Program Grant

By Legislator: Michael J. Docteur

Whereas, The New York State Department of Health (NYSDOH) has funded a grant in the amount of \$43,427 per year for the continuation of a Lead Poisoning Prevention Program (LPPP) through the Jefferson County Public Health Service for the period October 1, 2015 through September 30, 2020.

Now, Therefore, Be It Resolved, That Jefferson County hereby accepts said grant and authorizes an agreement with the NYSDOH to access said grant funding, and be it further

Resolved, That the agreement established for the period October 1, 2015 through September 30, 2016 may be automatically renewed annually until September 30, 2020 if NYSDOH funding is maintained, and be it further

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

Seconded by Legislator: Robert D. Ferris

All members present voted aye.

Legislator Maxon stated that with regard to Resolution Nos. 154 and 155 he appreciated that the State allows us to engage in the charade of setting and approving rates now, only to have the State change them in the future. He did not want to harm the children who require the services because they deserve them, but hoped that we could come to some resolution in the future with the State retroactively changing rates.

Legislator Montigelli said he was pleased to have had the opportunity to participate in the NYSAC Finance School in Syracuse and attended an informative workshop on financial conditions and analysis which was done by the Executive Deputy Commissioner whom legislators also had the chance to meet when they were in Albany to talk about preschool rates. He also attended sessions on GASB, restructuring municipal funding and retirement information, and felt it was a useful two days.

Legislator Peck stated that in honor of June being Dairy Month he brought in milk from his farm and cookies made by his wife Maria for legislators to enjoy. He updated the Board with regard to trends in the dairy industry as there is a current price collapse for milk noting that in March, 2014 he was grossing \$26/100 wt., March, 2015 \$18/100 wt., and March, 2016 \$15.89/100 wt. which

is not the low point, the next month or two it will go down further; and it may get worse over the next 12 -18 months. He felt that it is unfair that the industry is being used as a political football nearly daily by politicians, environmental groups, and labor groups. And said that generations three times removed from the industry simply do not have the knowledge of what actually goes into farming and how products are efficiently produced. He emphasized that there are no antibiotics in the milk because if it makes it to the milk plant, the source farmer is liable for that entire load; he said it is tested by each farmer as it is cheaper to dump your own milk than it is to have to pay to dump your neighbors milk. In terms of the upcoming budget season he said it is important to keep tax rates the same as any increase will negatively affect farmers as even a small operation like his has an assessed valuation of \$300,000.

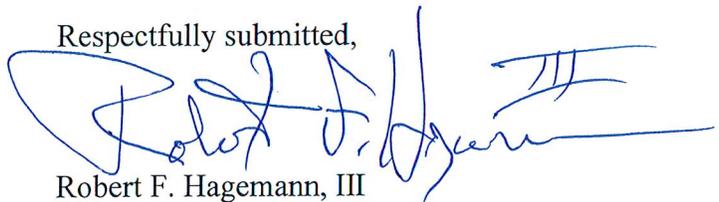
Legislator Peck reminded legislators that they should have received an email from the Jefferson County Farm Bureau regarding farm tours/open houses that are being done at the North Harbor Dairy June 15th 6:00-8:00, and Porterdale June 29th 7:00-9:00. He encouraged legislators to attend as it is a joint effort of the Jefferson County Soil & Water Conservation District, the Farm Bureau and other agencies to educate local officials on current trends in agriculture.

Legislator Nabywaniec advised that Senator Schumer's Office has related that the Watertown International Airport will receive a \$527,000+ grant to replace a snow broom as the old equipment has reached the end of its useful life.

County Attorney Paulsen advised that the County's delinquent tax property auction is Saturday, June 4th at the State Office Building, registration is at 8:00 a.m. and the auction begins at 9:00. Legislator Ferris said he was asked by an individual who will be losing their property how long they have to get out of the property once it is sold at auction. County Attorney Paulsen said that is determined by whomever buys the property, Chairman Gray added that we have no control once it is sold.

There being no further business of the Board, on a motion by Legislator Montigelli seconded by Legislator Ferris and unanimously carried, the meeting was adjourned at 8:20 p.m.

Respectfully submitted,

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

Robert F. Hagemann, III
Clerk of the Board