

**REGULAR SESSION**

**TUESDAY, JULY 6, 2021**

Chairman Gray called the meeting to order at 6:00 p.m.

**ROLL CALL OF MEMBERS**

All members present except Legislators Reed, McBride, Calarco and Grant.

**Public Hearing**

**2019 Community Development Block Grant (CDBG)**

Chairman Gray called the public hearing to order, no one present wished to speak and the public hearing was closed.

**Public Hearing**

**2020 CDBG Grant COVID-19 Response - CARES Process**

Chairman Gray called the public hearing to order, no one present wished to speak and the public hearing was closed.

**Public Hearing**

**Tentative 2021-2022 JCC Budget**

Chairman Gray called the public hearing to order, no one present wished to speak and the public hearing was closed.

**PRIVILEGE OF THE FLOOR**

No one present wished to address the Board.

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

The minutes of the June Session and Special 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 Treasurer provided a report on Investments and Cash in Banks as of May 31, 2021.

The County Administrator provided a report on Budget Transfers for the month of June, 2021.

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

### **Resolution No. 141**

#### **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 Exhibit "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 is hereby authorized to file with the Court a motion seeking an Order to vacate the Judgment 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: William W. Johnson

**EXHIBIT A**

**Jefferson County Delinquent Tax Buybacks - As of 07/06/21**

| <u>Town</u>  | <u>Parcel</u>        | <u>Name</u>                       | <u>Taxes Paid</u> |
|--------------|----------------------|-----------------------------------|-------------------|
| Alexandria   | 22.15-1-15           | Ryan & Michelle Rarick            | \$ 4,661.76       |
| Antwerp      | 36.33-1-9.1          | Sandra Horning aka Sandra Peters  | 9,152.40          |
| Brownville   | 73.00-3-11.1 (old #) |                                   |                   |
|              | 73.00-3-11.2 (new#)  | Kelly Bercume                     | 1,853.65          |
| Brownville   | 80.00-1-8.2          | Estate of Marjorie Farmer         | 763.68            |
| Cape Vincent | 59.00-1-5.22         | Kurt Kirchof etal                 | 6,058.68          |
| Ellisburg    | 112.00-1-10          | Anthony Garcia                    | 14,246.28         |
| Lyme         | 60.08-1-7            | George H. Gould IV                | 6,444.97          |
| Pamelia      | 74.00-2-12.1         | Scott D. Coon                     | 230.57            |
| Philadelphia | 46.00-1-7.4          | Jamie Bishop & Brad Payne         | 2,238.65          |
| Rodman       | 109.00-1-27          | Joseph R. Beach II                | 906.46            |
| Rutland      | 75.12-2-48           | DJG Enterprises LLC               | 3,060.50          |
| Theresa      | 45.09-1-19           | Robert J. & Sandra Stewart        | 16,522.64         |
| Theresa      | 16.00-2-51           | Allison Peck & Lucas Kropywnyckyj | 2,053.37          |
| Theresa      | 34.19-1-19.1         | Earl W. Mashaw Jr.                | 2,396.13          |
| Watertown    | 82.07-1-1.52         | Joshua P. Boulter                 | 1,863.51          |

All members present voted aye.

**Resolution No. 142**

**Concurring in Settlement of Tax Certiorari Proceedings and Authorizing Refund of Taxes in Connection Therewith (WDC Carthage Associates).**

By Legislator: James A. Nabywaniec

Whereas, Pursuant to Article 7 of the Real Property Tax Law, WDC Carthage Associates, commenced court proceedings to obtain reductions of the assessed valuation of property in the Town of Wilna, and

Whereas, The Town of Wilna has reached a settlement of the proceedings with regard the following tax map parcels, with proposed assessed values as follows:

| <u>Parcel No.</u>            | <u>Original Assessment</u> | <u>Reduced Assessment</u> | <u>Refund</u> |
|------------------------------|----------------------------|---------------------------|---------------|
| 86.34-1-27.22<br>(Emjay Way) |                            |                           |               |
| 2018                         | \$7,100,000                | \$7,100,000               | \$0           |

|      |             |             |            |
|------|-------------|-------------|------------|
| 2019 | \$7,100,000 | \$7,100,000 | \$0        |
| 2020 | \$7,100,000 | \$6,400,000 | \$9,206.23 |
|      |             | Total       | \$9,206.23 |

Whereas, the amount of the refund exceeds the authorization of the County Auditor and Treasurer to pay refunds of up to \$5,000.00 without the approval of the Board of Legislators.

Now, Therefore, Be It Resolved, That Jefferson County concurs in the settlement as outlined herein above, and be it further

Resolved, That the County Treasurer is hereby authorized and directed to make appropriate refund as set forth below and to charge back the taxing jurisdiction in accordance with the settlement and Real Property Tax Law §727.

Seconded by Legislator: Allen T. Drake

All members present voted aye.

**Resolution No. 143**

**Adopting the 2021-2022 Jefferson Community College Budget**

By Legislator: Allen T. Drake

Whereas, Pursuant to Section 357 of the County Law, the Finance and Rules Committee of this Board has reviewed the requested 2021-2022 Jefferson Community College Budget.

Now, Therefore, Be It Resolved, That pursuant to Section 360 of the County Law, said Budget be and is hereby adopted as the Budget of Jefferson Community College for College Fiscal Year 2021-2022, and be it further

Resolved, In accordance with the 2021-2022 Jefferson Community College Budget, the County of Jefferson will provide a Sponsor Contribution in the amount of \$5,262,179 and thereby approving a total operating expenditure for the JCC Budget of \$29,231,211.

Resolved, That this resolution shall take effect September 1, 2021.

Seconded by Legislator: Robert W. Cantwell, III

All members present voted aye.

**Resolution No. 144**

**Appropriation for the Conduct of Jefferson Community College**

**for Fiscal Year 2021-2022**

By Legislator: William W. Johnson

Whereas, This Board, by Resolution No. 143 of 2021 adopted a budget for Jefferson Community College for Fiscal Year 2021-2022.

Now, Therefore, Be It Resolved, That pursuant to Section 360 of County Law, the several amounts specified in such budget are hereby appropriated for the objects and purposes specified, and be it further

Resolved, That this resolution shall take effect September 1, 2021.

Seconded by Legislator: Patrick R. Jareo

All members present voted aye.

**Resolution No. 145**

**Authorizing Use of Capital Chargebacks to Match State Aid in Relation to the Jefferson Community College Green Campus Entryway Project**

By Legislator: Patrick R. Jareo

Whereas, The State of New York bonded for \$1,463,000 in 2006 for Jefferson Community College (JCC) capital revitalization and maintenance projects, of which \$97,639 remains available, and

Whereas, By Resolution 87 of 2019, this Board of Legislators authorized Capital Chargeback funding of \$497,000 towards JCC's Green Campus Entryway Project (Project) for a total cost of \$1,377,000, and

Whereas, The Project is also being funded by a NYS EFC Green Innovation Grant of \$880,000 and was not expected to include SUNY funding, thus was not established as a capital account in the County budget, and

Whereas, The Project had to be re-bid this spring and construction costs have increased since 2019, and

Whereas, JCC wished to designate \$97,639 of the Capital Chargebacks committed in Resolution 87 of 2019 to provide the local match for the state funding of \$97,639, and

Whereas, The Project is now expected to cost a total of \$1,477,000 and the JCC Faculty Student Association has committed to cover any gap in funding between the EFC \$880,000, SUNY \$97,639 and Capital Chargebacks \$497,000.

Now, Therefore, Be, It Resolved, That This Board of Legislators authorizes the use of \$97,639 of JCC Capital Chargebacks as local match to state funding of \$97,639.

Seconded by Legislator: James A. Nabywaniec

All members present voted aye.

**Resolution No. 146**

**Authorizing Sub-Lease Agreement with Adams and Associates, Inc.  
dba Glenmont Job Corps Center**

By Legislator: William W. Johnson

Whereas, Pursuant to Resolution 255 of 2020 this Board authorized the lease of office space from Watertown Savings Bank at 1000 Coffeen Street for the co-location of the Jefferson County Department of Employment and Training and the NYS Department of Labor to function as a One Stop Career Center, and

Whereas, The Employment and Training Director recommends that the One Stop will be better served by co-locating a representative of the Glenmont Job Corps Center.

Now, Therefore, Be it Resolved, that Jefferson County enter into a two year agreement with the Glenmont Job Corps Center for the period April 1, 2021 through March 31, 2023 to sub lease space in the above premises based on proportionate square footage occupied and direct expenses incurred in connection with such occupancy, and be it further

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

Seconded by Legislator: Robert W. Cantwell, III

All members present voted aye.

**Resolution No. 147**

**Designation of Depositories for 2021**

By Legislator: James A. Nabywaniec

Whereas, This Board of Legislators, by Resolution No. 1 designated depositories for 2021, and

Whereas, The County Treasurer has requested increased maximum amounts.

Now, Therefore, Be It Resolved, That, pursuant to County Law Section 212, and General

Municipal Law Section 10, the following institutions be and hereby are designated as depositories of monies received by the County Treasurer, and be it further

Resolved, That the maximum amount which may be kept on deposit at any one time in each depository shall not exceed that listed as follows:

| <u>Name of Institution</u> | <u>Maximum Amount</u> |
|----------------------------|-----------------------|
| Key Bank of New York       | \$ 5,000,000          |
| WSB Municipal Bank         | 40,000,000            |
| Community Bank NA          | 30,000,000            |
| JPMorgan Chase Bank, N.A.  | 10,000,000            |
| RBC Wealth Management      | 35,000,000            |
| NY Class                   | 35,000,000            |

and be it further

Resolved, That this resolution shall take effect upon adoption.

Seconded by Legislator: William W. Johnson

All members present voted aye.

#### **Resolution No. 148**

#### **Amending the 2021 County Budget in Relation to Recycling & Waste Management**

By Legislator: William W. Johnson

Whereas, Recycling and Waste Management is requesting funding to repair a truck that was damaged in an accident, and

Whereas, Funding is available to make the necessary repair.

Now, Therefore, Be It Resolved, That the 2021 Budget is amended as follows:

#### **Increase:**

|                 |                            |           |
|-----------------|----------------------------|-----------|
| Expenditure     |                            |           |
| 15816000 043102 | External Fleet Maintenance | \$ 63,140 |
| Fund Balance    |                            |           |
| 15000000 30599  | Appropriated Fund Balance  | \$22,379  |
| Revenue         |                            |           |
| 15910100 92680  | Insurance Recoveries       | \$40,761  |

Seconded by Legislator: Allen T. Drake

Roll Call Vote

Ayes: Johnson, Ferris, Doldo, Maxon, Montigelli, Nabywaniec, Drake, Jareo, Contwell, Peck, Gray

Absent: Grant, Reed, McBride, Calarco

Resolution passed.

**Resolution No. 149**

**Accepting Donation for the Buildings Department**

By Legislator: Robert D. Ferris

Whereas, The Jefferson County Industrial Development Agency (JCIDA) owns the currently vacant building that had been leased to Concentrix, and

Whereas, JCIDA offered furniture and furnishings to other public and non-profit agencies, and

Whereas, The Jefferson County Buildings Department has received the following donations from the JCIDA:

| <u>Item</u>                     | <u>Number</u> |
|---------------------------------|---------------|
| Portable Air Conditioner        | 1             |
| Desktop Workstations (cubicles) | 8             |
| Conference Tables               | 2             |
| Folding Banquet Tables          | 4             |
| Metal Storage Cabinet           | 1             |
| Server Racks                    | 3             |
| Desk Chairs                     | 10            |
| Bulletin Board                  | 1             |

Now, Therefore, Be It Resolved, That pursuant to County Law Section 215 (3) this Board of Legislators does hereby gratefully accept said donation.

Seconded by Legislator: Jeremiah J. Maxon

All members present voted aye.

**Resolution No. 150**

**Amending the 2021 County Budget in Relation to On-Call and Call-In Pay for District Attorney's and Public Defender's Offices**



By Legislator: Daniel R. McBride

Whereas, By Resolutions 106 and 113 of 2020, This Board of Legislators authorized On-Call and Call-In Pay for attorneys working under the District Attorney and Public Defender, and

Whereas, Unscheduled arraignments in Jefferson County occasionally occur outside normal work hours and will continue to do so until a fully Centralized Arraignment Part (CAP) court with holding facilities and designated arraignment times can be established, and

Whereas, Due to COVID-19 restrictions, more off-hour arraignments have occurred in 2021 than was expected when the budget was adopted, thus depleting the overtime accounts, and

Whereas, Funding is available in the District Attorney's and Public Defender's Personal Services accounts due to vacancies.

Now, Therefore, Be It Resolved, That the 2021 County Budget is hereby amended as follows:

Increase:

|                |          |           |
|----------------|----------|-----------|
| Expenditure    |          |           |
| 01116500 01300 | Overtime | \$ 16,000 |
| 01117000 01300 | Overtime | 16,000    |

Decrease:

|                |                   |           |
|----------------|-------------------|-----------|
| Expenditure    |                   |           |
| 01116500 01100 | Personal Services | \$ 16,000 |
| 01117000 01100 | Personal Services | 16,000    |

Seconded by Legislator: Corey Y. Grant

All members present voted aye.

### **Resolution No. 151**

#### **Authorizing Agreement with the NYS Division of Homeland Security and Emergency Services in Relation to the Federal Domestic Preparedness Equipment Program and Amending the 2021 County Budget in Relation Thereto**

By Legislator: Anthony J. Doldo

Whereas, New York State Division of Homeland Security and Emergency Services (DHSES) has awarded Jefferson County a grant from the FY2019 Hazmat Grant Program (CFDA 97.067) through funding from the Department of Homeland Security's State Homeland Security Program, and

Whereas, Jefferson County is the lead in a consortium with Lewis County, which is included in the \$52,000 grant, and

Whereas, DHSES now processes grants through an electronic format.

Now, Therefore, Be It Resolved, That the Chairman of the Board of Legislators 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, and be it further

Resolved, That the 2021 County Budget is amended as follows:

**Increase:**

Revenue

|                 |                                      |           |
|-----------------|--------------------------------------|-----------|
| 01341000 943204 | Federal Homeland Security - Fire/EMO | \$ 52,000 |
|-----------------|--------------------------------------|-----------|

Expenditures

|                |           |           |
|----------------|-----------|-----------|
| 01341400 02100 | Equipment | \$ 29,600 |
|----------------|-----------|-----------|

|                |                               |       |
|----------------|-------------------------------|-------|
| 01341400 04111 | Trackable Durable Expendables | 9,900 |
|----------------|-------------------------------|-------|

|                |                                     |        |
|----------------|-------------------------------------|--------|
| 01341400 04428 | Public Safety Services - Other Govt | 12,500 |
|----------------|-------------------------------------|--------|

Seconded by Legislator: Robert D. Ferris

Roll Call Vote

Ayes: Ferris, Peck, Jareo, Maxon, Doldo, Cantwell, Drake, Nabywaniec, Montigelli, Johnson, Gray

Absent: McBride, Calarco, Grant, Reed

Resolution passed.

**Resolution No. 152**

**Amending the 2021 County Budget and Capital Plan in Relation to the Highway Department CHIPS Funding**

By Legislator: Jeremiah J. Maxon

Whereas, The New York State Governor and Legislature have reached an agreement on the State FY 2021-2022 Consolidated Local Street and Highway Improvement Program (CHIPS) funding which incorporates rollover balances for work that was unable to be accomplished last year, and

Whereas, The funding includes CHIPS of \$895,831, an Extreme Winter Recovery apportionment of \$825,994, and PAVE NY funding of \$1,245,345, over and above the 2021 Adopted County Budget, and

Whereas, The County Highway Superintendent has requested that this additional revenue be recognized in the various Highway Department and Capital accounts.

Now, Therefore, Be It Resolved, That the 2021 County Budget is hereby amended as follows:

**Increase:**

Revenue

|                |                          |              |
|----------------|--------------------------|--------------|
| 05900300 93501 | Consolidated Highway Aid | \$ 2,967,170 |
|----------------|--------------------------|--------------|

Expenditure

|                |                       |            |
|----------------|-----------------------|------------|
| 05511000 04482 | Surface Treatment     | \$ 200,000 |
| 05511000 04587 | Drainage Items & Pipe | 100,000    |
| 05511000 04589 | Gravel, Stone, Sand   | 100,000    |
| 05511000 04686 | Hired Machines        | 400,000    |
| 05511200 04930 | Paving                | 1,467,170  |
| 20511200 02701 | Road Construction     | \$ 200,000 |
| 20511300 02810 | Yellow Flagged Repair | 500,000    |

Transfers

|                 |                             |            |
|-----------------|-----------------------------|------------|
| 05995000 09007  | Transfer to Capital Bridges | \$ 500,000 |
| 05995000 09008  | Transfer to Capital Roads   | 200,000    |
| 20900600 950315 | Interfund Transfer Roads    | 700,000    |

and be it further

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

Seconded by Legislator: Anthony J. Doldo

Roll Call Vote

Ayes: Doldo, Ferris, Johnson, Montigelli, Jareo, Nabywaniec, Maxon, Peck, Cantwell, Drake, Gray

Absent: Grant, Calarco, McBride, Reed

Resolution passed

**Resolution No. 153**

**Authorizing a Concurrent Use and Occupancy Agreement with NYS Department of Environmental Conservation in Relation to Construction of a Turtle Crossing Structure at County Highway 57 (Isthmus Road, Town of Lyme)**

By Legislator: Anthony J. Doldo

Whereas, Jefferson County Highway Superintendent deems it necessary to reconstruct and raise the level of County Route 57 in the Town of Lyme (Tax ID #70.13-3-81) at the Isthmus by approximately three feet to minimize flooding of the road during flood events as part of New York State's Resiliency Economic Development Initiative (REDI) project, and

Whereas, This project will require the installation of a special culvert structure underneath County Route 57 for the purpose of allowing safe passage for turtles to and from Lake Ontario, and

Whereas, The County of Jefferson approves of entering into a concurrent use and occupancy agreement with New York State Department of Environmental Conservation to reconstruct County Route 57 and install the above said turtle crossing structure pursuant to the provisions of the Environmental Conservation Law.

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

Resolved, That a certified copy of this resolution be forwarded to New York State Department of Environmental Conservation.

Seconded by Legislator: Corey Y. Grant

All members present voted aye, except Legislator Maxon who abstained.

#### **Resolution No. 154**

#### **Amending the 2021 County Budget and Capital Plan in Relation to a County Bridge Account**

By Legislator: Danile R. McBride

Whereas, The Superintendent of Highways has identified a completed bridge project account with a remaining balance, and

Whereas, This capital expenditure and related revenue accounts should be brought to zero balance and closed.

Now, Therefore, Be It Resolved, That the 2021 County Budget is amended as follows:

#### **Decrease:**

|                |                                   |              |
|----------------|-----------------------------------|--------------|
| Expenditure    |                                   |              |
| 20511300 02874 | CR 62 over Mill Creek (J14 & J15) | \$ 23,152.83 |

Revenue

20900600 94592                      Federal Aid Bridges                      \$ 52,123.44

Fund Balance  
20000000 30599                      Appropriated Fund Balance                      \$ 90,480.61

**Increase:**

Revenue  
20900600 93592                      State Aid Bridges                      \$ 119,451.22

and be it further

Resolved, That capital account 20511300 02874 is hereby closed, and be it further

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

Seconded by Legislator: Anthony J. Doldo

Roll Call Vote

Ayes: Ferris, Montigelli, Cantwell, Jareo, Doldo, Nabywaniec, Johnson, Maxon, Drake,  
Peck, Gray

Absent: Reed, Calarco, McBride, Grant

Resolution passed.

**Resolution No. 155**

**Establishing Time and Place for a Public Hearing on the Eight Year  
Review of the Southeast Agricultural District No. 1**

By Legislator: Jeremiah J. Maxon

Whereas, Jefferson County has been officially notified by the New York State Department of Agriculture and Markets to commence the Eight Year Review of the Southeast Agricultural District No. 1, and

Whereas, In accordance with Section 303 of Article 25AA of the New York State Agriculture and Markets Law this action was referred to the Jefferson County Agriculture and Farmland Protection Board for review and recommendation, and

Whereas, This District encompasses land within the townships of Wilna, Champion, Rutland, Rodman, Worth, Lorraine, Adams, Hounsfield, and Watertown, and

Whereas, There has been requests to add 2,444 acres and to remove 144 acres, and

Whereas, The Agriculture and Farmland Protection Board has submitted a recommendation to modify and continue the Southeast District to this Board.

Now, Therefore, Be It Resolved, That a Public Hearing will be conducted concerning the Eight Year Review of the Southeast Agricultural District No. 1 and any modifications thereof. The Public Hearing will be held in the 2<sup>nd</sup> Floor Conference Room, at the County Office Building, 175 Arsenal Street, Watertown, New York on Monday, July 19th at 3:00 p.m., and be it further

Resolved, That a notice of such public hearing shall be given in accordance with law.

Seconded by Legislator: Daniel R. McBride

All members present voted aye.

### **Resolution No. 156**

#### **Authorizing an Agreement with AutoMon, LLC**

By Legislator: Anthony J. Doldo

Whereas, The Probation Department utilizes a web-based software program for case management services through AutoMon, LLC known as Caseload Explorer to provide technical support services to Probation related to this program, and

Whereas, AutoMon, LLC has been awarded the contract to provide software associated with this program.

Now, Therefore, Be It Resolved, That Jefferson County desires to enter into an agreement with AutoMon, LLC for said services for the period August 10, 2021 through August 9, 2022, and be it further

Resolved, That the Chairman of the Board of Legislators 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.

Seconded by Legislator: Daniel R. McBride

All members present voted aye.

### **Resolution No. 157**

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

By Legislator: Anthony J. Doldo

Whereas, New York State Division of Criminal Justice Services Alternatives to Incarceration has awarded Jefferson County \$8,867 for the operation of a Pre-Trial Release Program during the period July 1, 2021 through June 30, 2022, and

Whereas, The County must enter into an agreement with New York State to receive these grant funds, and

Whereas, Said grant is already contained in the County Budget, 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 \$8,867, and the Chairman of the Board of Legislators 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: Jeremiah J. Maxon

All members present voted aye.

#### **Resolution No. 158**

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

By Legislator: Corey Y. Grant

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 \$12,386 for the period April 1, 2021 through March 31, 2022, 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 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. 159**

**Amending the 2021 County Budget to Allocate Additional State Aid  
for Community Services Programs and Authorizing  
Amended Agreements in Relation Thereto**

By Legislator: Jeremiah J. Maxon

Whereas, The New York State Office of Addiction Services and Supports has approved additional State Aid for a cost of living allowance, and

Whereas, The 2021 County Budget needs to be amended to reflect the additional funds.

Now, Therefore, Be It Resolved, That the 2021 County Budget is amended as follows:

**Increase:**

Revenue

|                |                                       |          |
|----------------|---------------------------------------|----------|
| 01431000 93484 | State Aid - Alcohol & Substance Abuse | \$23,409 |
|----------------|---------------------------------------|----------|

Expenditure:

|                |                  |          |
|----------------|------------------|----------|
| 01432000 04702 | Credo Foundation | \$15,387 |
|----------------|------------------|----------|

|                |                         |       |
|----------------|-------------------------|-------|
| 01432000 04703 | Substance Abuse Council | 8,022 |
|----------------|-------------------------|-------|

and be it further

Resolved, that the Chairman of the Board is authorized to execute the necessary amended agreements related to this additional funding with the approval of the County Attorney as to form and content.

Seconded by Legislator: Anthony J. Doldo

Roll Call Vote

Ayes: Doldo, Jareo, Ferris, Peck, Drake, Cantwell, Nabywaniec, Maxon, Montigelli, Johnson, Gray

Absent: Grant, McBride, Reed, Calarco

Resolution passed.

**Resolution No. 160**

**Amending the 2021 County Budget to Reappropriate Funding for  
Community Services Department**

By Legislator: Jeremiah J. Maxon

Whereas, Due to COVID-19 the NYS Office of Addiction Services and Supports (OASAS) and



the NYS Office of Mental Health (OMH) have chosen to allow for a two year closeout of State Aid and County funding for 2020 and 2021, and

Whereas, The 2021 County Budget needs to be amended to reappropriate OASAS remaining 2020 State Aid and County funding for the Credo Community Center Agency, and OMH remaining 2020 State Aid and County funding for the Northern Regional Center for Independent Living and the Arc Jefferson-St. Lawrence.

Now, Therefore, Be It Resolved That, the 2021 County Budget is amended as follows:

**Increase**

|                |                           |              |
|----------------|---------------------------|--------------|
| 01000000 30599 | Appropriated Fund Balance | \$470,593.50 |
| Expenditure    |                           |              |
| 01432000 04702 | Credo Foundation          | \$411,893.68 |
| 01432000 04708 | NRCIL FSS RIV             | 5,943.82     |
| 01432000 04718 | JRC Employment            | 52,756.00    |

and be it further

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

Seconded by Legislator: James A. Nabywaniec

Roll Call Vote

Ayes: Nabywaniec, Doldo, Jareo, Drake, Montigelli, Ferris, Peck, Johnson, Maxon, Cantwell, Gray

Absent: Reed, McBride, Calarco, Grant

Resolution passed.

**Resolution No. 161**

**Appointing Member to the Community Services Board**

By Legislator: Jeremiah J. Maxon

Resolved, That pursuant to Section 41.11 of the Mental Hygiene Law the following individual is hereby appointed as a member of the Jefferson County Community Services Board and the designated sub-committee thereof for a term to expire as indicated below:

Member

Sub-Committee

Term to Expire

Seconded by Legislator: Anthony J. Doldo

All members present voted aye.

**Resolution No. 162**

**Authorizing Agreements for Provision of Mental Hygiene Services**

By Legislator: Jeremiah J. Maxon

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 agreements with the following not-for-profit organizations for provision of the referenced mental hygiene services during calendar year 2021 for consideration as reflected herein:

| <u>Agency</u>   | <u>Consideration<br/>to be Received<br/>from the County</u> | <u>State Aid</u> | <u>County Aid</u> |
|---|---|------------------|-------------------|
| Alcohol/Substance Abuse Council DBA Pivot             |   |                  |                   |
| Recovery Center                                       | \$350,000   | \$350,000        | \$ 0              |
| Prevention Services & Stop DWI                        | \$813,441   | \$719,441        | \$ 59,000         |
|   |   |                  | DWI \$ 35,000     |
| Carthage Area Hospital                                |   |                  |                   |
| Behavioral Health Clinic                              | \$ 52,418   | \$ 52,418        | \$ 0              |
| Children's Home of Jefferson County                   |   |                  |                   |
| Family Respite  | \$ 46,874   | \$ 40,770        | \$ 6,104          |
| Mobile Crisis Outreach                                | \$148,509   | \$129,245        | \$ 19,264         |
| Prevention Program                                    | \$ 28,763   | \$ 24,885        | \$ 3,878          |
| Health Home Management/SPOA/SPOE                      | \$336,272   | \$336,272        | \$ 0              |
| Non-Medicaid Care Coordination Mgrs -<br>Sch. Liaison | \$201,132   | \$201,132        | \$ 0              |
| Community Outpatient Clinic                           | \$ 86,017   | \$ 38,642        | \$ 47,375         |
| Records Management                                    | \$ 10,000   | \$ 0             | \$ 10,000         |
| Forensic Jail Program                                 | \$134,120   | \$133,236        | \$ 884            |
| Therapeutic Crisis Respite Program                    | \$650,000   | \$650,000        | \$ 0              |

Credo Community Center for the Treatment of Addictions

|   |           |           |           |
|---|-----------|-----------|-----------|
| Men's Halfway House                             | \$265,139 | \$265,139 | \$ 0      |
| Vocational/Education Program                    | \$116,737 | \$116,737 | \$ 0      |
| Chemical Dependence Clinic                      | \$297,727 | \$243,031 | \$ 54,696 |
| Community Res. (Aftercare)                      | \$292,105 | \$253,105 | \$ 39,000 |
| Case Mgmt/Supportive Housing                    | \$ 72,099 | \$ 72,099 | \$ 0      |
| Women's Drug Free Residential                   | \$595,153 | \$595,153 | \$ 0      |
| Res. Rehab. Svcs. For Youth                     | \$109,591 | \$109,591 | \$ 0      |
| Opiate Treatment Program                        | \$316,302 | \$316,302 | \$ 0      |
| Case Management/Vivitrol                        | \$ 20,000 | \$ 20,000 | \$ 0      |
| Mental Health Outpatient Clinic                 | \$ 2,688  | \$ 2,688  | \$ 0      |
| Jail Base Program                               | \$ 60,000 | \$ 60,000 | \$ 0      |
| The ARC Jefferson-St. Lawrence                  |           |           |           |
| Employment Programs                             | \$285,173 | \$275,299 | \$ 9,874  |
| Ongoing Integrated Employment                   | \$ 85,140 | \$ 85,140 | \$ 0      |
| Family Support Services                         | \$ 5,000  | \$ 0      | \$ 5,000  |
| Mental Health Assn.                             |           |           |           |
| Psychosocial/Drop-In Program                    | \$285,093 | \$266,347 | \$ 18,746 |
| Adult Respite Program                           | \$ 38,821 | \$ 33,473 | \$ 5,348  |
| PFC Joseph Dwyer Peer Support                   | \$ 92,500 | \$ 92,500 | \$ 0      |
| Northern Regional Center for Independent Living |           |           |           |
| Family Support Services                         | \$260,856 | \$252,663 | \$ 8,193  |
| Mental Health Advocacy                          | \$ 44,481 | \$ 44,481 | \$ 0      |
| North Country Transitional Living Services DBA  |           |           |           |
| Transitional Living Services of NNY             |           |           |           |
| Supported Housing                               | \$416,106 | \$406,662 | \$ 9,444  |
| Behavioral Health & Wellness Clinic             | \$ 12,096 | \$ 12,096 | \$ 0      |
| Homeless/MICA/Case Mgmt                         | \$112,434 | \$112,434 | \$ 0      |
| River Hospital                                  |           |           |           |
| PFC Joseph Dwyer Peer Support                   | \$ 92,500 | \$ 92,500 | \$ 0      |
| Community Wellness Outpatient                   | \$ 34,945 | \$ 0      | \$ 34,945 |
| Samaritan Medical Center                        |           |           |           |
| Outpatient Children's Services                  | \$ 80,642 | \$ 80,642 | \$ 0      |

and be it further

Resolved, That this Board further grants approval for the Community Services Board to enter into such agreements with the State of New York as may be required to obtain the State Aid funding outlined herein.

Seconded by Legislator: James A. Nabywaniec

All members present voted aye.

**Resolution No. 163**

**Amending the 2021 County Budget Relative to Public Health Department Accounts**

By Legislator: Jeremiah J. Maxon

Whereas, By Resolution No. 179 of 2020, this Board of Legislators accepted NYS Department of Health and Health Research Inc. funding for Epidemiology Laboratory Capacity COVID-19 funding for the period July 1, 2020 through June 30, 2022, and

Whereas, Of the \$303,148 total grant, \$75,787 was appropriated into the 2020 County Budget, including establishment of a Typist position which was then included in the 2021 County Budget, and

Whereas, Funding is needed in the Temporary, Overtime, and Supporting Services Internal budget lines for additional staffing for 2021.

Now, Therefore, Be It Resolved, that the 2021 County Budget is hereby amended as follows:

**Increase:**

Revenue

|               |                      |           |
|---------------|----------------------|-----------|
| 0405000 94489 | Fed Aid Other Health | \$142,268 |
|---------------|----------------------|-----------|

Expenditure:

|                |                              |           |
|----------------|------------------------------|-----------|
| 01405100 01110 | Prevent Temporary Services   | \$ 70,000 |
| 01405100 01300 | Prevent Overtime             | 25,000    |
| 01405100 04414 | Supporting Services Internal | 40,000    |
| 01405100 08030 | Social Security              | 7,268     |

Seconded by Legislator: James A. Nabywaniec

Roll Call Vote

Ayes: Cantwell, Peck, Montigelli, Drake, Johnson, Doldo, Jareo, Maxon, Ferris  
Nabywaniec, Gray

Absent: Reed, Calarco, Grant, McBride

Resolution passed.

**Resolution No. 164**

**Accepting Funding for New Epidemiology and Laboratory Capacity COVID –19  
Local Health Department Allocation Funding and Amending the 2021 County Budget**

**in Relation Thereto**

By Legislator: Jeremiah J. Maxon

Whereas, The NYS Department of Health and Health Research Inc. have advised Jefferson County Public Health Service (JCPHS) of the allocation of Epidemiology and Laboratory Capacity COVID – 19 funding to be used for enhanced detection, surveillance and prevention of COVID-19, and

Whereas, JCPHS will receive funding in the amount of \$387,316 for allowable activities relating to COVID-19 crisis response and prevention for the period February 1, 2021 through March 31, 2023, and

Whereas, Funding will cover nursing salaries already included in the 2021 County Budget, as well as enhanced efforts for case and contact investigation, testing and vaccination activities.

Now, Therefore, Be It Resolved, that Jefferson County hereby accepts said funding and authorizes the Chairman of the Board of Legislators to execute any and all documents necessary to accept said funding, subject to the approval of the County Attorney as to form and content, and be it further

Resolved, That the 2021 County Budget is hereby amended as follows:

**Increase:**

Revenue

|                |                      |           |
|----------------|----------------------|-----------|
| 01405000 94489 | Fed Aid Other Health | \$125,083 |
|----------------|----------------------|-----------|

Expenditure

|                |                   |           |
|----------------|-------------------|-----------|
| 01405100 01110 | Prevent Temporary | \$ 30,000 |
| 01405100 04115 | Telephone         | 2,783     |
| 01405100 04118 | Computer Hardware | 30,000    |
| 01405100 04415 | Advertising       | 50,000    |
| 01405100 04416 | Professional Fees | 10,000    |
| 01405100 08030 | Social Security   | 2,300     |

Seconded by Legislator: Allen T. Drake

Roll Call Vote

Ayes: Ferris, Drake, Doldo, Nabywaniec, Cantwell, Johnson, Maxon, Montigelli, Peck, Jareo, Gray

Absent: McBride, Reed, Calarco, Grant

Resolution passed.

**Resolution No. 165**

**Accepting Epidemiology and Laboratory Capacity Reopening Schools Funding Award  
and Authorizing Agreement with BOCES in Relation Thereto**

By Legislator: Jeremiah J. Maxon

Whereas, The NYS Department of Health and Health Research Inc. have advised Jefferson County Public Health Service (JCPHS) of a grant award in the amount of \$3,442,408 for the period of June 1, 2021 through July 31, 2022, and

Whereas, The purpose of the grant is to maintain open schools with safe in-person learning by implementing and supporting school-based screening and testing activities, and

Whereas, The grant allows for 15% to be used for management, monitoring, data collection and reporting activities which will be carried out by JCPHS, and

Whereas, The Jefferson-Lewis BOCES is willing to enter into an agreement to expedite this program and serve as the conduit for the remainder of the funding to Jefferson County schools, and

Whereas, All Jefferson County school districts are interest in participating, and

Whereas, The workplan that will determine exact items of expenditure must be developed rapidly in order to be prepared for the start of the school year, and

Whereas, Grant funds will be recognized and appropriated into the 2021 County Budget in a future resolution.

Now, Therefore, Be It Resolved, That the Chairman of the Board of Legislators is hereby authorized to execute any and all necessary documents to accept said funding, and the above-referenced agreement with the Jefferson-Lewis BOCES, subject to approval by the County Attorney as to form and content.

Seconded by Legislator: Anthony J. Doldo

All members presented voted aye.

County Attorney Paulsen addressed the Board in follow up to an email he sent to legislators on Friday (July 2) and another earlier today concerning Opioid Lawsuit settlements being proposed, on a global basis, with Purdue Pharma through the Bankruptcy Court. He was hopeful over the weekend that we would have more information, but as of today, the Judge overseeing the mediations has embargoed any discussion of the outcome of the negotiations from last week. Therefore outside counsel is unable to give us a formal recommendation to authorize her to vote in favor of the settlement or against it. He said options tonight are: to schedule the matter for a special session on July 13<sup>th</sup> after negotiations are complete so we can

direct our counsel how to vote before the July 14<sup>th</sup> deadline; or pass a resolution tonight for counsel to cast a vote for whatever option they would have recommended to the Board otherwise. He left the decision up to the Board as to how to proceed.

In response to questions Attorney Paulsen said that he assumed there are still deliberations being made between the parties involved in the mediation and once the decisions from the mediation are final, the embargo will be lifted and details could be shared so the various parties could make their decisions. He said the Sackler family, as the main shareholders in Purdue Pharma, is contributing a significant portion of the settlement fund. As he understands it now, approximately 15 attorneys general from various states are pressing the Sackler family to contribute even more than they have agreed to to date and that was the reason for the mediation last week. He said the second point is if the extra funds will go into one pot for everyone, or not. The Bankruptcy Court has left approval of this settlement up to the claimants to determine if they are satisfied. He said each claimant has the same vote, but we are bound by how the majority of claimants votes. This is not a class action lawsuit, but the federal court is trying to bring some order to the lawsuit by making the thousands of claimants negotiate as a group and so is the Bankruptcy Court. He said the group of attorneys general are important because they are large stakeholders, represent a large share of the damages, and are driving the litigation because they have strong negotiating power.

Legislator Peck preferred being able to meet in person and render a final decision rather than giving the authority to our attorneys to do that, respectfully. Legislator Jareo said he would like to have all the information before he makes a decision also. Legislator Maxon said if our vote held the same as others and made a difference then he could understand meeting, but if we are going to be bound by the majority and our vote is negligible, then we could pass a resolution tonight. Legislator Ferris said if we can't negotiate separately for something greater or less than other claimants then we might as well pass a resolution tonight to give authority to the attorneys because it doesn't make any sense to argue the point. Legislator Nabywaniec said we have had counsel represent us before and we have a relationship, he couldn't imagine that we would go against counsel's recommendation anyway and was fine with having counsel make a decision that is in the best interests of the County. In light of discussions, legislators that wanted to meet next week were no longer opposed to presenting a resolution tonight.

Chairman Gray entertained a motion to waive the Standing Rules to present an additional resolution for consideration. Such motion was made by Legislator Peck seconded by legislator Ferris and unanimously carried.

### **Resolution No. 166**

#### **Authorizing the Commitment of Jefferson County, New York's Vote in the Matter of the Proposed Settlement of Purdue Pharma, Inc. With Opioid Lawsuit Claimants Under United States Bankruptcy Court Jurisdiction**

By Legislator: Patrick R. Jareo

Whereas, Jefferson County authorized the commencement of litigation against certain drug

manufacturers, distributors, and wholesalers by Resolution 68 of 2019, and

Whereas, Jefferson County retained the Cicala Law Firm to bring the aforementioned litigation in Federal District Court, and

Whereas, Defendant Purdue Pharma, Inc. subsequently filed for protection through the United States Bankruptcy Court and all claims, including those of the County of Jefferson against Purdue Pharma are subject to the approval of the Bankruptcy Court prior to being settled and paid, and

Whereas, Due to the large number of litigation claimants against Purdue Pharma, Inc. a collective settlement has been negotiated and proposed to said claimants. Claimants are being given an opportunity to vote the proposed global settlement up or down on July 14, 2021, and

Whereas, Negotiations regarding various elements of the proposed settlement have continued as recently as July 1, 2021 and the results of those negotiations are not known as of the date of this resolution.

Now, Therefore, Be It Resolved, That the Board of Legislators hereby authorizes its counsel, the Jefferson County Attorney and the Cicala Law Firm, to vote in favor of the proposed settlement, provided said counsel recommends, in their professional judgement, that accepting such settlement will be in the best interest of the County of Jefferson. In the event that in counsel's opinion accepting said settlement is not in the best interest of the County, counsel is directed to vote in the negative.

Seconded by Legislator: Robert D. Ferris

Legislator Peck asked for confirmation that this is only one piece of the global litigation that will continue even after the Sackler family and Purdue Pharma exit the game. Attorney Paulsen confirmed that is true as there are a dozen other defendants and we will be going through this exercise with each of them, except we may not have the overlay of bankruptcy court. He said the other settlements will be much more specific with regard to the total amount due and the amount that can be traced back to Jefferson County in the end. He also did not believe they would be a short term rush. Legislator Maxon said as long as we are in the litigation we may as well empower our attorneys to do a good job and he would vote in favor of the resolution.

All members present voted aye.

Deputy Administrator Sarah Baldwin updated Board members on the Centralized Arraignment Part court which resulted from the Hurrell/Harring lawsuit. Ms. Baldwin advised that originally the requirement that defense be present at arraignment was supposed to be phased in, but it began anyway in 2020. She said the Public Defender was doing it herself for a couple months until a resolution was passed that provided for the other attorneys in the office, as well as attorneys in the district attorney office, to be compensated for being on call. Initially the City of Watertown had three holding cells they could use at the Public Safety Building so people were held for arraignment in City Court the next day and we were only responsible for calls in the



middle of the night to Town and Village Justice Courts. However because of Covid and in order to keep the Jail population safe, those cells could not be used during the pandemic and activity for virtual arraignments increased considerably. The Fifth Judicial District Offices thought we would have a few months to plan for when virtual arraignments ended, but they suddenly ended on June 25<sup>th</sup> when the State of Emergency ended. She said the City can now use the holding cells for their detainees who can be arraigned at City Court everyday, but it still leaves the night time hours. The Fifth District is pushing for and all the parties involved would like to have a centralized arraignment court; Ms. Baldwin along with the District Attorney, Public Defender, Sheriff, and County Attorney have been trying to make a plan for this to work. It would be every night/evening which would allow the law enforcement agencies to be able to have their detainees be held prearraigned at the Jail, still using City Court everyday, but have a rotating schedule of town and village justices at a stipulated time (to be determined), so law enforcement would not have to sit with a detainee waiting to be arraigned. She said it will not be fancy, it may be in the lobby area of the Public Safety Building and we will be working with the Buildings Department to set everything up. She said this is a work in progress and everyone is looking at it to get feedback right now, including the Magistrates Association. Legislator Drake left the meeting.

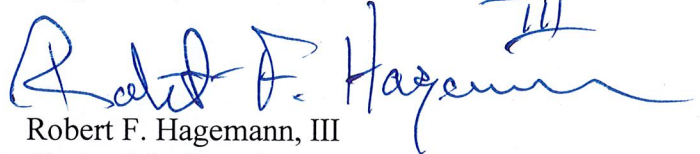
Chairman Gray stated that several counties are authorized to continue with virtual arraignments, Jefferson is not one of them, that authorization will require action by the State Legislature and Senator Ritchie is working with staff in that regard. It will most likely be next year before the State can address the matter, and we have to proceed with the centralized arraignment plans separate from virtual arraignments at this time. Mr. Hagemann added that there was a law passed in 1993 with a listing of about eight counties who could do virtual arraignments and the intent would be to now update that list to include Jefferson County. If authorized, the intent would be to have the judge appear virtually. Legislator Jareo said he was given a lot of information recently on this and has not had a chance to go through it all, but he would appreciate it if legislators could be kept abreast of this matter, including any past communications between County staff, magistrates and the Fifth Judicial District. Chairman Gray said he knew magistrates were going to start reaching out to legislators so he wanted to make sure legislators were updated; however there is nothing conclusive at this point and the few meetings that were held have been virtual. This continues to be a work in progress and a more centralized plan that works for everyone including public defender and district attorney staff as well as magistrates is being sought. Chairman Gray said legislators will be kept updated along the way and with whatever is finally decided, however it will not require action by the Board. With regard to the thought that the Fifth Judicial District could approve virtual arraignment without State legislature approval, County Attorney Paulsen advised that statewide there is a political lobby against virtual arraignments coming from the criminal defense bar and he received a communication recently from Indigent Legal Services saying they feel virtual arraignment is a detriment to their clients to not have face to face contact with an attorney at arraignment. Ms. Baldwin said they have said publically that virtual proceedings make quality representation more difficult for many reasons. Legislator Jareo suggested having the defendant and counsel present, but have the justice be virtual. Chairman Gray said point well taken and something to be considered, but that is not our decision to make.

Legislator Ferris asked if the DMV was back to pre Covid office hours and accepting

walk in clients. Chairman Gray advised that at this point they are fully functioning but only accepting in person appointments and that decision is the responsibility of the County Clerk. Mr. Hagemann added that according to a recent Watertown Daily Times article, after summer hours end on August 31<sup>st</sup> the DMV will resume accepting walk in traffic.

There being no further business of the Board, on a motion by Legislator Doldo seconded by Legislator Cantwell and unanimously carried, the meeting was adjourned at 6:55 p.m.

Respectfully submitted,

A handwritten signature in blue ink that reads "Robert F. Hagemann, III". The signature is written in a cursive style with a horizontal line above the name and the Roman numeral "III" written above the final "n".

Robert F. Hagemann, III  
Clerk of the Board