

PUBLIC HEARING

Status of Implementation of the 2020 Community Development Block Grant (CDBG) Housing Award

Chairman Johnson called the public hearing to order at 6:00 p.m., no one wished to speak and the public hearing was closed.

REGULAR SESSION

TUESDAY, MAY 2, 2023

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

ROLL CALL OF MEMBERS

All members present except Legislators Reed, Peck and Nabywaniec.

PRIVILEGE OF THE FLOOR

Chairman Johnson read a Proclamation declaring May 21-27, 2023 as Emergency Medical Services Week with the theme "Where Emergency Care Begins" in Jefferson County and encouraged citizens to participate in appropriate events, services and activities. He presented the Proclamation to Paul Barter, Director of Jefferson County Emergency medical Services.

Justin Taylor, 38305 Montrois Lane, Clayton, NY, with the Clayton Volunteer Fire Department, and former Town Supervisor thanked the Board on behalf of all the fire fighters and ambulance workers in the County for their support and consideration of Local Law Intro No 2 on tonight's agenda with regard to the real property tax exemption for fire fighters and ambulance workers.

READING OF MINUTES OF LAST SESSION

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

PRESENTATION OF PETITIONS, COMMUNICATIONS AND NOTICES

None.

REPORTS OF STANDING COMMITTEES

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

REPORTS OF COUNTY OFFICERS AND OTHERS

The County Treasurer provided a report on Investments and Cash in Banks as of March 31, 2023.

The County Administrator provided a report on Budget Transfers for April, 2023.

The County Auditor provided a report on Erroneous Assessments for April, 2023.

The Stop DWI Annual Report for 2022 was received.

LOCAL LAWS, RESOLUTIONS AND MOTIONS

Resolution No. 109

Payment of Legislators' Expenses

By Legislator: Daniel R. McBride

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 \$236.86 we have allowed:

Legislator Expense:	\$236.86
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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: Allen T. Drake

All members present voted aye.

Resolution No. 110

Concurring in Request for Enactment of Home Rule Legislation - Assembly Bill A5755A, Senate Bill S6345 - Amending the New York State Tax Law to Authorize the County of Jefferson to Impose an Additional Rate of Sales Tax of One Percent

By Legislator: Robert D. Ferris

Whereas, By Resolution No. 65 of 2023, this Board of Legislators requested the introduction of a bill in the State Legislature which would amend the New York State Tax Law to allow the County of Jefferson to impose up to an additional sales tax of one percent (1%) until November 30, 2025, and

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

Assembly Bill A5755A and Senate Bill S6345, and

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

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

Now, Therefore, Be It Resolved, That this Board does hereby concur in the home rule request of the Chairman of this Board for enactment of Assembly Bill A5755A and Senate Bill S6345 to amend the New York State Tax Law to allow the County of Jefferson to impose up to an additional sales tax of one percent (1%) until November 30, 2025, and be it further

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

Seconded by Legislator: Allen T. Drake

All members present voted aye.

Resolution No. 111

Accepting Funding from the American Rescue Plan Act and Amending the 2023 County Budget in Relation Thereto

By Legislator: Robert W. Cantwell, III

Whereas, The American Rescue Plan Act (ARPA) has provided an infusion of resources to State, local, territorial and Tribal governments to respond to COVID-19 and address its economic fallout, and

Whereas, Each governmental unit has flexibility to use this funding to meet local needs – including support for households, small business, impacted industries, and communities hit hardest by the crisis, as well as investing in water, sewer and broadband infrastructure, and

Whereas, Jefferson County has received \$21,333,967 in two rounds of ARPA funding of which \$10,478,996 was allocated by Resolution 243 of 2021, and

Whereas, The remaining funding will be allocated to meet small business, childcare, homeless and food pantry needs; address agriculture and tourism sector challenges; strengthen County services and address infrastructure needs including Broadband upgrades.

Now, Therefore, Be It Resolved, that Jefferson County hereby accepts said funding and authorizes the Chairman of the Board of Legislators to sign any and all documents necessary to

accept such funding, subject to the approval of the County Attorney and County Administrator as to form and content, and be it further

Resolved, That the 2023 County Budget is hereby amended as follows:

Increase:

Revenue		
21104500 94089	Fed Aid - ARPA	\$10,854,971
Expenditure		
21104500 04976	Negative Economic Impacts	\$ 2,254,971
21104500 04977	General Government Services	7,600,000
21104500 04978	Water, Sewer, Broadband	1,000,000

Seconded by Legislator: Daniel R. McBride

ARPA projects (Round 2)	<u>Negative Econ</u>	<u>Replace Rev-</u>	<u>Water, Sewer,</u>	<u>Totals</u>
	<u>Impact</u>	<u>Gen'l Govt</u>	<u>Broadband</u>	
County Roads & Bridges, and Recycling/Solid Waste:				\$2,500,000
Co Rd 46 (Finish)		300,000		
Co Rd 47 (Finish)		300,000		
Co Rd 32 (New)		300,000		
Co Rd 97 (New)		200,000		
2910 (Culvert)		150,000		
2911 (Culvert)		150,000		
2876 (Bridge)		500,000		
Transfer Station Scale		100,000		
Transfer Station Baler		500,000		
Airport Capital Projects:				\$1,800,000
Auto Weather		105,000		
Fuel Farm		1,635,000		
Parking Lot		60,000		
Other:				\$2,374,971
Broadband Upgrades			1,000,000	
Homeless Assistance	820,000			
County Highway Building Supplemental		500,000		
Rural Food Pantries	54,971			
Subtotal:				\$6,674,971
JCLDC:				\$1,530,000
Tourism Enhancement	500,000			
Food Production	500,000			
Small Business	180,000			
Watertown Industrial Center Facility Roof		150,000		
Mitigation				

	Food Processing	100,000		
	Childcare Services	100,000		
Other:				\$2,650,000
	JCC Repaving	1,000,000		
	Deferiet Mill Grant (10% local share)	1,200,000		
	County I.T. Upgrades	400,000		
	County Dog Shelter Upgrades	50,000		
	Subtotal:			\$4,180,000
	TOTALS	<u>\$2,254,971</u>	<u>\$7,600,000</u>	<u>\$1,000,000</u> <u>\$10,854,971</u>

Roll Call Vote

Ayes: Doldo, Calarco, Grant, Jareo, Cantwell, Potter, Maxon, Montigelli, Ferris, McBride, Drake, Johnson

Absent: Peck, Reed, Nabywaniec

Resolution passed.

Resolution No. 112

Endorsing Jefferson Community College 2021-2026 Facilities Master Plan Update

By Legislator: Robert D. Ferris

Whereas, The State University of New York requires that all community colleges update their Facilities Master Plans every five years in order to be eligible for capital funding, and

Whereas, In 2013 Jefferson Community College prepared its 2014-2020 JCC Facilities Master Plan Update which was endorsed by this Board of Legislators by Resolution 227 of 2014, and

Whereas, The College has now completed the Jefferson Community College 2021-2026 Facilities Master Plan Update, which has been adopted by the College's Board of Trustees Resolution No. 117-22 in March of 2022, and

Whereas, Said Plan, which has been presented to this Board, recommends capital projects which include a new facility and enhancements, renovations and updates of existing facilities and systems, and

Whereas, This Board desires to endorse said Master Plan Update as the College's long term goal, understanding that it makes no financial commitment as a result of the endorsement, and that it and the College will collaborate on establishing the Plan's priorities and review each project on a case by case basis to determine appropriate funding.

Now, Therefore, Be It Resolved, That the Jefferson County Board of Legislators hereby endorses the Jefferson Community College 2021-2026 Facilities Master Plan Update.

Seconded by Legislator: Robert W. Cantwell, III

Legislator McBride said he could not endorse the JCC Facilities Mater Plan as written because he would rather see the money in the Plan be used for additional classrooms or programs for staffing shortages that have been noted in the medical field at Public Health as well as at the Jail, and for training more people in the area of child care.

Legislator Peck arrived at the meeting.

All members present voted aye except Legislators McBride and Jareo who were opposed.

Resolution No. 113

Amending the 2023 County Budget to Recognize Insurance Recovery and Allocating Same in Sheriff's Budget

By Legislator: Robert D. Ferris

Whereas, The Sheriff's Office anticipates an insurance settlement check in the amount of \$30,000 for damage to a county vehicle that resulted in a total loss, and has requested that the settlement be used to replace the automobile, and

Whereas, The Budget account for Sheriff Automotive equipment has funds available to go towards the cost of a replacement automobile.

Now, Therefore, Be It Resolved, That the 2023 County Budget is hereby amended as follows:

Increase:

Revenue		
01311000 92680	Insurance Recoveries	\$30,000
Expenditure		
01311000 02401	Automotive Equipment	\$30,000

Seconded by Legislator: Daniel R. McBride

Roll Call Vote

Ayes: Montigelli, McBride, Calarco, Grant, Peck, Jareo, Drake, Doldo, Ferris, Potter, Cantwell, Maxon, Johnson

Absent: Reed, Nabywaniec

Resolution passed.

COUNTY OF JEFFERSON

LOCAL LAW INTRO. NO. 1 of 2023

A LOCAL LAW TO ESTABLISH A SUSTAINABLE ENERGY LOAN PROGRAM (OPEN C-PACE) IN THE COUNTY OF JEFFERSON

By Legislator: Philip N. Reed, Sr.

Be it enacted by the County of Jefferson (the “Municipality”) as follows:

Section 1. This local law shall be known as the “Energize NY Open C-PACE Financing Program” and shall read as follows:

ARTICLE I

§1. Legislative findings, intent and purpose, authority.

- A. It is the policy of both the Municipality and the State of New York (the “State”) to achieve energy efficiency and renewable energy improvements, reduce greenhouse gas emissions, mitigate the effect of global climate change, and advance a clean energy economy. The Municipality finds that it can fulfill this policy by providing property assessed clean energy financing to Qualified Property Owners (as defined below) for the installation of renewable energy systems and energy efficiency measures. This local law establishes a program that will allow the Energy Improvement Corporation (as defined below, “EIC”), a local development corporation, acting on behalf of the Municipality pursuant to the municipal agreement (the “Municipal Agreement”) to be entered into between the Municipality and EIC, to make funds available to Qualified Property Owners that will be repaid through charges on the real properties benefitted by such funds, thereby fulfilling the purposes of this local law and accomplishing an important public purpose. This local law provides a method of implementing the public policies expressed by, and exercising the authority provided by, Article 5-L of the General Municipal Law (as defined below, the “Enabling Act”).
- B. The Municipality is authorized to execute, deliver and perform the Municipal Agreement and otherwise to implement this Energize NY Open C-PACE Financing Program pursuant to the Constitution and laws of New York, including particularly Article IX of the Constitution, Section 10 of the Municipal Home Rule Law, the Enabling Act and this local law.
- C. This local law, which is adopted pursuant to Section 10 of the Municipal Home Rule Law and the Enabling Act shall be known and may be cited as the “Energize NY Open C-PACE Local Law”.

§2. Definitions

- A. Capitalized terms used but not defined herein have the meanings assigned in the Enabling Act.
- B. For purposes of this local law, and unless otherwise expressly stated or unless the context requires, the following terms shall have the meanings indicated:

Annual Installment Amount – shall have the meaning assigned in Section 8, paragraph B.

Annual Installment Lien – shall have the meaning assigned in Section 8 paragraph B.

Authority – the New York State Energy Research and Development Authority.

Benefit Assessment Lien – shall have the meaning assigned in Section 3, paragraph A.

Benefitted Property – Qualified Property for which the Qualified Property Owner has entered into a Finance Agreement for a Qualified Project.

Benefitted Property Owner – the owner of record of a Benefitted Property.

EIC – the Energy Improvement Corporation, a local development corporation, duly organized under section 1411 of the Not-For-Profit Corporation Law of the State, authorized hereby on behalf of the Municipality to implement the Program by providing funds to Qualified Property Owners and providing for repayment of such funds from money collected by or on behalf of the Municipality as a charge to be levied on the real property.

Eligible Costs – costs incurred by the Benefitted Property Owner in connection with a Qualified Project and the related Finance Agreement, including application fees, EIC's Program administration fee, closing costs and fees, title and appraisal fees, professionals' fees, permits, fees for design and drawings and any other related fees, expenses and costs, in each case as approved by EIC and the Financing Party under the Finance Agreement

Enabling Act – Article 5-L of the General Municipal Law of the State, or a successor law, as in effect from time to time.

Finance Agreement – the finance agreement described in Section 6A of this local law.

Financing Charges – all charges, fees and expenses related to the loan under the Finance Agreement including accrued interest, capitalized interest, prepayment premiums, and penalties as a result of a default or late payment and costs and reasonable attorneys' fees incurred by the Financing Party as a result of a foreclosure or other legal proceeding brought against the Benefitted Property to enforce any delinquent Annual Installment Liens.

Financing Parties – Third party capital providers approved by EIC to provide financing to Qualified Property Owners or other financial support to the Program which have entered into

separate agreements with EIC to administer the Program in the Municipality.

Municipality – the County of Jefferson, a municipality of the State constituting a tax district as defined in Section 1102 of the RPTL of the State.

Municipal Lien – a lien on Qualified Property which secures the obligation to pay real property taxes, municipal charges, or governmentally imposed assessments in respect of services or benefits to a Qualified Property.

Non-Municipal Lien – a lien on Qualified Property which secures any obligation other than the obligation to pay real property taxes, municipal charges, or governmentally-imposed assessments in respect of services or benefits to a Qualified Property Owner or Qualified Property.

Program – the Energize NY Open C-PACE Financing Program authorized hereby.

Qualified Project – the acquisition, construction, reconstruction or equipping of Energy Efficiency Improvements or Renewable Energy Systems or other projects authorized under the Enabling Act on a Qualified Property, together with a related Energy Audit, Renewable Energy System Feasibility Study and/or other requirements under or pursuant to the Enabling Act, with funds provided in whole or in part by Financing Parties under the Program to achieve the purposes of the Enabling Act.

Qualified Property – Any real property other than a residential building containing less than three dwelling units, which is within the boundaries of the Municipality that has been determined to be eligible to participate in the Program under the procedures for eligibility set forth under this local law and the Enabling Act and has become the site of a Qualified Project.

Qualified Property Owner – the owner of record of Qualified Property which has been determined by EIC to meet the requirements for participation in the Program as an owner, and any transferee owner of such Qualified Property.

RPTL – the Real Property Tax Law of the State, as amended from time to time.

Secured Amount – as of any date, the aggregate amount of principal loaned to the Qualified Property Owner for a Qualified Project, together with Eligible Costs and Financing Charges, as provided herein or in the Finance Agreement, as reduced pursuant to Section 8, paragraph C.

State – the State of New York.

§3. Establishment of an Energize NY Open C-PACE Financing Program

- A. An Energize NY Open C-PACE Financing Program is hereby established by the Municipality, whereby EIC acting on its behalf pursuant to the Municipal Agreement, may arrange for the provision of funds by Financing Parties to Qualified Property Owners in accordance with the Enabling Act and the procedures set forth under this local law, to finance the acquisition, construction, reconstruction, and

installation of Qualified Projects and Eligible Costs and Financing Charges approved by EIC and by the Financing Party under the Finance Agreement. EIC, on behalf of the Municipality, and with the consent of the Benefitted Property Owner, will record a Benefit Assessment Lien on the Benefitted Property in the Secured Amount (the "Benefit Assessment Lien") on the land records for the Municipality. Such recording shall be exempt from any charge, mortgage recording tax or other fee in the same manner as if recorded by the Municipality.

- B. Before a Qualified Property Owner and a Financing Party enter into a Finance Agreement which results in a loan to finance a Qualified Project, repayment of which is secured by a Benefit Assessment Lien, a written consent from each existing mortgage holder of the Qualified Property shall be obtained, permitting the Benefit Assessment Lien and each Annual Installment Lien to take priority over all existing mortgages.

§4. Procedures for eligibility

- A. Any property owner in the Municipality may submit an application to EIC on such forms as have been prepared by EIC and made available to property owners on the website of EIC and at the Municipality's offices.
- B. Every application submitted by a property owner shall be reviewed by EIC, acting on behalf of the Municipality, which shall make a positive or negative determination on such application based upon the criteria enumerated in the Enabling Act and §5 of this local law. EIC may also request further information from the property owner where necessary to aid in its determination.
- C. If a positive determination on an application is made by EIC, acting on behalf of the Municipality, the property owner shall be deemed a Qualified Property Owner and shall be eligible to participate in the Program in accordance with §6 of this local law.

§5. Application criteria

Upon the submission of an application, EIC, acting on behalf of the Municipality, shall make a positive or negative determination on such application based upon the following criteria for the making of a financing:

- A. The property owner may not be in bankruptcy and the property may not constitute property subject to any pending bankruptcy proceeding;
- B. The amount financed under the Program shall be repaid over a term not to exceed the weighted average of the useful life of Renewable Energy Systems and Energy Efficiency Improvements to be installed on the property as determined by EIC;
- C. Sufficient funds are available from Financing Parties to provide financing to the property owner;

- D. The property owner is current in payments on any existing mortgage on the Qualified Property;
- E. The property owner is current in payments on any real property taxes on the Qualified Property; and
- F. Such additional criteria, not inconsistent with the criteria set forth above, as the State, the Municipality, or EIC acting on its behalf, or other Financing Parties may set from time to time.

§6. Energize NY Finance Agreement

- A. A Qualified Property Owner may participate in the Program through the execution of a finance agreement made by and between the Qualified Property Owner and a Financing Party, to which EIC, on behalf of the Municipality, shall be a third-party beneficiary (the “Finance Agreement”). Upon execution and delivery of the Finance Agreement, the property that is the subject of the Finance Agreement shall be deemed a “Benefitted Property”).
- B. Upon execution and delivery of the Finance Agreement, the Benefitted Property Owner shall be eligible to receive funds from the Financing Party for the acquisition, construction, and installation of a Qualified Project, together with Eligible Costs and Financing Charges approved by EIC and by the Financing Party, provided the requirements of the Enabling Act, the Municipal Agreement and this local law have been met.
- C. The Finance Agreement shall include the terms and conditions of repayment of the Secured Amount and the Annual Installment Amounts.
- D. EIC may charge fees to offset the costs of administering the Program and such fees, if not paid by the Financing Party, shall be added to the Secured Amount.

§7. Terms and conditions of repayment

The Finance Agreement shall set forth the terms and conditions of repayment in accordance with the following:

- A. The principal amount of the funds loaned to the Benefitted Property Owner for the Qualified Project, together with Eligible Costs and Financing Charges approved by EIC and by the Financing Party, shall be specially assessed against the Benefitted Property and will be evidenced by a Benefit Assessment Lien recorded against the Benefitted Property on the land records on which liens are recorded for properties within the Municipality. The special benefit assessment shall constitute a “charge” within the meaning of the Enabling Act and shall be collected in annual installments in the amounts certified by the Financing Party in a schedule provided at closing and made part of the Benefit Assessment Lien. Said amount shall be annually levied,

billed and collected by EIC, on behalf of the Municipality, and shall be paid to the Financing Party as provided in the Finance Agreement.

- B. The term of such repayment shall be determined at the time the Finance Agreement is executed by the Benefitted Property Owner and the Financing Party, not to exceed the weighted average of the useful life of the systems and improvements as determined by EIC, acting on behalf of the Municipality.
- C. The rate of interest for the Secured Amount shall be fixed by the Financing Party in conjunction with EIC, acting on behalf of the Municipality, as provided in the Finance Agreement.

§8. Levy of Annual Installment Amount and Creation of Annual Installment Lien

- A. Upon the making of the loan pursuant to the Finance Agreement, the Secured Amount shall become a special Benefit Assessment Lien on the Benefitted Property in favor of the Municipality. The amount of the Benefit Assessment Lien shall be the Secured Amount. Evidence of the Benefit Assessment Lien shall be recorded by EIC, on behalf of the Municipality, in the land records for properties in the Municipality. Such recording shall be exempt from any charge, mortgage recording tax or other fee in the same manner as if recorded by the Municipality. The Benefit Assessment Lien shall not be foreclosed upon by or otherwise enforced by the Municipality.
- B. The Finance Agreement shall provide for the repayment of the Secured Amount in installments made at least annually, as provided in a schedule attached to the Benefit Assessment Lien (the "Annual Installment Amount"). The Annual Installment Amount shall be levied by EIC, on behalf of the Municipality, on the Benefitted Property in the same manner as levies for municipal charges, shall become a lien on the Benefitted Property as of the first day of January of the fiscal year for which levied (the "Annual Installment Lien") and shall remain a lien until paid. The creation or any recording of the Annual Installment Lien shall be exempt from any charge, mortgage recording tax or other fee in the same manner as if recorded by the Municipality. Payment to the Financing Party shall be considered payment for this purpose. Such payment shall partly or wholly discharge the Annual Installment Lien. Delinquent Annual Installment Amounts may accrue Financing Charges as may be provided in the Finance Agreement. Any additional Financing Charges imposed by the Financing Party pursuant to the Finance Agreement shall increase the Annual Installment Amount and the Annual Installment Lien for the year in which such overdue payments were first due.
- C. The Benefit Assessment Lien shall be reduced annually by the amount of each Annual Installment Lien when each Annual Installment Lien becomes a lien. Each Annual Installment Lien shall be subordinate to all Municipal Liens, whether created by Section 902 of the RPTL or by any other State or local law. No portion of a Secured Amount shall be recovered by the Municipality, EIC, or an assignee upon

foreclosure, sale or other disposition of the Benefitted Property unless and until all Municipal Liens are fully discharged. Each Annual Installment Lien, however, shall have priority over all Non-Municipal Liens, irrespective of when created, except as otherwise required by law.

- D. Neither the Benefit Assessment Lien nor any Annual Installment Lien shall be extinguished or accelerated in the event of a default or bankruptcy of the Benefitted Property Owner. Each Annual Installment Amount shall be considered a charge upon the Benefitted Property and shall be collected by EIC, on behalf of the Municipality, at the same time and in the same manner as real property taxes or municipal charges. Each Annual Installment Lien shall remain a lien until paid. Amounts collected in respect of an Annual Installment Lien shall be remitted to EIC, on behalf of the Municipality, or the Financing Party, as may be provided in the Finance Agreement.
- E. EIC shall act as the Municipality's agent in collection of the Annual Installment Amounts. If any Benefitted Property Owner fails to pay an Annual Installment Amount, the Financing Party may redeem the Benefitted Property by paying the amount of all unpaid Municipal Liens thereon, and thereafter shall have the right to collect any amounts in respect of an Annual Installment Lien by foreclosure or any other remedy available at law. Any foreclosure shall not affect any subsequent Annual Installment Liens.
- F. EIC, on behalf of the Municipality, may sell or assign for consideration any and all Benefit Assessment Liens and Annual Installment Liens to Financing Parties that provide financing to Qualified Properties pursuant to Finance Agreements. The Financing Parties may sell or assign for consideration any and all Benefit Assessment Liens and Annual Installment Liens received from EIC, on behalf of the Municipality, subject to certain conditions provided in the administration agreement between EIC and the Financing Party. The assignee or assignees of such Benefit Assessment Liens and Annual Installment Liens shall have and possess the same powers and rights at law or in equity as the Municipality would have had if the Benefit Assessment Lien and the Annual Installment Liens had not been assigned with regard to the precedence and priority of such lien, the accrual of interest and the fees and expenses of collection.

§9. Verification and report

EIC, on behalf of the Municipality, shall verify and report on the installation and performance of Renewable Energy Systems and Energy Efficiency Improvements financed by the Program in such form and manner as the Authority may establish.

§10. Separability.

If any clause, sentence, paragraph, section, or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect,

impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, or part thereof involved in the controversy in which such judgment shall have been rendered.

Section 2. This local law shall take effect upon filing with the Secretary of State.

Seconded by Legislator: Robert D. Ferris

There being no discussion Chairman Johnson entertained a motion and second to table the Local Law pending a public hearing. Such motion was made by Legislator Maxon seconded by Legislator Montigelli and unanimously carried by the Board.

Resolution No. 114

Setting Time and Place for Public Hearing on Local Law Intro. No. 1 of 2023

By Legislator: Frances A. Calarco

Resolved, That this Board of Legislators shall hold a public hearing on a proposed local law entitled "A Local Law to Establish A Sustainable Energy Loan Program (Open C-PACE) in the County of Jefferson" on Tuesday, June 6, 2023 at 6:00 p.m. in the Board of Legislators Chambers, 195 Arsenal Street, Watertown, NY, and be it further

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

Seconded by Legislator: Philip N. Reed, Sr.

All members present voted aye.

COUNTY OF JEFFERSON

LOCAL LAW INTRO. NO. 2 of 2023

A LOCAL LAW TO ADOPT SECTION 466-a OF THE REAL PROPERTY TAX LAW PROVIDING FOR THE PARTIAL EXEMPTION FOR THE RESIDENCES OF QUALIFIED MEMBERS OF VOLUNTEER FIRE DEPARTMENTS AND AMBULANCE SERVICES.

By Legislator: Robert W. Cantwell, III

BE IT ENACTED by the County Legislature of the County of Jefferson as follows:

Section 1. Legislative Intent.

A. The New York State Legislature enacted an amended section 466-a of the Real

Property Tax Law by Chapter 670 of the Laws of 2022, removing the cap on the value of the exemption benefit a qualified person may receive.

- B. Jefferson County previously enacted an exemption under Real Property Tax Law §466-f allowing an exemption for qualified members of the volunteer fire and ambulances services, and pursuant to the provisions Chapter 670 of the Laws of 2022, this exemption will be repealed on December 9, 2025.
- C. Jefferson County desires to adopt the amended version of Real Property Tax Law §466-a and continue the benefit of the tax exemption for qualified members of volunteer fire and ambulance services.

Section 2. Exemption Granted.

- A. New York State Real Property Tax Law §466-a, enacted December 9, 2022, is hereby adopted providing real property owned by an enrolled member of an incorporated voluntary fire company, fire department, or incorporated voluntary ambulance service or such enrolled members spouse residing in Jefferson County shall be exempt from taxation to the extent of up to ten percent of the assessed value of such property for county purposes, exclusive of special assessments.
- B. It is hereby established that the minimum service requirement for each qualified member shall be five (5) years of continuous service with the same incorporated voluntary fire company, fire department, or incorporated voluntary ambulance service.
- C. Certification for exemption under this local law shall be filed on a form promulgated by the NYS Department of Tax and Finance or Jefferson County Real Property Tax Services, and shall contain at a minimum: the name, address of the applicant, name and address of the certifying authority, name and title of the person certifying the information, the date of commencement of service with the certifying authority, function of the applicant with the certifying authority and a statement that the period of service has been a continuous minimum of five years (5) or twenty years (20) as applicable.
- D. Application for exemption under this local law shall be filed on a form promulgated by the NYS Department of Tax and Finance or Jefferson County Real Property Tax Services, and shall contain at a minimum: the name and address of the applicant, marital status if made jointly with spouse, a statement that the real property is used as a primary residence, a statement that the property is used exclusively for residential purposes or that a stated portion is used for other purposes, and a statement that the applicant has completed either five (5) years or twenty years(20) of active continuous service as an enrolled member of an incorporated voluntary fire company, fire department, or incorporated voluntary ambulance service. Such application, along with appropriate certification of the certifying authority shall be filed with the applicants jurisdictional Assessor.

- E. Enrolled members of an incorporated voluntary fire company, fire department, or incorporated voluntary ambulance service who accrue more than twenty years (20) of active service shall be entitled to the exemption for the remainder of his or her life provided his or her primary residence remains within Jefferson County.
- F. The un-remarried spouse of volunteer firefighters or volunteer ambulance workers killed in the line of duty may continue an exemption provided they submit a certification from the authority having jurisdiction for the voluntary service that their spouse was killed in the line of duty, the deceased spouse had been continuously enrolled for at least five years, and the deceased spouse received the exemption prior to his or her death.
- G. The un-remarried spouse of a deceased volunteer firefighter or volunteer ambulance worker may continue to benefit from an exemption provided they submit a certification from the authority having jurisdiction for the voluntary service that their deceased spouse had been an enrolled as a member for at least twenty (20) continuous years, and the deceased spouse received the exemption prior to his or her death.
- H. Qualifying members of volunteer fire and ambulance services, whether married or unmarried, who cohabit in the same primary residence shall only be entitled to one exemption.

Section 3. Transitional Provisions.

- A. No person who is a volunteer firefighter or ambulance worker who is currently receiving benefit of the exemption under Real Property Tax Law §466-f shall suffer any diminution of such benefit because of the provisions of this section, however, such exemption will be repealed as of December 9, 2025 by operation of New York State Law.
- B. Upon the effective date of this local law, any qualified person currently entitled to the exemption under Real Property Tax Law § 466-f may apply for the amended exemption, and upon the granting of such application, the prior exemption shall terminate.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by a court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstances directly involved in the controversy in which such order or judgement shall be rendered.

Section 5. Effective Date.

This Local Law Shall be effective immediately upon its filing with the New York State Secretary of State.

Seconded by Legislator: Allen T. Drake

Legislator Jareo reiterated his philosophical view that property tax is a horrible way to tax the population, and said one of the ways to mitigate the inherent evil in property tax is to make it as uniform as possible. Therefore, he could not philosophically support changing the tax law in any way to exempt anyone. He said his no vote on this has nothing to do with the volunteer fire fighters and ambulance workers who are a wonderful asset to the community and he appreciated the service they provide and their dedication.

Legislator Drake said he was in support of the Local Law as it would go a long way toward recruitment and retention, and the fire departments and ambulance squads in his district put in thousands of hours of training and are an asset to the community. Also, the fire hall they open up for benefits, weddings and celebrations of life are a central part of the community. He said he can not give them enough credit for what they do and this is one way to show appreciation for all their volunteer work.

Legislator Maxon appreciated Legislator Jareo's philosophical position, and he agreed that property tax is an evil and keeping it as fair as possible is important. He said the alternative to volunteer fire departments is a paid fire department and a paid fire department is much more expensive then the small amount the County is going to be able to give them back. He will support the Local Law as written as the alternative is much more expensive and our volunteers deserve more than the expectations that the State has set in terms of training and time requirements that they spend away from family. He said he will be circulating a copy of the Local Law among the five fire departments and the ambulance squad in his district and will report their feedback at the public hearing.

There being no further discussion, Chairman Johnson entertained a motion and second to table the Local Law pending a public hearing. Such motion was made by Legislator Doldo seconded by Legislator Ferris and unanimously carried by the Board.

Resolution No. 115

Setting Time and Place for Public Hearing on Local Law Intro. No. 2 of 2023

By Legislator: Robert D. Ferris

Resolved, That this Board of Legislators shall hold a public hearing on a proposed local law entitled "A Local Law to Adopt Section 466-a of the Real Property Tax Law Providing for the Partial Exemption for the Residences of Qualified Members of Volunteer Fire Departments and Ambulance Services" on Tuesday, June 6, 2023 at 6:00 p.m. in the Board of Legislators Chambers, 195 Arsenal Street, Watertown, NY, and be it further

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

Seconded by Legislator: Allen T. Drake

All members present voted aye.

Resolution No. 116

Requesting the Introduction of Legislation Before the New York State Legislature to Amend the Public Officers Law in Relation to the Residency Requirement for Appointed Public Officers in Jefferson County.

By Legislator: Daniel R. McBride

Whereas, New York State Public Officers Law §3 provides that as a qualification for holding public office all persons must be a resident of the political subdivision for which he or she may serve, and

Whereas, The New York State Legislature has frequently amended §3 of Public Officers Law at the request of specific political subdivisions to provide a variety of exemptions for those political subdivisions from the general rule that all public officers must reside in the political subdivision in which they serve, and

Whereas, The current economic and labor market conditions in Northern New York State result in a smaller and more competitive pool of candidates for many of the managerial positions County government seeks to fill, resulting the attendant difficulty of finding qualified candidates, and

Whereas, The ability to canvas a larger geographic area for candidates and permit such candidates to avoid the cost of relocation and disruption to their personal lives being significant factor in recruitment, it is determined that allowing the residency of appointed public officials to be expanded to counties contiguous to Jefferson County is in the best interest of the County.

Now, Therefore, Be It Resolved, That this Board of Legislators respectfully requests, through its local representatives to the New York State Assembly and Senate, that the New York State Legislature introduce and enact an amendment to §3 of the Public Officers Law, permitting all appointed public officers of Jefferson County to be permitted to reside in Jefferson County or a County adjoining Jefferson, and it is further

Resolved, That a copy of this resolution be transmitted forthwith to the offices of Senator Mark Walczyk, Assemblyman Kenneth Blankenbush, Assemblyman Scott Gray, and Assemblyman William Barclay.

Seconded by Legislator: Frances A. Calarco

All members present voted aye.

Resolution No. 117

Selecting an Airport Consultant and Authorizing Agreement for Airport Consultant Services at the Watertown International Airport

By Legislator: Philip N. Reed, Sr.

Whereas, Jefferson County desires to receive grant monies from the Federal Aviation Administration and the New York State Department of Transportation for improvements to the Watertown International Airport, and

Whereas, A requirement of receiving such grants is that the County conduct a formal qualifications-based procurement process to select an Airport Consultant in Accordance with FAA Advisory Circular 150/5100-14, and

Whereas, Jefferson County Selection Committee has conducted such a process and determined that the firm of McFarland Johnson Inc. possesses the necessary expertise in providing aviation related professional services for similar facilities.

Now, Therefore, Be It Resolved, That McFarland Johnson Inc. is hereby selected to serve the County as its Airport Consultant for anticipated future projects listed on the Airport Masterplan through 09/30/28, and be it further

Resolved, That the Chairman of the Board of Legislators is hereby authorized to execute an agreement with McFarland Johnson Inc. for the provision of Airport Consultation Services for the period 10/1/2023 through 09/30/2028, subject to approval by the County Attorney as to form and content.

Seconded by Legislator: Robert D. Ferris

All members present voted aye.

Resolution No. 118

Authorizing Agreement with McFarland-Johnson, Inc. for Passenger Facility Charge Program Application Development Services and Amending the 2023 County Budget and Capital Plan in Relation Thereto

By Legislator: Daniel R. McBride

Whereas, Congress in 1992 authorized the Passenger Facility Charge (PFC) program thru the Federal Aviation Administration (FAA) for the collection of fees not to exceed \$4.50 per enplaned passenger at commercial airports controlled by public agencies, and

Whereas, Pursuant to Resolution 289 of 2016, the Board of Legislators authorized an application to the Federal Aviation Administration (FAA) for the Passenger Facility Charge (PFC) program at the Watertown International Airport, and

Whereas, The FAA approved the County PFC program and PFC funds were collected in 2017, 2018, 2019, 2020, 2021 & 2022 and recognized by Resolutions 155 of 2018, 168 of 2019, 128 of 2020, 84 of 2021, 68 of 2022, and 40 of 2023 respectively, and

Whereas, A total of \$476,925.30 Passenger Facility Charges were collected in the program application period for the period from 2017 thru 2022, and

Whereas, It is now necessary to develop the PFC program application for the period starting when the current program is expected to mature in early 2024.

Whereas, All planning services and administration costs expended to date would be reimbursable under the program, and

Whereas, It is necessary to enter an agreement with McFarland Johnson, Inc. to provide consultation and planning services for this project in the amount up to \$23,000 to help secure necessary approval from the FAA and airlines in order to implement this new program period.

Now, Therefore, Be It Resolved, That Jefferson County enter into an agreement with McFarland Johnson, Inc. for engineering design services and that the Director of Aviation is hereby authorized to execute said agreement, subject to approval by the County Attorney as to form and content, and be it further

Resolved, That the 2023 County Budget is hereby amended as follows:

Increase:

Expenditures		
01561000 04416	Professional Fees	\$23,000
Transfers		
01899200 95031	From Capital Fund	\$23,000
20990100 09000	To General Fund	23,000

Decrease:

Expenditures		
20561000 02071	PFC Projects	\$23,000

and be it further

Resolved, That the six-year Capital Plan is amended accordingly.

Seconded by Legislator: Robert D. Ferris

Roll Call Vote

Ayes: Ferris, Cantwell, Potter, Drake, Grant, Peck, Doldo, Montigelli, Calarco, McBride, Jareo, Maxon, Johnson

Absent: Reed, Nabywaniec

Resolution passed.

Resolution No. 119

Amending the 2023 County Budget and Capital Plan in Relation to the Watertown International Airport for Purchase of Ground Services Equipment

By Legislator: Corey Y. Grant

Whereas, Jefferson County is the sponsor and owner of the Watertown International Airport, and

Whereas, Ground service equipment is needed for Fixed Base Operations, specifically for aircraft charter handling operations, and

Whereas, A replacement recycling container is needed for the airport facility due to the age and condition of the current container, and

Whereas, Funds are available within the airport capital budget.

Now, Therefore, Be It Resolved, That the 2023 County Budget is amended as follows:

Increase:

Expenditure

01561000 02068	Airp Ground Service Equipment	\$150,000
01561000 02502	Recycling Containers	13,000

Transfers:

01899200 95031	From Capital Fund	\$163,000
20990100 09000	To General Fund	163,000

Decrease:

20561000 02001	Airport Facility	\$163,000
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and be it further

Resolved, That the six year Capital Plan is amended accordingly.

Seconded by Legislator: Robert D. Ferris

Roll Call Vote

Ayes: Maxon, Peck, Ferris, Drake, Potter, Jareo, Calarco, Montigelli, McBride, Doldo, Grant, Cantwell, Johnson

Absent: Nabywaniec, Reed

Resolution passed.

Resolution No. 120

Authorizing Agreement with McFarland Johnson for the Parking Lot Construction Design and Amending the 2023 County Budget and Capital Plan in Relation Thereto

By Legislator: Philip N. Reed, Sr.

Whereas, By Resolution 351 of 2022, This Board of Legislators authorized reconstruction and expansion of the Watertown International Airport commercial air service terminal, and

Whereas, The main terminal parking lot, general aviation parking lot and associated parking lanes need drainage, grading, base, paving, and lighting improvements, and

Whereas, The County’s selected airport consultant, McFarland Johnson, Inc. has provided a scope of services and fees to provide bid specifications, documents, and FAA layout coordination for these parking lot improvements at a cost up to \$90,000.

Now, Therefore, Be It Resolved, That Jefferson County enter into an agreement with McFarland Johnson Inc., for said project and that the Chairman is hereby authorized to execute said agreement on behalf of the County, including any change orders as recommended by the Director of Aviation and County Administrator, not to exceed the funding available, subject to approval by the County Attorney as to form and content, and be it further

Resolved, That the 2023 County Budget is amended as follows:

Increase:

Expenditure		
20561000 02073	Airport Parking Improvements	\$90,000

Decrease:

20698900 02064	Property Improvements	\$90,000
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and be it further

Resolved, That the six year Capital Plan is amended accordingly.

Seconded by Legislator: John D. Peck

Roll Call Vote

Ayes: Grant, Doldo, Potter, Jareo, Cantwell, Drake, McBride, Ferris, Peck, Montigelli, Maxon, Calarco, Johnson

Absent: Nabywaniec, Reed

Resolution passed.

Resolution No. 121

Authorizing Agreements with the Federal Aviation Administration and McFarland Johnson for Backup Weather Equipment System and Amending the 2023 County Budget and Capital Plan in Relation Thereto

By Legislator: John D. Peck

Whereas, Accurate meteorological data is essential to aviation operation at the Watertown International Airport, and

Whereas, The airport's Automated Surface Observing System, owned and maintained by the National Oceanic and Atmospheric Administration, has frequently required maintenance and reported inaccurate visibility and current weather conditions, and

Whereas, Extended downtime for replacement sensors and technician availability to make necessary repairs affects the community's access to the national airspace and the performance of Essential Air Service, and

Whereas, The Director of Aviation recommends entering a Non-Federal Observation Program Memorandum of Agreement (MOA) with the Federal Aviation Administration to provide as-needed part-time Certified Aviation Weather Observers and install backup weather observation equipment, and

Whereas The County's selected airport consultant, McFarland Johnson, Inc. has provided a scope of services and fees to provide bid specifications, documents, and FAA coordination for the equipment at a cost of \$42,087.

Now, Therefore, Be It Resolved, That Jefferson County enter into an MOA with the Federal Aviation Administration and enter into an agreement with McFarland Johnson Inc., for said project, and that the Chairman is hereby authorized to execute said agreements on behalf of the County, including any change orders as recommended by the Director of Aviation and County Administrator, not to exceed the funding available, subject to approval by the County Attorney as to form and content, and be it further

Resolved, That the 2023 County Budget is amended as follows:

Increase:

Expenditure		
20561000 02076	Weather Equipment System	\$42,087

Decrease:

20698900 02064	Property Improvements	\$42,087
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and be it further

Resolved, That the six-year Capital Plan is amended accordingly.

Seconded by Legislator: Daniel R. McBride

Roll Call Vote

Ayes: Doldo, Cantwell, Jareo, Maxon, Montigelli, Calarco, Potter, Drake, Ferris, McBride, Peck, Grant, Johnson

Absent: Nabywaniec, Reed

Resolution passed.

Resolution No. 122

Accepting Donations for the Dog Control Department and Amending the 2023 County Budget in Relation Thereto

By Legislator: Robert D. Ferris

Whereas, The Jefferson County Dog Control Department has recently received donations, one in the amount of \$1,200 from Subaru of America, Inc. and two totaling \$250 in memory of Marcia Sanderson, and

Whereas, The 2023 Adopted County Budget includes donation revenue estimated at \$250, and

Whereas, The donation amount which exceeds the revenue estimate included in the Adopted 2023 Budget will be used to purchase computer equipment for the dog control program.

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

Resolved, That the 2023 County Budget is amended as follows:

Increase:

Revenue		
01351000 92716	Dog Control Donations	\$1,200

Expenditure		
01351000 04111	Trackable Durable Items	\$1,200

Seconded by Legislator: Corey Y. Grant

Roll Call Vote

Ayes: Calarco, Ferris, Peck, Drake, Cantwell, Montigelli, Grant, Doldo, Jareo, Maxon, Potter, McBride, Johnson

Absent: Reed, Nabywaniec

Resolution passed.

Resolution No. 123

Amending the 2023 County Budget in Relation to the County Road Machinery Fund

By Legislator: Philip N. Reed, Sr.

Whereas, The Adopted 2023 County Budget includes funding intended to purchase three pickup trucks in the Road Machinery Fund, due to an increase in price, existing funding is enough for only two, and

Whereas, The Highway Superintendent is requesting additional funds to allow the purchase of two more pickup trucks, and

Whereas, The Highway Superintendent is requesting a replacement snow pusher attachment be purchased due to the deterioration of the 35 year old one used to clean snow from parking areas, and

Whereas, Funds are available for transfer due to the purchase of a used track hoe in order to expedite delivery.

Now, Therefore, Be It Resolved, That the 2023 County Budget is amended as follows:

Increase:

Expenditure		
10513000 02403	Pickup Truck Replacement	\$ 95,000
10513000 02460	Snow Removal Equipment	25,000

Decrease:

Expenditure
10513000 02464 Track Hoe \$120,000

Seconded by Legislator: John D. Peck

All members present voted aye.

Resolution No. 124

Authorizing the Implementation and Funding in the First Instance 100% of the Federal Aid and State "Marchiselli" Program Aid Eligible Costs of a Transportation Federal-Aid Project (CR 97 and Brown Road over Fish Creek), Appropriating Funds Therefor and Amending the 2023 County Budget and Capital Plan

By Legislator: Jeremiah J. Maxon

Whereas, A Project for the Replacement of CR 97 and Brown Road over Fish Creek, PIN 775393 (the "Project") is eligible for Funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds, and

Whereas, By Resolutions 130 of 2020 and 85 of 2021, the County of Jefferson approved the above project by making a commitment of \$324,000 for the cost of Preliminary Design, Right of Way Incidentals and Preliminary Engineering Phases of the Project, and

Whereas, The County of Jefferson desires to advance the Project by making a commitment of 100% of the non-federal share of the cost of All Phases of the Project.

Now, Therefore, Be It Resolved, That the Jefferson County Board of Legislators hereby authorizes the Jefferson County Treasurer to pay in the first instance 100% of the federal and non-federal share of the cost of all Phases of the Project or portions thereof, and be it further

Resolved, That the sum of \$453,000, which includes Preliminary Engineering and Design Phases of the Project, or so much thereof as is necessary is hereby appropriated from Account 20511300 02861 in the 2023 County Budget, and made available to cover the cost of participation in the above phase of the Project, and be it further

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

Resolved, That the Chairman of the Jefferson County Board of Legislators be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal and State Aid, subject to the approval of the County Attorney as to form and substance, on behalf of the County of Jefferson with NYSDOT in connection with the advancement or

approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs, and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefor that are not federal-or State-aid eligible, and be it further

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

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

Resolved, That the 2023 County Budget is amended as follows:

Increase:

Revenue		
20900600 93592	State Aid Bridges	\$ 45,450
20900600 94592	Federal Aid Bridges	103,200
Expenditure		
20511300 02861	CR97 Brown Road over Fish Creek	\$129,000

Decrease:

Fund Balance		
20000000 30599	Appropriated Fund Balance	\$ 19,650

and be it further

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

Seconded by Legislator: John D. Peck

Roll Call Vote

Ayes: Peck, Potter, McBride, Montielli, Ferris, Calarco, Doldo, Grant, Maxon, Drake, Jareo, Cantwell, Johnson

Absent: Reed, Nabywaniec

Resolution passed.

Resolution No. 125

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

and the Development and Administration of Grant Program

By Legislator: Jeremiah J. Maxon

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

Whereas, Jefferson County intends to apply for 2023 Federal Community Development Block Grant (CDBG) funds from the NYS Office for Community Renewal (OCR), and

Whereas, The County issued a Request for Proposals for the three year period 2022 - 2024 to identify qualified community development firms that could assist with grant preparation, program development, and program implementation for CDBG Housing assistance initiatives, and

Whereas, Through the RFP process, Avalon Associates was identified as having the required credentials, expertise, and experience to assist the County in developing a CDBG housing application for a sum of \$7,500, which would be a County cost and is contained in the 2023 budget, and

Whereas, Avalon Associates has also proposed, if a CDBG grant is awarded, to develop the housing program and assist in grant administration for a lump sum of \$15,000 (eligible grant expense); provide 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 2023 CDBG Housing Grant, 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 approval by the County Attorney as to form and content.

By Legislator: Corey Y. Grant

All members present voted aye.

Resolution No. 126

Establishing Time and Place for Public Hearing Related to the 2023 Community Development Block Grant (CDBG) Application Process

By Legislator: Daniel R. McBride

Whereas, Jefferson County is in the process of evaluating grant opportunities in anticipation of a 2023 Community Development Block Grant (CDBG) Program administered by the NYS Office of Community Renewal, and

Whereas, The CDBG application process requires applicants to hold a public hearing to obtain the views of the general public on community development needs.

Now, Therefore, Be It Resolved, Pursuant to Section 104(A)(2) of the Federal Housing and Community Development Act, as amended, a CDBG public hearing shall be held on Tuesday, June 6, 2023 at 6:00 p.m. in the Jefferson County Board of Legislators Chambers, Historic Courthouse, 195 Arsenal Street, Watertown, NY, and be it further

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

Resolved, The Chairman of the Board of Legislators is hereby authorized to execute all necessary

CDBG application documents, and the Planning Director is hereby authorized as the County's agent to act in connection with the submission of any authorized application and to provide any supplemental information that may be required by the NYS Office of Community Renewal.

Seconded by Legislator: John D. Peck

All members present voted aye.

Resolution No. 127

Authorizing Amended Agreement for Provision of Legal Services to the Elderly of Jefferson County and Amending the 2023 County Budget in Relation Thereto

By Legislator: Allen T. Drake

Whereas, Resolution No. 322 of 2022 authorized an agreement with Legal Aid Society of Mid-New York, Inc., Utica, New York for the provision of legal services for persons 60 years of age or older; for the period January 1 through December 31, 2023, consideration for services of approximately \$10,000 annually, and

Whereas, The Office for the Aging (OFA) has experienced increased demand for legal services, which is a mandated OFA program.

Now, Therefore, Be It Resolved, That said agreement be amended for consideration of services of approximately \$25,000 annually, and be it further

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

Resolved, That the 2023 County Budget is hereby amended as follows:

Increase:

01677200 04411	Legal Fees	\$15,000
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Decrease:

01677200 04422	Contract Health Care	\$15,000
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Seconded by Legislator: John D. Peck

All members present voted aye.

Resolution No. 128

**Amending the 2023 County Budget to Allocate Additional State Aid
for Community Services Mental Health Programs**

By Legislator: John D. Peck

Whereas, The New York State Office of Mental Health has approved additional State Aid to increase the bed stipend for Supported Housing, as well as outreach funds for Contracted Mental Health, and

Whereas, The 2023 County Budget needs to be amended to reflect the additional funds.

Now, Therefore, Be It Resolved, That the 2023 County Budget is amended as follows:

Increase:

Revenue		
01431000 93490	State Aid - Mental Health	\$10,905

Expenditure:

01432000 04712	Contracted Mental Health Prog	\$ 1
01432000 04714	NCTLS Reinvestment	10,904

Seconded by Legislator: Allen T. Drake

Roll Call Vote

Ayes: Ferris, Doldo, Cantwell, Grant, Jareo, Calarco, McBride, Maxon, Peck, Montigelli, Potter, Johnson

Absent: Nabwyaniec, Reed

Resolution passed.

Resolution No. 129

Authorizing Agreement in Relation to Immunization Action Plan Funding

By Legislator: John D. Peck

Whereas, The Jefferson County Public Health Service has been notified by the NYS Department of Health of the re-award of funding for Immunization Action Plan (IAP) for the renewal period of April 1, 2023 through March 31, 2024 with automatic 1 year renewals until March 31, 2028, and

Whereas, The funding to Jefferson County at \$58,148 annually covers the costs of the work for the operation of the IAP and the New York State Immunization Information System (NYSIIS) and is contained in the 2023 County Budget.

Now, Therefore, Be It Resolved, That the Chairman of the Board of Legislators is hereby authorized and directed to execute any necessary documents in relation to this agreement and all renewals with the NYS Department of Health, subject to approval by the County Attorney as to form and content.

Seconded by Legislator: Steel E. Potter

All members present voted aye.

Resolution No. 130

**Accepting Donation on Behalf of the Department of Social Services
and Amending the 2023 County Budget**

By Legislator: John D. Peck

Whereas, Bernier, Carr & Associates, Engineers, Architects and land Surveyors, P.C. has donated funds to the Jefferson County Department of Social Services to be used for the Foster Care Program, and

Whereas, The 2023 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 2023 County Budget is amended as follows:

Increase:

Revenue:

01601000 92705 Donations \$200

Expenditure:

01601000 04624 Client Incidentals \$200

Seconded by Legislator: Corey Y. Grant

Roll Call Vote

Ayes: Montigelli, Maxon, Potter, Cantwell, Drake, McBride, Peck, Grant, Jareo, Ferris, Calarco, Doldo, Johnson

Absent: Nabywaniec, Reed

Resolution passed.

Resolution No. 131

Amending 2023 County Budget to Reappropriate Funding and Recognize Additional Revenue From NYS Office of Temporary and Disability Assistance for Transportation Initiative Program

By Legislator: Steel E. Potter

Whereas, By Resolution 211 of 2021, this Board of Legislators accepted Transportation Initiative funding from the NYS Office of Temporary and Disability Assistance in the amount of \$37,894 to meet the transportation needs of individuals eligible for Temporary Assistance for Needy Families (TANF) who are employed or participating in other allowable work activities, and

Whereas, Said previous Transportation Initiative funding was intended to be used to provide the most cost effective means of transportation in the form of bus tokens, gas cards, utilizing volunteer drivers or taxi, but was not able to be used as planned due to program restrictions, lack of individuals meeting the qualifications, and lack of individuals that wished to take advantage of the program as planned, and

Whereas, The Jefferson County Department of Social Services (JCDSS) received notification that previous Transportation Initiative funding expenditure deadlines have been extended through December 31, 2023, and

Whereas, JCDSS also received notification of the award of new Transportation Initiative Program funds for SFYs 2021-22 and 2022-23 in the amount of \$28,795 to meet the needs of

said individuals eligible for TANF for use through December 31,2023, and

Whereas, The extended and new funds will be used to provide assistance with vehicle repairs, insurance and registration fees to ensure access to low-cost, safe, and reliable transportation in securing new employment, maintaining or improving current employment, and/or to participate in other allowable work activities, and

Whereas, JCDSS will contract with the Watertown Urban Mission to provide such assistance to TANF eligible individuals who are working or have a bona fide offer of employment.

Now, Therefore, Be It Resolved, That the 2023 County Budget is hereby amended as follows:

Increase:

Revenue		
01000000 30599	Appropriated Fund Balance	\$37,894
01601000 94610	Federal Aid SS Administration	28,795
Expenditure		
01610900 04600	Family Assistance	\$66,689

Seconded by Legislator: Allen T. Drake

Roll Call Vote

Ayes: Drake, Maxon, Peck, Cantwell, Potter, Doldo, Jareo, Calarco, Grant, McBride, Montigelli, Ferris, Johnson

Absent: Reed, Nabwyaniec

Resolution passed.

Resolution No. 132

Amending 2023 Comprehensive Planning Resource Allocation Agreement with the NYS Office of Children & Family Services and Authorizing Amended Contractual Youth Program Agreements in Relation Thereto

By Legislator: John D. Peck

Whereas, By Resolution 61, this Board of Legislators authorized a 2023 Comprehensive Planning Resource Allocation Agreement with the NYS Office of Children & Family Services (OCFS), and

Whereas, There is a correction needed to the amount of the allocated funds for the Youth Development Program listed below, and

Whereas, The 2023 Resource Allocation Plan needs to be amended to reflect those changes.

Now, Therefore, Be It Resolved, That the 2023 Comprehensive Planning Resource Allocation Agreement with the NYS Office of Children & Family Services is hereby amended to reflect the following correction:

Youth Development Program (YDP)

<u>Agency/Program</u>	<u>Original State Aid Allocation</u>	<u>Increase/ Decrease</u>	<u>Revised State Aid Allocation</u>
Jefferson County DSS/ Recreation Scholarships	7,500	1,554	9,054

Seconded by Legislator: Corey Y. Grant

All members present voted aye.

Resolution No. 133

Amending 2023 Comprehensive Planning Resource Allocation Agreement with the NYS Office of Children & Family Services and Authorizing Amended Contractual Youth Program Agreements in Relation to Youth Sports and Education Opportunity Funding

By Legislator: Steel E. Potter

Whereas, By Resolution 62, this Board of Legislators recognized additional NYS Office of Children & Family Services (OCFS) funding and authorized a 2023 Comprehensive Planning Resource Allocation for Youth Sports and Education Opportunity Funding, and

Whereas, Jefferson County has received notification from OCFS that the program application from Augustinian Academy has been denied Youth Sports and Education Opportunity funding, and said funding will now need to be awarded to other approved programs, and

Whereas, The following constitutes the list of endorsed State Aid allocations for 2023 Youth Sports and Education Opportunity Programs which require an agreement between the County and the respective Agency or Municipality and provision of pass-through funding.

Now, Therefore Be It Resolved, That the 2023 Comprehensive Planning Resource Allocation Agreement with the NYS Office of Children & Family Services is hereby amended to reflect the following changes:

Youth Sports and Education Opportunity Program

Original	Increase/	Revised
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<u>Agency/Program</u>	<u>State Aid Allocation</u>	<u>Decrease</u>	<u>State Aide Allocation</u>
YMCA/Sports & STEM	\$ 5,500	\$ 4,600	\$10,100
Encompass Recreation	\$ 6,000	\$ 4,888	\$10,888
Augustinian Academy	\$12,615	(\$12,615)	\$ 0
CHJC/Recreation	\$ 5,850	\$ 3,127	\$ 8,977

and be it further

Resolved, That Pursuant to Section 450 of County Law, the Chairman of the Board of Legislators be and is hereby authorized and directed to execute the amended Resource Allocation Agreement and necessary amended contractual Agency/Municipality Agreements on behalf of Jefferson County, subject to approval of the County Attorney as to form and content.

Seconded by Legislator: Allen T. Drake

All members present voted aye.

Resolution No. 134

Establishing a Director of Housing/Special Initiatives and a Senior Caseworker Position within Social Services and Amending the 2023 County Budget in Relation Thereto

By Legislator: John D. Peck

Whereas, Jefferson County has seen a significant increase in individuals and families who are experiencing homelessness or are facing imminent loss of housing, and

Whereas, A countywide Homeless Project Steering Committee was tasked to identify systems and best practices to help alleviate short and long term homelessness in Jefferson County, and

Whereas, Recommendations for programming and support to lessen the severity of homelessness and increase housing stability include: continued collaboration in support of a Warming Center, set-up of an emergency response pod, developing a Pallet Shelter Community, engaging elected officials in pursuing options to expand access to affordable housing, expanding the human services on-site support model that was piloted at 140 High Street, and establishing a centralized approach to addressing homelessness with a Homeless Director position to coordinate resources and community efforts to address homelessness, and

Whereas, Jefferson County Department of Social Services (JCDSS) administers supportive housing programs such as Shelter Plus Care and the Rental Supplement Program currently serving up to 120 households monthly, and also administers the State mandated Temporary Assistance Program that provides shelter allowances to approximately 680 households per month, and

Whereas, JCDSS established a pilot project to provide on-site human services support at one

apartment building, which has recently been expanded to include on-site support services at a second location; these locations will provide assistance to approximately 25 to 30 individuals at any given time in obtaining and maintaining affordable permanent housing, and with accessing community services, and

Whereas, It has been determined that one new full time Director of Housing/Special Initiatives position is needed to coordinate community efforts to address homelessness, which position will be responsible for planning, developing, and overseeing the implementation of programs/projects to address homelessness and emergency housing needs in Jefferson County, and

Whereas, The position will operate with the oversight of an agencies stakeholders steering committee to provide support and guidance on issues and projects related to emergency housing and homelessness needs, and

Whereas, It is recommended that the position be established within JCDSS to complement the supportive housing programs unit already in place allowing for direct oversight of an existing team comprised of a Grant Specialist, Caseworkers, Community Services Workers, and Account staff focused on managing established programs and implementing new projects that address homelessness, and

Whereas, The Commissioner of JCDSS has determined that one new full time Senior Caseworker position is needed to assist in providing case management services to eligible households in the new projects that provide on-site support services to individuals experiencing homelessness or housing instability; and to assist in the administration of the Shelter Plus Care Program and Rental Supplement Program, and supervision of related staff.

Now, Therefore, Be It Resolved, That the position of Director of Housing/Special Initiatives be created in the Department of Social Services (6010-258), and be it further

Resolved, That a new position of Senior Caseworker be created in the Department of Social Services (6010-259), and be it further

Resolved, That the 2023 County Budget is hereby amended as follows:

Increase:

Revenue

01601000 93610	State Aid Admin	\$29,168
01601000 94610	Federal Aid Admin	31,543
01601000 94611	Federal Aid USDA	11,047
01607000 93655	State Aid Daycare	1,394
01607000 94615	Fed Aid Flexible Fund for Family Services	20,588
01000000 30599	Appropriated Fund Balance	58,004

Expenditure

01601000 01100-258	Personal Services	\$55,541
01601000 01100-259	Personal Services	36,787
01601000 08010	Retirement	12,002
01601000 08020	Health Benefits	40,351
01601000 08030	Social Security	7,063

Seconded by Legislator: Steel E. Potter

Legislator Peck said this position will be an asset moving forward in continuing to work through the homeless situation. He asked if there will be a resolution to create and develop the oversight committee that will work with this position while we are going through the process to hire someone. Administrator Hagemann said the likelihood of appointing people to that committee will happen after we have selected someone for the position, but there will be ongoing dialogue.

Roll Call Vote

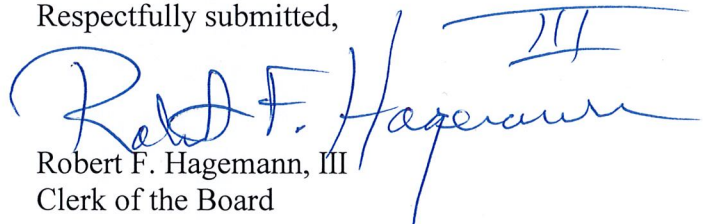
Ayes: Ferris, Grant, Potter, Calarco, Montigelli, Peck, Maxon, Drake, Doldo, McBride, Cantwell, Jareo, Johnson

Absent: Reed, Nabywaniec

Resolution passed.

There being no further business of the Board, on a motion by Legislator Maxon seconded by Legislator Ferris and unanimously carried, the meeting was adjourned at 6:28 p.m.

Respectfully submitted,


Robert F. Hagemann, III
Clerk of the Board