

**\*\*PURSUANT TO THE STATE OF EMERGENCY EXECUTIVE ORDER 11.9, IN EFFECT UNTIL SEPTEMBER 12, 2022, SUSPENSION OF LAW ALLOWS THE ATTENDANCE OF MEETINGS TELEPHONICALLY OR OTHER SIMILAR SERVICE\*\***

The Chair called the meeting to order at 6:00 p.m.

Mr. Lightfoot moved to suspend the Rules of Procedure to allow attendance to the meeting to be held telephonically, seconded by Mr. Perkins, and carried unanimously by a voice vote with fifteen (15) yes votes.

**ROLL CALL:** All Legislators were present.

**PRAYER FOLLOWED BY PLEDGE OF ALLEGIANCE**

There was a moment of silence to reflect upon the anniversary of September 11<sup>th</sup>.

**APPROVAL OF THE AGENDA:** Ms. Curran moved to approve the agenda, seconded by Mr. Perkins, and carried unanimously by a voice vote with fifteen (15) yes votes.

**APPROVAL OF MINUTES:** Ms. Curran moved to approve the August 1<sup>st</sup> Full Board and August 15<sup>th</sup> Special Board minutes, seconded by Mr. Perkins, and carried unanimously by a voice vote with fifteen (15) yes votes.

**ACCREDITATION OF THE ST. LAWRENCE COUNTY SHERIFF'S CIVIL DIVISION**  
– Peter Kehoe, Executive Director, NYS Sheriff's Association

**PRESENTATION OF A RESOLUTION:**

Finance Committee: 8-29-2022

RESOLUTION NO. 278-2022

**PROCLAIMING SEPTEMBER 18-24, 2022, AS SHERIFF'S WEEK  
IN ST. LAWRENCE COUNTY**

By Mr. Acres, Chair, Finance Committee

**WHEREAS**, the Office of Sheriff has been an integral part of the criminal justice system in New York State and in St. Lawrence County throughout history, having been established in the State's first Constitution of 1777 and continued in every succeeding Constitution, and having been one of the original Constitutional Offices guaranteed to the People upon the founding of our County, and

**WHEREAS**, despite changes in its function, status, and powers during its long history, the Office of Sheriff has maintained a continuous existence, preserved its distinguishing heritage, and continued to be an essential component of our criminal justice community, and

**WHEREAS**, the Office of Sheriff has evolved into a modern, professional, full-service law enforcement agency, manned by fully trained police officers, using state-of-the-art technology, and applying the latest and most advanced theories and practices in the criminal justice field, and

**WHEREAS**, the Office of Sheriff is unique in the community, and the duties of the office go far beyond the traditional role of “Keeper of the Peace”, and extend into many facets of public service, including maintaining the county jail, providing security in our courts, dispatching emergency services, and serving and executing civil process for our courts, and

**WHEREAS**, as a constitutionally empowered office directly responsible to the People, the ancient Office of Sheriff remains, even today, responsive and accountable to the public it serves, and

**WHEREAS**, it is fitting to celebrate the historical contributions of the Office of Sheriff and the significant role that the Sheriffs play in our modern criminal justice system,

**NOW THEREFORE, BE IT RESOLVED** that the Board of Legislators proclaims September 18-24, 2022, as Sheriff’s Week in St. Lawrence County.

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Mr. Acres moved to adopt Resolution No. 278-2022, seconded by Mr. Lightfoot, Mr. Reagen, Mr. Forsythe, Mr. Denesha, Mr. Perkins, Ms. Curran, Ms. Terminelli, Mr. Arquiatt, Ms. Fiacco, Ms. Haggard, Mr. Fay, Mr. Burke, and Mr. Smithers, and carried unanimously by a voice vote with fifteen (15) yes votes.

Nancy LaFaver, County Historian, and Sandy Santamoor, County Clerk, presented Sheriff Bigwarfe with a copy of the oath of office of the first St. Lawrence County Sheriff.

The Chair called a brief recess at 6:20 p.m. for a small reception.

**COMMUNICATIONS:** The Deputy Clerk read the following correspondence:

1. An email was received from Joann Gauthier of Massena saying there are no available doctors to issue medical prescriptions for people with heart conditions in this area and something needs to be done.
2. An email was received from Darrell Dammen of Massena saying child cancer is preventable and claims that infrasound emissions cause cancer.
3. An email was received from Reverend Dave Weissbard, a retired Unitarian Universalist minister, of Canton, said that one thing that has contributed to the greatness of America is the principle of church and state separation, which was of great importance to the founders. He said looking at the national scene, that freedom is under attack today, and he requests that the Board of Legislators go on record supporting religious diversity, especially in regard to the targeted reproductive freedom.

**CITIZEN PARTICIPATION:**

Madeline Pennington, Daughters of the American Revolution (DAR), Hannawa Falls Chapter, spoke about constitution week.

David Smith addressed the Board.

**PRESENTATION OF RESOLUTIONS:**

RESOLUTION NO. 279-2022

**PROCLAIMING THE WEEK OF SEPTEMBER 17 – 23, 2022  
AS CONSTITUTION WEEK**

By Mr. Lightfoot, District 3; Mr. Denesha, District 6;  
Mr. Acres, District 8 and Ms. Curran, District 15

**WHEREAS**, September 17, 2022, marks the two hundred and thirty-fifth (235<sup>th</sup>) anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention, and

**WHEREAS**, recognizing the enduring strength of our Constitution and reaffirming our commitment to the rights and obligation of citizenship of this great Nation, it is fitting to honor this magnificent document and its memorable anniversary, and

**WHEREAS**, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17<sup>th</sup> through 23<sup>rd</sup> as Constitution Week, and

**WHEREAS**, the Preamble of the Constitution, the summation of what the document contains and basis of the guiding principles of our Nation, was written by Gouverneur Morris, landowner, statesman, and for whom the villages of Gouverneur and Morristown in St. Lawrence County are named, and

**WHEREAS**, the first 10 amendments are known as the “Bill of Rights” and is a list of basic human rights guaranteed by law, and

**WHEREAS**, the Constitution of the United States of America gives every citizen a foundation for a free, prosperous and independent life, but each generation must work for and claim it; otherwise, through carelessness or indifference the rights and liberties we enjoy may vanish, and

**WHEREAS**, throughout this week let us honor the values the Framers stood by rededicating ourselves to carry forward the spirit first embodied in their achievements, and to pay tribute to those who shaped the land we love while working to secure everlasting peace, prosperity, and opportunity for all who call America home,

**NOW, THEREFORE, BE IT RESOLVED** the Board of Legislators proclaims the week of September 17 – 23, 2022, as Constitution Week and encourages St. Lawrence County citizens to reaffirm commitments to the rights and obligations of citizenship of the United States of America.

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Mr. Lightfoot moved to adopt Resolution No. 279-2022, seconded by Mr. Forsythe, Mr. Acres, Mr. Perkins, Ms. Curran, Mr. Smithers, and Mr. Arquiatt, and carried unanimously by a voice vote with fifteen (15) yes votes.

Operations Committee: 8-8-2022

RESOLUTION NO. 280-2022

**ACCEPTING A HOWARD G. BUFFETT FOUNDATION GRANT FOR  
A NEW YORK STATE LABOR TRAFFICKING PROGRAM AND  
MODIFYING THE 2022 BUDGET FOR THE SHERIFF'S OFFICE**

By Ms. Curran, Chair, Operations Committee

**WHEREAS**, the Sheriff's Office has been awarded a Howard G. Buffett Foundation Grant that will cover costs associated with joining a Labor Trafficking Taskforce that serves New York State, excluding New York City, and

**WHEREAS**, the taskforce will include local law enforcement, victim serving agencies, legal services, and outreach entities, and

**WHEREAS**, these grant funds will be administered by the Erie County Sheriff's Office with sub-award to local law enforcement and not-for-profit agencies to cover criminal investigations, prosecutions, outreach, legal advocacy, case management, emergency assistance, training coordination, and data analysis, and

**WHEREAS**, the purpose of this grant is to build upon the previous successes of the Western District of New York (WDNY), who are focused solely on labor trafficking, and

**WHEREAS**, this task force will consist of care member agencies such as the Erie County Sheriff's Office, St. Lawrence County Sheriff's Office, Erie County District Attorney's Office, International Institute of Buffalo (IIB), Western NY Coalition of Migrant Serving Agencies (the Coalition) and Renewal House, and

**WHEREAS**, the goals of this grant are to conduct victim centered proactive labor trafficking investigations and prosecutions; to provide comprehensive case management and immigration legal services to identify victims; to conduct outreach services to vulnerable communities and to develop promising practices for identifying, responding to and servicing survivors of labor trafficking, and

**WHEREAS**, the grant is for a three (3) year period (2022-2024) in the amount of \$1,000,720 to be used to cover salary, benefits, and any other necessary equipment and contractual expenses,

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Legislators authorizes accepting a Howard G. Buffett Foundation Grant for a New York State Labor Trafficking Program, and

**BE IT FURTHER RESOLVED** that the Treasurer is authorized to modify the 2022 Budget for the Sheriff's Office, as follows, and rollover remaining funds to future budgets until the grant is expended:

**INCREASE APPROPRIATIONS:**

S1Z31101 11000 HGBFS CRIM HGBF Supervisory/Administration	\$208,697
S1Z31101 18000 HGBF S CRIM HGBF Overtime	219,142
S1Z31101 18600 HGBF S CRIM HGBF Training	4,817
S1Z31102 23000 HGBF S CRIM HGBF Automotive Equipment	77,292
S1Z31102 25000 HGBF S CRIM HGBF Technical Equipment	119,013
S1Z31104 42300 HGBF S CRIM HGBF Other Communications	3,024
S1Z31104 42800 HGBF S CRIM HGBF Other Supplies	7,601
S1Z31104 43007 HGBF S CRIM HGBF Other Fees	75,000
S1Z31104 44001 HGBF S CRIM HGBF Automobile Expenses	15,000
S1Z31104 44100 HGBF S CRIM HGBF I/D Fuel Charges	16,500
S1Z31104 44500 HGBF S CRIM HGBF Other Travel	12,000
S1Z31104 81000 HGBF S CRIM HGBF Retirement	54,515
S1Z31108 83000 HGBF S CRIM HGBF Social Security	29,767
S1Z31108 84000 HGBFS CRIM HGBF Workmens Compensation	10,903
S1Z31108 84500 HGBF S CRIM HGBF Life Insurance	779
S1Z31108 86000 HGBF S CRIM HGBF Health Insurance	140,094
S1Z31108 86500 HGBF S CRIM HGBF Dental Insurance	4,846
S1Z31108 89000 HGBF S CRIM HGBF Vision Insurance	<u>1,730</u>
	\$1,000,720

**INCREASE REVENUE:**

S1Z33895 56000 HGBF S State Revenue HGBF	\$1,000,720
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Ms. Curran moved to adopt Resolution No. 280-2022, seconded by Mr. Denesha, and carried unanimously by a roll call vote with fifteen (15) yes votes.

September 12, 2022

Operations Committee: 8-8-2022

RESOLUTION NO. 281-2022

**AUTHORIZING THE CHAIR TO SIGN A CONTRACT WITH THE NEW YORK STATE DEFENDERS ASSOCIATION FOR THE PUBLIC DEFENDER CASE MANAGEMENT SYSTEM**

By Ms. Curran, Chair, Operations Committee

**WHEREAS**, the New York State Defenders Association (NYSDA) developed software that permits indigent defense providers to monitor and track data in a uniform and consistent manner across New York State called Public Defender Case Management System (PDCMS), and

**WHEREAS**, Resolution No. 94-2013, authorized the first contract with NYSDA wherein licenses, maintenance, and support are provided to St. Lawrence County Indigent Defense Providers for the use of the PDCMS, and

**WHEREAS**, Resolution No. 205-2021 authorized a contract for the licenses, maintenance, and support associated with the use of the PDCMS for the period of August 22, 2021 through August 21, 2022, and

**WHEREAS**, the St. Lawrence County Indigent Defense Providers and NYSDA would like to extend the contract through August 21, 2023, and

**WHEREAS**, the \$9,000 cost associated with the licenses, maintenance, and support has been, and should continue to be, funded by State grant money received through annual distribution of the Indigent Legal Services Fund (IA011704 43007),

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Legislators authorizes the Chair to sign a contract with the New York State Defenders Association for the Public Defender Case Management System, upon approval of the County Attorney.

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Ms. Curran moved to adopt Resolution No. 281-2022, seconded by Mr. Perkins, and carried unanimously by a voice vote with fifteen (15) yes votes.

Operations Committee: 8-8-2022

RESOLUTION NO. 282-2022

**AUTHORIZING THE CHAIR TO SIGN CONTRACTS WITH MUNICIPALITIES TO PROVIDE DISPATCHING SERVICES, KNOWN AS SECONDARY PUBLIC SAFETY ACCESS SERVICES (S-PSAP) FOR EMERGENCY SERVICES AGENCIES IN ST. LAWRENCE COUNTY**

By Ms. Curran, Chair, Operations Committee

**WHEREAS**, in 1990, the St. Lawrence County Board of Legislators created an ad hoc committee to investigate the need and feasibility of having an emergency telephone system, and

**WHEREAS**, following a six month review, the St. Lawrence County Board of Legislators adopted Resolution No. 215-1990, recommending an enhanced 911 Emergency Telephone System for the operation of public safety answering points which included “that there be one central Public Safety Answering Point (PSAP) with six one-button transfer stations (Villages of Canton, Gouverneur, Massena and Potsdam, City of Ogdensburg and State Police),” and

**WHEREAS**, since 1999, the State of New York has carried out the directives of the Wireless Communications and Public Safety Act of 1999 through the designation of county governments as the responsible 911 call operators, and

**WHEREAS**, in order to fulfill the responsibilities of that designation as well as follow through on the recommendations of the ad hoc legislative committee of 1990, St. Lawrence County created the Office of Emergency Services which oversees the operations of the 911 Center for St. Lawrence County to act as the primary public safety access point (PSAP), and

**WHEREAS**, since the 911 Center opened in St. Lawrence County, calls are answered from every part of the County and are subsequently dispatched to secondary public safety answering points (S-PSAP) or local dispatch, and

**WHEREAS**, there are fourteen (14) agencies who provide law enforcement in the County, several of whom operate S-PSAPs, including the original five (5) municipalities identified in Resolution No. 215-1990, and

**WHEREAS**, for many years, the County has provided both PSAP Services and S-PSAP Intermittent Dispatch Services to three (3) law enforcement agencies: the Village of Canton, the Village of Norwood, and the Town of Norfolk, and

**WHEREAS**, varying degrees of call volume and demand associated with the provision of S-PSAP Dispatch Services mandate that expectations are clear and that appropriate policies are established in order to avoid disrupting services provided to all other municipalities within the County, and in order to establish the various liabilities shouldered by the municipal entities, and

**WHEREAS**, in 2018, following the issuance of a New York State Restructuring Board Report, the Village of Potsdam considered a transfer of the responsibility for S-PSAP Dispatching Services for law enforcement to St. Lawrence County in an effort to help stabilize the fiscal health of the Village, and

**WHEREAS**, following a review by the Village of Potsdam, a determination was made not to move forward, at that time, with a pilot or with a request for the transfer of responsibility, and

**WHEREAS**, in 2019, the City of Ogdensburg received similar advice from a report issued by the New York State Restructuring Board with a goal of improving their fiscal health and the City has expressed an interest in transferring this responsibility to the County, and

**WHEREAS**, with that goal in mind, a pilot was completed in July 2021 analyzing a singular shift detail with call volume by the County of the S-PSAP operations of the City of Ogdensburg, and

**WHEREAS**, the Public Safety Complex is being prepared for renovations that include a new updated 911 Center which is meant to provide sufficient capacity to add municipalities as the interest for transferring responsibilities for dispatch services is addressed while remaining true to the original recommendations of the 1990 ad hoc legislative committee,

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Legislators authorizes the Chair to sign contracts with municipalities to provide dispatching services, known as Secondary Public Safety Answering Services (S-PSAP), for emergency services agencies in St. Lawrence County, and

**BE IT FURTHER RESOLVED** that existing services with the Village of Canton, the Village of Norwood, and the Town of Norfolk be codified in agreements that provide clear expectations of each agency, upon approval of the County Attorney, and

**BE IT FURTHER RESOLVED** that any requests for new agreements be evaluated by the St. Lawrence County Office of Emergency Services with said review to include an evaluation of existing technological capacity in order to determine if the needs of the citizens, their communities, and the County can be sufficiently met while maintaining both officer and public safety.

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Ms. Curran moved to adopt Resolution No. 282-2022, seconded by Mr. Denesha, and carried unanimously by a voice vote with fifteen (15) yes votes.



September 12, 2022

Services Committee: 8-15-2022

RESOLUTION NO. 283-2022

**AUTHORIZING THE CHAIR TO SIGN A MEMORANDUM OF UNDERSTANDING WITH COMMUNITY HEALTH CENTER OF THE NORTH COUNTRY, INC. FOR THE PROVISION OF THE CONSUMER DIRECTED PERSONAL ASSISTANCE PROGRAM IN THE DEPARTMENT OF SOCIAL SERVICES**

By Mr. Lightfoot, Chair, Services Committee

**WHEREAS**, in accordance with Section 365-f and 367-p (c) of the Social Services Law, St. Lawrence County and the Community Health Center of the North Country, Inc. seek to provide options to Medicaid recipients in St. Lawrence County who want to participate in a Consumer Directed Personal Assistance Program, and

**WHEREAS**, Community Health Center of the North Country, Inc. would like to continue to provide services for the Department of Social Services using a Consumer Directed Personal Assistance Program, and

**WHEREAS**, the effective dates of the Memorandum of Understanding (MOU) between the Department of Social Services and the Community Health Center of the North Country, Inc. will be January 1, 2020 through December 31, 2023, and

**WHEREAS**, Medical Assistance Payments for the Consumer Directed Personal Assistance Program will be made at rates approved and set by the New York State Department of Health, and the payments will pass directly from the State to the Community Health Center of the North Country, Inc.,

**NOW, THEREFORE, BE IT RESOLVED** the Board of Legislators authorizes the Chair to sign a Memorandum of Understanding with Community Health Center of the North Country, Inc. for the provision of the Consumer Directed Personal Assistance Program in the Department of Social Services, upon approval of the County Attorney.

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Mr. Lightfoot moved to adopt Resolution No. 283-2022, seconded by Ms. Curran, and carried unanimously by a voice vote with fifteen (15) yes votes.

September 12, 2022

Services Committee: 8-15-2022

RESOLUTION NO. 284-2022

**SETTING BUSINESS HOURS FOR THE ST. LAWRENCE COUNTY COMMUNITY SERVICES DEPARTMENT OPIOID TREATMENT PROGRAM (OTP) CLINIC**

By Mr. Lightfoot, Chair, Services Committee

**WHEREAS**, Community Services established and opened an Opioid Treatment Clinic on July 18, 2022, and

**WHEREAS**, NYCRR Title 14 “Department of Mental Hygiene” Chapter XXI “Office of Alcoholism and Substance Abuse Service” Part 822 “General Service Standards for Substance Use Disorder Outpatient Programs” requires the OTP Clinic to be open at least six (6) days per week and provide flexible dosing hours that meet patient needs to provide access for patients with varying schedules for visits and medication dispensing, and

**WHEREAS**, the Department hours proposed would be in the best interest of the citizens of St. Lawrence County and would meet regulations,

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Legislators sets the business hours for the St. Lawrence County the Opioid Treatment Program (OTP) Clinic, as follows:

Opioid Treatment Program (OTP) Clinic Hours

Monday:	7 a.m. – 5 p.m.
Tuesday:	7 a.m. – 5 p.m.
Wednesday:	7 a.m. – 7 p.m.
Thursday:	7 a.m. – 5 p.m.
Friday	7 a.m. – 5 p.m.
Saturday	7 a.m. – 12 p.m.

**BE IT FURTHER RESOLVED** that business hours are subject to change if determined it would be in the best interest of the citizens of St. Lawrence County.

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Mr. Lightfoot moved to adopt Resolution No. 284-2022, seconded by Mr. Burke and Ms. Curran, and carried unanimously by a voice vote with fifteen (15) yes votes.

September 12, 2022

Services Committee: 8-15-2022

RESOLUTION NO. 285-2022

**AUTHORIZING THE CHAIR TO SIGN A CONTRACT FOR FUNDING FROM OASAS  
SUBSTANCE ABUSE PREVENTION AND TREATMENT (SAPT) BLOCK GRANT  
COMPREHENSIVE INTEGRATED OUTPATIENT TREATMENT PROGRAM FUNDS  
AND MODIFYING THE 2022 BUDGET FOR COMMUNITY SERVICES**

By Mr. Lightfoot, Chair, Services Committee

**WHEREAS**, Community Services has received funding modifications from OASAS Substance Abuse Prevention and Treatment (SAPT) Block Grant Program, and

**WHEREAS**, the SAPT Block Grant Program annually provides funds to states and territories to help plan, implement, and evaluate activities that prevent and treat substance abuse and promote public health, and

**WHEREAS**, the SAPT Block Grant is managed by OASAS in New York State and is to be used for developing a new Opioid Treatment Programs that is to be integrated with existing 822 outpatient services in order to provide person-centered comprehensive treatment and Medication for Opioid Use Disorder (MOUD) Services, and

**WHEREAS**, Community Services has recognized the need for increased access of individuals with an Opioid Use Disorder (OUD) to recovery services in St. Lawrence County, and

**WHEREAS**, Community Services will use SAPT Funds for the integration of the Canton Addiction Services 822 Outpatient Clinic with the creation of an Opioid Treatment Program with the primary purpose of expanding Medication for Addiction Treatment (MAT) access, including MOUD, to the underserved individuals in St. Lawrence County, and

**WHEREAS**, this one-time only funding of \$250,000, including \$5,909 in indirect cost, is for the infrastructure and integration of the Canton Addiction Services and OTP Clinics to utilize during the award period of July 22, 2022 and March 14, 2023, and \$75,000 will be used for renovations including paint, flooring, reception windows, exam room modifications, and emergency lighting; \$22,270 will be used for medical and office needs including purchasing a perpetual Adobe software license, battery backup for the OTP computer, toxicology tests, artwork, training for staff, shelving, cabinets, lockboxes for client medications; \$90,000 will be used toward the purchase of a back-up generator; \$17,800 for the purchase of an echocardiogram (EKG) machine, a defibrillator, enhanced security equipment; and \$39,021 will be used on staffing for the Clinics, and

**WHEREAS**, Resolution No. 184-2022 authorized updates to facilities utilizing DSRIP Funds and contingency, upon receipt of the funds provided through SAPT Block Grant, these funds will be used instead for the project,

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Legislators authorizes the Chair to sign a contract for funding from OASAS Substance Abuse Prevention and Treatment (SAPT) Block Grant Comprehensive Integrated Outpatient Treatment Program Funds, upon approval of the County Attorney, and

**BE IT FURTHER RESOLVED** that the Board of Legislators authorizes the Treasurer to modify the 2022 Budget for Community Services, as follows:

**INCREASE APPROPRIATIONS:**

A1Z42501 11000 SP	A SAPT Direct Service Worker	\$25,000
A1Z42502 21000 SP	A SAPT Furnishings	165,000
A1Z42502 25000 SP	A SAPT Tech Equipment	7,800
A1Z42504 41102 SP	A SAPT Educational Workshops	6,000
A1Z42504 42000 SP	A SAPT Office Supplies and Expenses	11,170
A1Z42504 42004 SP	A SAPT Computer Software	450
A1Z42504 45100 SP	A SAPT Medical Supplies	4,650
A1Z42504 423SS SP	A SAPT Security System	10,000
A1Z42508 81000 SP	Retirement	3,150
A1Z42508 83000 SP	Social Security	1,720
A1Z42508 84000 SP	Workmen Compensation	631
A1Z42508 84500 SP	Group Life Insurance	46
A1Z42508 86000 SP	Hospital & Medical Insurance	8,095
A1Z42508 86500 SP	A Dental Insurance	279
A1Z42508 89000 SP	Vision Insurance	<u>100</u>
		\$244,091

**INCREASE REVENUE:**

A1Z44865 57000	A SAPT SP Block Grant Integration	\$244,091
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**BE IT FURTHER RESOLVED** that any remaining funds be rolled over to future budgets until the grant is fully expended.

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Mr. Lightfoot moved to adopt Resolution No. 285-2022, seconded by Mr. Forsythe, and carried unanimously by a roll call vote with fifteen (15) yes votes.

September 12, 2022

Services Committee: 8-15-2022

RESOLUTION NO. 286-2022

**AUTHORIZING THE CHAIR TO SIGN TWO CONTRACTS WITH NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE TO ACCEPT THE 2022-2023 TRAFFIC SAFETY PROGRAM AND CHILD PASSENGER SAFETY GRANTS**

By Mr. Lightfoot, Chair, Services Committee

**WHEREAS**, the New York State Governor's Traffic Safety Committee has determined that the St. Lawrence County Traffic Safety Grant will be funded at \$84,876, with an additional Child Passenger Safety Grant for training and fitting stations in the amount of \$10,520 for a total budget of \$95,396, and

**WHEREAS**, funding from the Governor's Traffic Safety Committee was requested and approved for the time period of October 1, 2022 through September 30, 2023 (A7233895 56000),

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Legislators authorize the Chair to sign two contracts with the New York State Governor's Traffic Safety Committee to accept the 2022-2023 Traffic Safety Program and Child Passenger Safety Grants, and any other documents necessary to carry out the terms of the grants and the services associated with it, upon approval of the County Attorney.

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Mr. Lightfoot moved to adopt Resolution No. 286-2022, seconded by Ms. Curran, and carried unanimously by a voice vote with fifteen (15) yes votes.

Services Committee: 8-15-2022

RESOLUTION NO. 287-2022

**AUTHORIZING THE CHAIR TO SIGN CONTRACTS WITH CONTRACTORS, SUBCONTRACTORS, AND CONSULTANTS FOR THE OVERDOSE DATA TO ACTION GRANT FOR THE PUBLIC HEALTH DEPARTMENT**

By Mr. Lightfoot, Chair, Services Committee

**WHEREAS**, the Public Health Department is responsible for the Overdose Data to Action Grant (OD2A) (9/1/2022 – 8/31/2023) which is part of the Emergency Preparedness Program, and

**WHEREAS**, Resolution No. 242-2021 authorized accepting \$72,000 in funding from the New York State Department of Health to address the opioid epidemic in the community (PPZ44895 57000 OP), and

**WHEREAS**, this funding will be used for interventions, to increase access to Naloxone and Fentanyl test strips for community members at high-risk of experiencing an overdose, to provide education on substance use, overdose prevention, stigma, and mental health, and

**WHEREAS**, harm reduction kits containing supplies to prevent and reverse overdose will include Narcan, Fentanyl test strips, CPR masks, gloves, and educational materials will be available to individuals utilizing treatment and recovery services throughout St. Lawrence County, including inmates upon release from the St. Lawrence County Correctional Facility, and

**WHEREAS**, training will be provided to the St. Lawrence County Jail staff regarding harm reduction, the importance of the use of Medications for Opioid Use Disorder (MOUD), and to reduce stigma regarding treatment to increase compassion and care within the facility,

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Legislators authorizes the Chair to sign contracts with contractors, subcontractors and consultants for the Overdose Data to Action Grant (OD2A) for the Public Health Department, upon approval of the County Attorney.

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Mr. Lightfoot moved to adopt Resolution No. 287-2022, seconded by Ms. Curran and Mr. Acres, and carried unanimously by a voice vote with fifteen (15) yes votes.

Services Committee: 8-15-2022

RESOLUTION NO. 288-2022

**AUTHORIZING THE CHAIR TO SIGN A CONTRACT WITH KNOWLEDGE  
CAPITAL ALLIANCE FOR VMSG DASHBOARD PERFORMANCE  
MANAGEMENT SYSTEM**

By Mr. Lightfoot, Chair, Services Committee

**WHEREAS**, the Public Health Department is pursuing national accreditation, and

**WHEREAS**, accreditation assists a department in identifying their strengths and weaknesses, strengthens quality improvement and performance management processes, builds confidence of the public in public health departments, improves staff competencies, increases ability to identify gaps in employee training and workforce development, and bolsters financial status, and improved utilization of resources, and

**WHEREAS**, the Public Health Accreditation Board (PHAB) accredits public health departments to strengthen public health infrastructure and transform governmental public health based on ten (10) domains, and

**WHEREAS**, PHAB Domain 9 includes two standards: Standard 9.1: Use a performance management system to monitor achievement of organizational objectives and standard 9.2: develop and implement quality improvement processes integrated into organizational practice, programs, processes, and interventions, and

**WHEREAS**, the Knowledge Capital Alliance VMSG Dashboard Performance Management System is in use by health departments across the United States in their pursuit of PHAB Accreditation and Reaccreditation and/or providing optimal service levels to their communities, and

**WHEREAS**, the VMSG Dashboard Performance Management System is continuously updated to meet and exceed PHAB requirements and standards for public health accreditation, as well as providing a high level of automation to the accreditation process, and

**WHEREAS**, Knowledge Capital Alliance quotes the VMSG Dashboard Performance Management System license for twenty-five (25) users to be \$2,500 annually (PP040104 42004),

**NOW, THEREFORE, BE IT RESOLVED** the Board of Legislators authorizes the Chair to sign a contract with Knowledge Capital Alliance for VMSG Dashboard Performance Management System, upon approval of the County Attorney.

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Mr. Lightfoot moved to adopt Resolution No. 288-2022, seconded by Ms. Curran, and carried unanimously by a voice vote with fifteen (15) yes votes.

Services Committee: 8-15-2022

RESOLUTION NO. 289-2022

**CALLING ON THE NEW YORK STATE CLIMATE ACTION COUNCIL TO CRAFT A FINAL SCOPING DOCUMENT THAT REFLECTS THE DIFFERING CLIMATE ZONES AND WEALTH IN THE STATE AND THAT NO ACTION BE TAKEN TO REDUCE OR BAN ANY ENERGY SOURCES UNTIL RELIABLE ENERGY SOURCES THAT HAVE BEEN PROVEN SAFE AND AFFORDABLE ARE IN PLACE**

By Mr. Lightfoot, Chair, Services Committee  
Co-Sponsored by Mr. Reagen, District 1; Mr. Sheridan, District 4;  
Mr. Denesha, District 6; Mr. Acres, District 8; and Ms. Curran, District 15

**WHEREAS**, the NYS Climate Action Council recently completed a public hearing process to gather comments on a draft scoping plan that sets a path forward for reducing greenhouse gas emissions in New York State, and

**WHEREAS**, that process showed there is considerable concern around the State regarding the impact the goal of full electrification will have on the ability to provide safe, reliable, and affordable energy to State residents, and

**WHEREAS**, the Climate Action Council currently has a subgroup developing guidelines for consideration by the Council on the use of fuels such as hydrogen, renewable natural gas, and other biofuels, such as renewable diesel and renewable jet fuel, to meet the Climate Act emission limits, and

**WHEREAS**, St. Lawrence County has the resources necessary to generate alternative fuels such as renewable natural gas and green hydrogen that could benefit the economy of the region and provide residents with safe, reliable, and locally-produced thermal energy sources rather than shipping renewable power generated locally out of the region, and

**WHEREAS**, St. Lawrence County dairy farmers produced 812 million pounds of milk in 2020, ranking the County fourth in the Northeast Milk Marketing Area which extends from New Hampshire to Maryland, and according to the Northeast Statistical Handbook, 253 dairy farms operate in the County, the second highest number of farm operations in the Marketing Area, and

**WHEREAS**, St. Lawrence County dairy farmers, milk processors, and support industries make significant contributions to the economy of the region, and farmers in St. Lawrence County are facing increasing pressures related to inflation, commodity prices and additional regulations, and

**WHEREAS**, a number of St. Lawrence County businesses and agribusinesses are now working with developers and the SLC Industrial Development Agency to generate renewable natural gas that could drive down greenhouse gas emissions related to thermal heating supply sources, and will assist in addressing environmental issues on the farms along with producing a new revenue stream for agriculture producers, and

**WHEREAS**, St. Lawrence County is the coldest climate zone in New York State and residents could face serious consequences if the State takes actions that lead to a less reliable energy grid during winter months when it is common for temperatures to drop below zero, and

**WHEREAS**, St. Lawrence County has a poverty rate higher than the national and state averages meaning rising energy costs have had a significant negative impact on low and middle-income residents living in the County, and

**WHEREAS**, the 2018 American Community Survey revealed thirty-six percent (36%) of St. Lawrence County residents heat their homes with utility gas, twenty-eight percent (28%) with fuel oil or kerosene, fourteen percent (14%) with wood, nine percent (9%) percent with LP gas, and just eleven percent (11%) with electric, and

**WHEREAS**, a study conducted for the National Home Builders Association said the cost of retrofitting a home currently heated by natural gas to transition it to electrification with a climate such as that in St. Lawrence County would likely cost between \$20,000 and \$30,000, a cost that represents twenty percent (20%) to thirty percent (30%) of the value of nearly half of the housing units in the County creating a heavy financial burden on St. Lawrence County homeowners, and



**WHEREAS**, any mandates recommended by the New York State Climate Action Council that require full electrification or reduced heating options available to St. Lawrence County will have a negative impact on the ability of St. Lawrence County residents to heat their homes with safe, reliable, and affordable energy,

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Legislators calls on the New York State Climate Action Council to craft a final scoping document that reflects the differing climate zones and wealth in the State and that no action be taken to reduce or ban any energy sources until reliable energy sources that have been proven safe and affordable are in place, and

**BE IT FURTHER RESOLVED** that the Climate Action Council take action to make alternative fuels such as RNG and green hydrogen part of the effort of New York State to reach its de-carbonization targets and encourage the State Legislature to amend the Climate Leadership and Community Protection Act to reflect the role these alternative fuels can play in meeting the climate action goals of New York State, and

**BE IT FURTHER RESOLVED** that certified copies of this resolution be forwarded to Governor Kathy Hochul; Senator Joseph Griffo; Senator Patricia Ritchie; Senator Dan Stec; Assemblyman Ken Blankenbush; Assemblyman Billy Jones; Assemblyman Robert Smullen; Assemblyman Mark Walczyk; Doreen Harris, Co-Chair Climate Action Council Member; and Basil Seggos, Co-Chair Climate Action Council Member.

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Mr. Lightfoot moved to adopt Resolution No. 289-2022, seconded by Mr. Denesha, Ms. Curran, Mr. Acres, Mr. Reagen, Mr. Fay, and Mr. Arquiett.

Mr. Reagen said it is important to stress to our State and Federal Representatives the need to allow our citizen to continue using affordable heating sources. The actions taken by the Climate Action Council does not show consideration for affordable and reliable energy sources.

Mr. Acres asked to be added as a co-sponsor to this resolution. He said it is not climate change he is worried about as much as the policies being rushed through regarding climate change.

Resolution No. 289-2022 was adopted by a voice vote with fourteen (14) yes votes, and one (1) no vote (Haggard).

September 12, 2022

Services Committee: 7-18-2022

RESOLUTION NO. 290-2022

**SUPPORTING THE EFFORTS OF COMMUNITY SERVICES TO END  
THE WAIT LIST FOR CLINIC APPOINTMENTS**

By Mr. Reagen, District 1

**WHEREAS**, the Board of Legislators recognizes the need for timely evaluation and treatment of mental health and addiction services in St. Lawrence County, and

**WHEREAS**, the importance of ensuring that access to care is available for any individual who would like to receive care is of critical importance to the Board of Legislators, and

**WHEREAS**, current staffing levels for clinicians in the behavioral health environment create additional challenges for providing immediate access to services, the County Mental Health and Addiction Services are recruiting for four (4) clinical positions currently vacant, and

**WHEREAS**, the network of care in the County is a complex environment that will require adaptation to meet the requirements set forth in this resolution, and

**WHEREAS**, a new approach will be taken when a call or request comes in for services, if County Clinics cannot provide a same day appointment with a behavioral health clinician, the Board of Legislators would like to ensure that access to care is made available as soon as possible to the individual requesting assistance,

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Legislators supports the efforts of Community Services to end the wait list for clinic appointments, and

**BE IT FURTHER RESOLVED** that the intent of this resolution is intended to ensure that going forward when a patient calls Community Services seeking treatment for mental health or an addiction, that access to the first available appointment possible be provided and further directs the Community Services Director, who serves as the St. Lawrence County LGU, to implement a community services bulletin board accessible to the public of all services available with availability of appointments.

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Mr. Reagen moved to adopt Resolution No. 290-2022, seconded by Mr. Forsythe.

Mr. Smithers said he has concerns with this resolution as amended as there are now conflicting statements throughout the resolution.

Mr. Burke asked if adopting this resolution would require additional staff to accomplish the work.

Mr. Reagen said the intent of this resolution is to ensure whoever needs and wants assistance has access to services in a timely manner.

Mr. Perkins moved to remove the word “immediately” from the last whereas and replace it with “as soon as possible”, seconded by Mr. Reagen.

Mr. Burke said the amendment still does not answer the question of the feasibility of the resolution.

Mr. Arquiett said he cannot support the amendment or resolution until the Director of Community Services, Jay Ulrich, has had a chance to weigh in on the resolution.

Ms. Terminelli said it is clear from listening to the discussion regarding the resolution that this Board all wants the same thing, but the wording is unclear and the intention of this resolution to one Board can change when the next Board is in place. Rather than passing this resolution, she would rather be proactive and ask the Community Services Director to come up with a manageable plan.

Mr. Acres said he is not willing to wait for another solution or a plan from the Community Services Director. The language in the resolution can be amended. He asked the Board to support Legislator Perkins’ amendment, and to make any further amendments, as needed.

Mr. Arquiett asked the Community Services Director if it is possible to accomplish what the resolution requests without adding additional staff. Mr. Ulrich said the current staff would be able to do this work, but the struggle would come when the Department is short-staffed due to vacations and sick leave.

Ms. Curran said she does not want to see a waitlist when people call Community Services in stress. She encourages everyone to support this resolution.

Mr. Lightfoot said this is a good resolution. People who are in need should be able to get treatment immediately.

Mr. Burke said the people who answer the phones at Community Services are not nurses, and are not trained professionals to handle dire situations.

Ms. Curran called the question, seconded by Mr. Lightfoot, and carried unanimously by a voice vote with fifteen (15) yes votes.

Amendment carried by a voice vote with thirteen (13) yes votes, and two (2) no votes (Fiacco and Haggard).

Mr. Lightfoot moved to amend the “now, therefore be it resolved” portion of the resolution to state “that the Board of Legislators supports the efforts of Community Services to end the wait list for clinic appointments,” seconded by Mr. Acres and Mr. Reagen, and carried unanimously by a voice vote with fifteen (15) yes votes,

September 12, 2022

Resolution No. 290-2022 was adopted by a voice vote with fourteen (14) yes votes, and one (1) no vote (Haggard.)

Finance Committee: 8-29-2022

RESOLUTION NO. 291-2022

**AUTHORIZING THE CHAIR TO SIGN PERMANENT EASEMENTS WITH NATIONAL GRID ON THE PARCEL AND THE ADJOINING PROPERTY FOR CONSTRUCTION OF UTILITIES FOR THE COUNTY HIGHWAY FACILITY IN THE TOWN OF POTSDAM**

By Mr. Acres, Chair, Finance Committee

**WHEREAS**, the Department of Highways is constructing an Outpost that contains both sand/salt and motor equipment storage facilities in the Town of Potsdam, and

**WHEREAS**, a parcel of land in the Town of Potsdam, Tax Map No. 75.002-1-5, is the location of the new Potsdam Outpost, and

**WHEREAS**, a parcel of land in the Town of Potsdam, Tax Map No. 75.002-1-24, has a permanent easement granted to the County for the purpose of accessing the new Potsdam Outpost, and

**WHEREAS**, prior to operating, the County must grant a permanent easement to National Grid over Tax Map No. 75.002-1-5 and adjacent parcel, Tax Map No. 75.002-1-24, for the purpose of constructing utility installation to the facility, and

**WHEREAS**, Resolution No. 184-2021 authorized the Chair of the Board of Legislators to sign all necessary documents for the purchase of property rights for the Potsdam Outpost,

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Legislators authorizes the Chair to sign permanent easements with National Grid on the parcel and the adjoining property for construction of utilities for the County Highway Facility in the Town of Potsdam.

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Mr. Acres moved to adopt Resolution No. 291-2022, seconded by Mr. Smithers, and carried unanimously by a voice vote with fifteen (15) yes votes.

September 12, 2022

Finance Committee: 8-29-2022

RESOLUTION NO. 292-2022

**AUTHORIZING THE CHAIR TO SIGN A CONTRACT WITH ST. LAWRENCE VALLEY EDUCATIONAL TELEVISION COUNCIL, INC. FOR THE PURPOSE OF MAINTAINING AN ANTENNA ON THE TOWER IN SOUTH COLTON**

By Mr. Acres, Chair, Finance Committee

**WHEREAS**, the Department of Highways presently has an antenna on the WPBS/WNPI Tower located in South Colton off the East Hill Road, and

**WHEREAS**, Resolution No. 409-2018, authorized an agreement with WPBS/WNPI, licensed as St. Lawrence Valley Educational Television Council, Inc., to maintain an antenna on the tower in South Colton, and this two (2) year agreement (2019 and 2020) had an option for two (2) one-year extensions (2021 and 2022), and

**WHEREAS**, the new contract term will be from January 1, 2023 through December 31, 2024, with the option of two (2) one-year renewals extending it to December 31, 2026,

**WHEREAS**, the annual cost is \$18,596 for 2023 and \$19,526 for 2024 (HM351104 42100), and

**NOW, THEREFORE, BE IT RESOLVED** that the Chair is authorized to sign the Chair to sign a contract with St. Lawrence Valley Educational Television Council, Inc. for the purpose of maintaining an antenna on the tower in South Colton, upon approval of the County Attorney.

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Mr. Acres moved to adopt Resolution No. 292-2022, seconded by Ms. Curran and Mr. Smithers, and carried unanimously by a voice vote with fifteen (15) yes votes.

September 12, 2022

Finance Committee: 8-29-2022

RESOLUTION NO. 293-2022

**AUTHORIZING THE CHAIR TO SIGN A CONTRACT WITH J. J. KELLER & ASSOCIATES, INC. FOR AN ENTRY-LEVEL DRIVER TRAINING (ELDT) TRAINER CERTIFICATION PROGRAM AND MODIFYING THE 2022 BUDGET FOR THE DEPARTMENT OF HIGHWAYS**

By Mr. Acres, Chair, Finance Committee

**WHEREAS**, the Department of Highways utilizes various pieces of motor equipment in its daily operations, and New York State Commercial Driver’s Licenses (CDL) Class A & B are required to operate the equipment, and

**WHEREAS**, the impact of the current labor shortage has made it increasingly difficult to hire and retain licensed individuals, and

**WHEREAS**, J. J. Keller & Associates, Inc. (J. J. Keller) has submitted a proposed agreement to provide St. Lawrence County with an Entry-Level Driver Training (ELDT) Trainer Certification Program for entry-level driver training for Commercial Driver’s License (CDL) A & B,

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Legislators authorizes the Chair to sign a contract with J. J. Keller & Associates, Inc. for an Entry-Level Driver Training (ELDT) Trainer Certification Program, and

**BE IT FURTHER RESOLVED** that the Treasurer is authorized to modify the 2022 Budget for the Department of Highways, as follows:

**INCREASE APPROPRIATIONS:**

HM351104 41102                      H MR Educational Workshops                      \$1,900

**INCREASE REVENUE:**

HM026505 55000                      H LR Sale of Scrap & Excess                      \$1,900

**BE IT FURTHER RESOLVED** that the Superintendent of Highways will develop and implement a program to train drivers who work for the St. Lawrence County Department of Highways.

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Mr. Acres moved to adopt Resolution No. 293-2022, seconded by Mr. Smithers and Mr. Forsythe, and carried unanimously by a roll call vote with fifteen (15) yes votes.

September 12, 2022

Finance Committee: 8-29-2022

RESOLUTION NO. 294-2022

**AUTHORIZING THE CHAIR TO SIGN CONTRACTS FOR THE CONSTRUCTION OF A RECYCLING STATION TRANSFER FACILITY AT THE OGDENSBURG TRANSFER STATION AND MODIFYING THE 2022 BUDGET FOR SOLID WASTE**

By Mr. Acres, Chair, Finance Committee

**WHEREAS**, Resolution No. 374-2021 authorized the Chair to sign a contract for professional engineering services for the design of a recycling transfer facility at the Ogdensburg Transfer Station, and

**WHEREAS**, the Solid Waste Department solicited bids for the construction of a recycling transfer station at the Ogdensburg Transfer Station, and

**WHEREAS**, the lowest responsible bidders for this project have been determined,

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Legislators authorizes the Chair to sign contracts for the construction of a recycling station transfer facility at the Ogdensburg Transfer Station, upon approval of the County Attorney, and does hereby approve the following contracts to:

General Contractor: Luck Bros, Inc.  
Contract Amount: Not to Exceed \$1,551,500

Electrical Contractor: Watson Electric  
Contract Amount: Not to Exceed \$95,100

Contract Title: St. Lawrence County Ogdensburg Transfer Station Improvement Project WT081604 465CO

**BE IT FURTHER RESOLVED** that the Board of Legislators authorizes the Treasurer to modify the 2022 Budget for Solid Waste, as follows:

**DECREASE RETAINED EARNINGS:**

05TG0909 50300 Retained Earnings \$1,646,600

**INCREASE APPROPRIATED FUND BALANCE:**

05TG0599 50300 EL Fund Balance, Appropriated \$1,646,600

**INCREASE APPROPRIATIONS:**

WT081604 465CO W TRS Subcontractors \$1,646,600

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Mr. Acres moved to adopt Resolution No. 294-2022, seconded by Ms. Curran and Mr. Smithers, and carried unanimously by a roll call vote with fifteen (15) yes votes.

Finance Committee: 8-29-2022

RESOLUTION NO. 295-2022

**AUTHORIZING THE CHAIR TO SIGN A CONTRACT WITH BARTON AND LOGUIDICE, D.P.C. FOR BIDDING, CONSTRUCTION, AND INSPECTION SERVICES FOR THE OGDENSBURG TRANSFER STATION IMPROVEMENT PROJECT AND MODIFYING THE 2022 BUDGET FOR SOLID WASTE**

By Mr. Acres, Chair, Finance Committee

**WHEREAS**, Resolution No. 374-2021 authorized the Chair to sign a contract for professional engineering services for the design of a recycling transfer facility at the Ogdensburg Transfer Station, and

**WHEREAS**, Barton & Loguidice, D.P.C. (B&L) has prepared a supplemental proposal to provide bidding assistance, construction administration, and general engineering services associated with the construction of the Ogdensburg Transfer Station Improvement Project for a fee not to exceed \$28,850,

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Legislators authorizes the Chair to sign a contract with Barton and Loguidice, D.P.C. for bidding, construction, and inspection services for the Ogdensburg Transfer Station Improvement Project, upon approval by the County Attorney,

**BE IT FURTHER RESOLVED** that the Treasurer is authorized to modify the 2022 Budget for Solid Waste, as follows:

**DECREASE RETAINED EARNINGS:**

05TG0909 50300	Retained Earnings	\$28,850
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**INCREASE APPROPRIATED FUND BALANCE:**

05TG0599 50300	EL Fund Balance, Appropriated	\$28,850
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**INCREASE APPROPRIATIONS:**

WT081604 465CO	W TRS Subcontractors	\$28,850
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Mr. Acres moved to adopt Resolution No. 295-2022, seconded by Ms. Curran and Mr. Smithers, and carried unanimously by a roll call vote with fifteen (15) yes votes.

Finance Committee: 8-29-2022

RESOLUTION NO. 296-2022

**AUTHORIZING THE CHAIR TO SIGN A CONTRACT WITH BARTON AND LOGUIDICE, D.P.C. FOR ENGINEERING SERVICES FOR PART 360 PERMIT RENEWAL FOR THE MASSENA TRANSFER STATION AND MODIFYING THE 2022 BUDGET FOR SOLID WASTE**

By Mr. Acres, Chair, Finance Committee

**WHEREAS**, in accordance with 6 NYCRR 360.16 & 360.19, St. Lawrence County is required to renew the Transfer Station Operational Permit, and

**WHEREAS**, the current Part 30 DEC Permit for the Massena Transfer Station is set to expire on November 1, 2022, and

**WHEREAS**, Barton & Loguidice, D.P.C. (B&L) has prepared a proposal to provide engineering services to assist the County in preparing the required application documents for the Part 360 Permit Renewal at the Massena Transfer Station for a fee not to exceed \$6,000,

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Legislators authorizes the Chair to sign a contract with Barton and Loguidice, D.P.C. for engineering services for Part 360 Permit renewal for the Massena Transfer Station, upon approval by the County Attorney,

**BE IT FURTHER RESOLVED** that the Treasurer is authorized to modify the 2022 Budget for Solid Waste, as follows:

**DECREASE APPROPRIATIONS:**

WA017104 49700	W Admin Contingency Account	\$6,000
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**INCREASE APPROPRIATIONS:**

WT081604 430ED	W TRS Engineering & Design	\$6,000
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Mr. Acres moved to adopt Resolution No. 296-2022, seconded by Ms. Curran and Mr. Smithers, and carried unanimously by a roll call vote with fifteen (15) yes votes.

September 12, 2022

Finance Committee: 8-29-2022

RESOLUTION NO. 297-2022

**MODIFYING THE 2022 BUDGET FOR THE SHERIFF’S OFFICE  
FOR OVERTIME EXPENSES**

By Mr. Acres, Chair, Finance Committee

**WHEREAS**, the Sheriff’s Office has exceeded the overtime budgets for 2022, and

**WHEREAS**, the Criminal Division experienced a significant uptick in the number of employees in the Academy with eight officers at the beginning of 2022 which leaves each shift in need of overtime to cover the workload, and

**WHEREAS**, the Correctional Division saw a reduction in available staff to work of almost thirty (30%) percent and there are minimum staffing requirements that obligate the Sheriff to ensure that shifts and posts are covered, and

**WHEREAS**, annually twenty-five (25%) percent of overtime appropriation requests are placed in the contingency account, and this year there is \$30,750 available for the Criminal Division and \$60,000 available in the Correctional Division to support this request, and

**WHEREAS**, traditionally the Sheriff reviews all existing accounts for available funds to cover the areas coming in higher than anticipated,

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Legislators authorizes the Treasurer to modify the 2022 Budget for the Sheriff’s Office for overtime expenses, as follows:

**DECREASE APPROPRIATIONS:**

S1031101 18600	S CRIM Training	\$18,000
S1031101 19000	S CRIM Temp Part-Time	22,400
S4031501 19511	S JAIL Pre-shift Briefing	37,000
B1019904 49700	B SPEC Contingency Account	<u>43,300</u>
		\$120,700

**INCREASE APPROPRIATIONS:**

S1031101 18000	S CRIM Overtime	\$40,000
S2031101 18000	S CIVIL Overtime	700
S4031501 18000	S JAIL Overtime	<u>80,000</u>
		\$120,700

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Mr. Acres moved to adopt Resolution No. 297-2022, seconded by Ms. Curran and Mr. Burke, and carried unanimously by a roll call vote with fifteen (15) yes votes.

September 12, 2022

Finance Committee: 8-29-2022

RESOLUTION NO. 298-2022

**MODIFYING THE 2022 BUDGET FOR THE OPIOID TREATMENT PROGRAM FOR COMMUNITY SERVICES**

By Mr. Acres, Chair, Finance Committee

**WHEREAS**, on November 2, 2021, Resolution No. 335-2021 the Board of Legislators named St. Lawrence County Canton Addictions Services Clinic the sub-award recipient to develop and operate the Opioid Treatment Program for the COSSAP Program and OASAS has issued the OTP clinic PRU 53606, and

**WHEREAS**, on July 18, 2022, the Opioid Treatment Program began seeing clients and dispensing medication and the first month reached forty-one (41) clients and now requires additional medication and supplies,

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Legislators authorizes the Treasurer to modify the 2022 Budget for the Opioid Treatment Program for Community Services, as follows:

**INCREASE APPROPRIATIONS:**

A1442304 45100	A OTP Medical Supplies & Expenses	\$30,000
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**INCREASE REVENUE:**

A1416305 55000	A OTP Clinic Revenue	\$30,000
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Mr. Acres moved to adopt Resolution No. 298-2022, seconded by Ms. Curran, and carried unanimously by a roll call vote with fifteen (15) yes votes.

Finance Committee: 8-29-2022

RESOLUTION NO. 299-2022

**AUTHORIZING THE CHAIR TO SIGN A CONTRACT APPROPRIATING AMERICAN RESCUE PLAN ACT (ARPA) FUNDS FOR THE PURPOSE OF THE REMOVAL OF ASH TREES WITH THE SOIL AND WATER CONSERVATION DISTRICT AND MODIFYING THE 2022 BUDGET FOR THE COUNTY ADMINISTRATOR'S OFFICE**

By Mr. Acres, Chair, Finance Committee

**WHEREAS**, on May 2, 2022, Resolution No. 181-2022 adopted the recommendations made by the ARPA Committee regarding the uses of the \$20.9M in American Rescue Plan Act (ARPA) Funds provided to St. Lawrence County, and

**WHEREAS**, recognizing the importance of public safety and preemptively mitigating impacts of the Emerald Ash Borer (EAB) for accessibility along County roads for the citizens of St. Lawrence County, funds were appropriated to provide for removal of ash trees within the highway bounds of County routes as identified by the County Highway Department, and

**WHEREAS**, of the funds appropriated, \$900,000 has been allocated for the removal of dead and dying ash trees within highway bounds as identified by the Highway Department to the St. Lawrence County Soil & Water Conservation District (SLC SWCD), with confirmation by the Conservation District Forester, and

**WHEREAS**, the list of towns, priority based, where EAB has been located and how it has spread throughout the County include: Hammond, Morristown, Oswegatchie, Lisbon, Waddington, Louisville, Massena, Rossie, Macomb, DePeyster, Madrid, Norfolk, Brasher, Gouverneur, Dekalb, Canton, Potsdam, Stockholm, Lawrence, Fowler, Hermon, Russell, Pierrepont, Parishville, Hopkinton, Pitcairn, Edwards, Fine, Clare, Colton, Clifton, and Piercefield, and

**WHEREAS**, recognizing that homeowners utilize wood as a heat source, ash trees of a minimum Diameter at Breast Height (DBH) of 10” and determined to be of firewood quality by the Conservation District Forester, or hired contractors, may be left for landowners use provided they complete a Memorandum of Understanding (MOU) with SLC SWCD, and

**WHEREAS**, a planting of native trees will be included with the budget for this project to offset the loss of ash trees cut, and will be facilitated by the SLC SWCD which will include site preparation and plug plantings on County Forestland parcels, and

**WHEREAS**, the plantings will be mutually beneficial to replacing removed trees and improving forest stand health of County parcels in need of improvements, and

**WHEREAS**, the SLC SWCD Board of Directors is supportive of the removal recommendations for trees impacted by the EAB and mitigated plantings for St. Lawrence County, and

**WHEREAS**, additionally the SLC SWCD Board of Directors is supportive of the removal of hazard trees that are also located in the Highway Bounds of County Routes and recommended that they be included in this project and that will be presented in a separate resolution,

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Legislators authorizes the Chair to sign a contract appropriating American Rescue Plan Act (ARPA) Funds for the purpose of the removal of ash trees with the Soil and Water Conservation District, and

**BE IT FURTHER RESOLVED** that removal of ash trees damaged by the EAB and within the County highway bounds has the potential to be County-wide benefit and the goal of the ARPA Committee was to broadly apply funds for an overall County benefit, and

**BE IT FURTHER RESOLVED** that the Treasurer is authorized to modify the 2022 Budget for the County Administrator's Office, as follows:

**INCREASE REVENUE:**

BF940895 57000 ARP6	B ARP 6.1 Revenue Ash Tree	\$900,000
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**INCREASE APPROPRIATIONS:**

BF987304 46500 ARP6	B ARP 6.1 Forestry Ash Tree	\$900,000
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**BE IT FURTHER RESOLVED** that any funds not spent in 2022 be rolled over until fully expended, in accordance with the U.S. Treasury Final Rule.

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Mr. Acres moved to adopt Resolution No. 299-2022, seconded by Mr. Burke and Ms. Curran, and carried unanimously by a roll call vote with fifteen (15) yes votes.

Finance Committee: 8-29-2022

RESOLUTION NO. 300-2022

**MODIFYING THE 2022 BUDGET FOR THE COUNTY ADMINISTRATOR'S OFFICE TO COMPLETE ADDITIONAL WORK OF HAZARD TREE REMOVAL ASSOCIATED WITH THE ASH TREE REMOVAL PROJECT**

By Mr. Acres, Chair, Finance Committee

**WHEREAS**, a recommendation has been made that Ash Trees impacted by the Emerald Ash Borer (EAB) identified by the Conservation District Forester in County Highway Bounds be removed as a public safety project to protect the traveling public in St. Lawrence County, and

**WHEREAS**, counties around New York State impacted by the EAB have been pursuing the removal of impacted Ash Trees through a variety of strategies and at different paces for several years, and

**WHEREAS**, the County will be contracting for the Ash Tree Removal Project with the Soil & Water Conservation District and they will facilitate the work associated with the removal of Ash Trees in County Highway Bounds as identified by the Conservation District Forester, and

**WHEREAS**, in consideration and review of the Project, the Board of Directors for the Soil & Water Conservation District (SWCD) also recommended that hazard trees in the same areas as marked by the Conservation District Forester be removed as a part of the Project, and

**WHEREAS**, the responsibility of the County to provide county roadways free of hazard trees will continue beyond the availability of the recommended Ash Tree Project and both will require appropriations on an annual basis,

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Legislators authorizes the Treasurer to modify the 2022 Budget for the County Administrator’s Budget for the purpose of removing hazard trees during the Ash Tree Removal Project;

**DECREASE APPROPRIATIONS:**

B1019904 49700                      B SPEC Contingency Account                      \$200,000

**INCREASE APPROPRIATIONS:**

BF087304 46500                      B Forestry Other Payments                      \$200,000

**BE IT FURTHER RESOLVED** that a report to the Board of Legislators will be provided following the completion of hazard tree and Ash Tree removals, and

**BE IT FURTHER RESOLVED** that funds not utilized in 2022 be rolled over to future budgets until fully expended.

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Mr. Acres moved to adopt Resolution No. 300-2022, seconded by Mr. Smithers and Ms. Curran.

Mr. Acres said he hopes everyone will support this resolution. Professional tree trimers will be taking down the ash trees, and will also be removing other dead and leaning trees along the roadside at the same time.

Mr. Arquiett said he thinks this is a great idea as long as the union and the workers at highway support having contractors remove these trees.

Mr. Forsythe asked who determines which trees will be removed. Ms. Doyle said the County Forester will be making that determination and will be marking the trees for removal.

Mr. Acres said this is a safety issue. The contractors that do this type of work every day has the correct equipment, and are familiar with how the affected Ash trees react when being cut down.

Ms. Haggard said she agrees that it is a safety issue, but also agrees with Mr. Arquiett that we should have more information from the union and highway workers.

Resolution No. 300-2022 carried by a roll call vote with twelve (12) yes votes, and three (3) no votes (Arquiett, Terminelli, and Haggard).

Finance Committee: 8-29-2022

RESOLUTION NO. 301-2022

**MODIFYING THE 2022 BUDGET FOR THE COUNTY ADMINISTRATOR’S OFFICE FOR ADVERTISING EXPENSES**

By Mr. Acres, Chair, Finance Committee

**WHEREAS**, traditionally newspapers have been designated on a rotational, annual basis by the Board of Legislators, and

**WHEREAS**, Resolution No. 65-2022 designated newspapers for various publication purposes for the year 2022 and transitioned from the rotational designation previously employed in favor of broadening advertising in an effort to reach all County citizens and businesses, and

**WHEREAS**, Resolution No. 138-2022 authorized the Treasurer to modify the 2022 Budget for advertising expenses in the County Administrator’s Office in the Purchasing Office for an additional \$4,500, and

**WHEREAS**, the Purchasing Office is required to advertise legal notices for certain County solicitations of bids and requests for proposals and total solicitations have nearly doubled when compared to the prior two years,

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Legislators authorizes the Treasurer to modify the 2022 Budget for advertising expenses in the County Administrator’s Office, as follows:

**DECREASE APPROPRIATIONS:**

B1019904 49700	B SPEC Contingency Account	\$7,000
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**INCREASE APPROPRIATIONS:**

BR013454 43005	PURCH Advertising Fees	\$7,000
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Mr. Acres moved to adopt Resolution No. 301-2022, seconded by Ms. Curran and Mr. Reagan, and carried unanimously by a roll call vote with fifteen (15) yes votes.

Finance Committee: 8-29-2022

RESOLUTION NO. 302-2022

**SETTING A DATE FOR A PUBLIC HEARING ON PROPOSED LOCAL LAW C (NO. \_) FOR THE YEAR 2022, “AUTHORIZING THE USE OF VIDEO OR SIMILAR SERVICE FOR REMOTE ATTENDANCE OF MEETINGS OF PUBLIC BODIES ACTING IN THE NAME OF ST. LAWRENCE COUNTY PURSUANT TO CHAPTER 1 OF THE LAWS OF 2022 FOR THE STATE OF NEW YORK”**

By Mr. Acres, Chair, Finance Committee

**WHEREAS**, in New York State the conduct of meetings of public bodies and governmental entities is governed by the Open Meetings Law, and

**WHEREAS**, when the Open Meetings Law was passed in 1976, the declared legislative intent stated that it is essential that public business be performed in an open and public manner and that the citizens be fully aware of and able to observe the performance of public officials with citizens having the right to attend and listen to the deliberations and decisions that go into the making of public policy, and

**WHEREAS**, on January 14, 2022, Governor Kathy Hochul signed into Law Chapter 1 of the Laws of 2022 amending Chapter 417 of the Laws of 2021 to authorize any public body (as that term is defined by § 102(2) of the OML) “to meet and take such action authorized by law without permitting in public in-person access to meetings and authorize such meetings to be held remotely by conference call or similar service, provided that the public has the ability to view or listen to such proceeding and that such meetings are recorded and later transcribed,” and

**WHEREAS**, as a threshold matter, the new law does not change or curtail what has always been required of public bodies complying with the Open Meetings Law; however, this law expands the ability of public bodies to meet using remote access technology, and

**WHEREAS**, the new Law requires that “public body may, in its discretion, use videoconferencing to conduct its meetings pursuant to the requirements of this article . . . where . . . the governing board of a county, city, town or village has adopted a local law, or a public body has adopted a resolution, or the senate and assembly have adopted a joint resolution, following a public hearing, authorizing the use of videoconferencing,”

**NOW, THEREFORE, BE IT RESOLVED** that a public hearing on proposed Local Law C (No. \_\_) for the Year 2022 will be held on Monday, October 3, 2022, at 5:45 p.m. in the Legislative Chambers.



**PROPOSED LOCAL LAW C (NO. \_\_\_) FOR THE YEAR 2022,  
“AUTHORIZING THE USE OF VIDEO OR SIMILAR SERVICE FOR REMOTE  
ATTENDANCE OF MEETINGS OF PUBLIC BODIES ACTING  
IN THE NAME OF ST. LAWRENCE COUNTY PURSUANT TO CHAPTER 1  
OF THE LAWS OF 2022 FOR THE STATE OF NEW YORK”**

**BE IT ENACTED** by the Board of Legislators of the County of St. Lawrence as follows:

Section 1.     **PURPOSE AND SCOPE**

A. The people’s right to witness and observe the governmental decision-making process in action is basic to our society. Access to public portions of meetings of public bodies must be protected and maintained.

B. We adopt these guidelines in order to provide direction concerning the procedures by which public meetings of this public body may be photographed, recorded and broadcast.

Section 2.     **RECORDING AND BROADCASTING PUBLIC PORTIONS OF MEETINGS**

A. The public portion of any meeting of a public body may be photographed, recorded and broadcast.

B. A public body may adopt reasonable rules governing the location of equipment and personnel used to photograph, record or broadcast the public portion of a meeting in order to ensure that the use of such equipment does not detract from or interfere with the deliberative process.

C. There is no privacy interest in statements made during public portions of meetings of public bodies. Distaste or embarrassment shall not constitute a basis for prohibiting or limiting the photographing, recording or broadcasting of those present at a meeting.

Section 3.     **RULES FOR RECORDING AND BROADCASTING PUBLIC PORTIONS OF MEETINGS**

A. Operation of equipment to photograph, record or broadcast a meeting is permitted unless it is obtrusive, disruptive, or interferes with the deliberative process or the right of persons in attendance to observe or listen to the proceedings.

B. Use of equipment necessary to photograph, record or broadcast is permitted without notice to or express permission from the public body or those in attendance at the meeting.

C. Use of equipment necessary to photograph, record or broadcast is permitted in a supervised or unsupervised manner.

D. Use of special lighting or large equipment necessary to photograph, record or broadcast a meeting is permitted unless it is obtrusive or disruptive.

E. Personnel who operate equipment necessary to photograph, record and/or broadcast a meeting shall be permitted to move about the room, as long as such movement does not disrupt or interfere with the deliberative process.

F. Use of equipment necessary to photograph, record and/or broadcast a meeting shall not be limited to a location from which such equipment is not reasonably capable of photographing, recording and/or broadcasting.

G. Persons operating equipment necessary to photograph, record and/or broadcast shall be given a reasonable opportunity to modify their actions in order to avoid interference with the deliberative process.

Section 4. PUBLIC NOTICE

These rules governing the operation of equipment necessary to photograph, record or broadcast a meeting shall be posted in a designated location. Written copies of such rules shall be provided upon request, free of charge, to those in attendance at or who seek to attend a meeting.

Section 5. SEVERABILITY

If any provision of these guidelines or the application thereof to any person or circumstances is adjudged invalid by a court of competent jurisdiction, such judgment shall not affect or impair the validity of the other provisions of these regulations or the application thereof to other persons and circumstances.

Section 6. EFFECTIVE DATE

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

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Mr. Acres moved to adopt Resolution No. 302-2022, seconded by Mr. Smithers, and carried unanimously by a voice vote with fifteen (15) yes votes.

September 12, 2022

Finance Committee: 8-29-2022

RESOLUTION NO. 303-2022

**AUTHORIZING THE CREATION OF A SHERIFF'S MARKED VEHICLE RESERVE  
FOR THE PURPOSE OF ENSURING THAT ST. LAWRENCE COUNTY  
PATROL VEHICLES ARE REPLACED ON A SCHEDULE THAT  
ENSURES PUBLIC AND OFFICER SAFETY**

By Mr. Acres, Chair, Finance Committee

**WHEREAS**, in 2018 the County began to change its fiscal approach with goals of improving the fiscal health and stabilizing the finances, this included a number of strategies one of which was creating reserves and a commitment by the County Administrator to fund them annually with approval of the Board of Legislators, and

**WHEREAS**, this strategy provided for the initial creation of two reserves (Capital Reserve and Employee Benefit Accrued Liability) in 2018 and more recently (2019) a Self-Insurance and (2022) a Blighted Properties reserve, and

**WHEREAS**, each reserve that the Board of Legislators has created with a specific purpose and function in mind has been funded on an annual basis to ensure continued fiscal stability for the County, and

**WHEREAS**, at this time, a reserve is recommended for the replacement of Sheriff's marked patrol vehicles titled Sheriff Marked Vehicle Reserve (01TG0899 50300 SHV) to ensure that a schedule is created and followed for both public and officer safety, and

**WHEREAS**, since 2008, the County transitioned to a model of leasing fleet vehicles for staff to utilize, however the leasing of marked patrol vehicles was unsuccessful due to the impact of daily activities on the residual value of patrol vehicles, and

**WHEREAS**, it is also recommended that the auction proceeds from Sheriff's vehicles would be directed into the reserve annually as well,

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Legislators authorizes the creation of a Sheriff's Marked Vehicle Reserve for the purpose of ensuring that St. Lawrence County marked patrol vehicles are replaced on a schedule that ensures public and officer safety, and

**BE IT FURTHER RESOLVED** that the initial investment in this reserve will be \$200,000 and will be funded through the results of 2022.

\*\*\*

Mr. Acres moved to adopt Resolution No. 303-2022, seconded by Mr. Lightfoot and Mr. Forsythe.

Mr. Acres said he applauds the County Administrator and Sheriff for creating this reserve, as it make sense to keep investing in the County fleet.

Resolution No. 303-2022 carried unanimously by a voice vote with fifteen (15) yes votes.

RESOLUTION NO. 304-2022

**AUTHORIZING FILLING OF VACANCIES**

By Mr. Fay, District 9 and Ms. Fiacco, District 11

**WHEREAS**, Resolution Nos. 281-2008 and 198-2011 implemented a non-essential hiring freeze and created a thirty day delay of filling positions and implemented emergency measures that provided an exception for positions completely funded by an outside source to be filled, respectively in response to the fiscal challenges faced by the County, and

**WHEREAS**, Resolution No. 222-2015 that affirmed the 2008 hiring freeze and extended the standard delay for filling vacancies to 60 days, and Resolution No. 226-2015 reinstated the Vacancy Review Committee to be inclusive of Legislators and staff to return recommendations for filling vacancies going forward, and

**WHEREAS**, Resolution No. 369-2019 and Resolution No. 253-2020 authorized the continuance of the current vacancy review process with a recommendation that the vacancies continue to be deliberated at each jurisdictional committee, but one resolution be created for all approved positions to be considered at the Regular Board Meeting,

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Legislators authorizes the fill of each of the following vacancies which have been reviewed and recommended to be filled or created and filled by the Vacancy Review Committee:

<b>Department/Unit:</b>	<b>Title:</b>	<b>Position</b>	<b>Type</b>	<b>Duration</b>	<b>Timeline</b>
Public Health	Senior Account Clerk*	100200043	FT	Provisional	Immediate
Public Health	Community Health Nurse*	502000030	FT	Permanent	Immediate
Social Services	Homemaker	805000002	FT	Permanent	Immediate
Social Services	Homemaker*	805000006	FT	Permanent	Immediate
Planning	Planner II	400600003	FT	Provisional	Immediate
Sheriff	Correctional Officer	603000022	FT	Permanent	Immediate
Real Property	Coordinator of Real Property Tax Services III*	108400002	FT	Provisional	Immediate
County Attorney	Assistant County Attorney	021900006	FT	Permanent	Immediate
County Administrator	Custodian	303000007	FT	Permanent	Immediate
County Administrator	Custodian	303000009	FT	Permanent	Immediate
County Administrator	Custodian	303000015	FT	Permanent	Immediate

\*new position

**BE IT FURTHER RESOLVED** that Position No. 100400008, Account Clerk Typist, be abolished in Public Health, and Position No. 815000063, Caseworker, be abolished in Social Services, and

**BE IT FURTHER RESOLVED** that Position No. 108400002, Coordinator of Real Property Tax Services III, be abolished upon the retirement of the current Coordinator of Real Property Tax Services III, and

**BE IT FURTHER RESOLVED** that the appointing authorities are authorized to fill the positions as provided for in the resolution.

\*\*\*

Mr. Fay moved to adopt Resolution No. 304-2022, seconded by Mr. Burke, and carried unanimously by a voice vote with fifteen (15) yes votes.

**RESOLUTION NO. 305-2022 (TABLED)**

**ACCEPTING THE RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR  
REGARDING THE 2022 ANNUAL VACANCY REVIEW ANALYSIS  
INCLUDING RESCINDING RESOLUTION NO. 281-2008 AND  
AMENDING RESOLUTION NO. 304-2012**

By Mr. Sheridan, District 4

**WHEREAS**, the Vacancy Review Committee was reestablished in 2015 and has a membership consisting of two (2) Legislators (rotating each month), the County Administrator, Human Resources Director, Assistant Administrator, and Payroll Staff, and since that time vacancies have been presented to that committee with the Board of Legislators receiving recommendations on a monthly basis, and

**WHEREAS**, this has been a successful process and through recommendations of the Committee a number of strategies have been employed over the years to assist the County in filling and/or delaying the fill of positions, utilizing vacancies to appreciate savings, and only creating positions when others have been abolished, and

**WHEREAS**, annually, the County Administrator has been presenting an analysis to the Board of Legislators that captures the policy of the Board of Legislators has been fulfilled and alternatively presenting recommendations when a change in policy managing positions would be in the best interest of the County, and

**WHEREAS**, this year, as a part of the review there are six (6) recommendations made to the Board of Legislators as a result of reviewing the challenges in the ability to retain existing talented staff, fill positions, and recruiting talented staff in the future,

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Legislators accepts the recommendations of the County Administrator regarding the 2022 Annual Vacancy Review Analysis and grants authorization for the following:

- Rescind Resolution No. 281-2008 - this action would officially end the hiring freeze established in 2008;

- Amend Resolution No. 304-2012 - to strike the last “Be It Further Resolved that any future salary increases will be applied to the schedule on an alternating percentage and lump sum basis.” I would recommend this action be stricken and return to allow the provision of the percentage to be applied annually as authorized in Resolution No. 78-2000;
- Commission a Compensation Study to be prepared by an outside organization through an RFP/RFQ Process initiated by the County Administrator of County employees to include; Management/Confidential, CSEA, and all additional active titles;
- Negotiate with the Unions for a Memorandum of Agreement to improve the existing benefit known as ‘vacation buy back’ to increase access which would provide for employees to utilize this benefit without taking the mandatory required five (5) consecutive days off, instead include two requirements: (1) maintain a minimum balance of 100 hours, and (2) it must be taken in the increments that the employee works (35 or 40 hours), without a limit on annual access;
- Continue the practice and amend the 2021 recommendation of allowing temporary positions at the discretion of the County Administrator to assist with operational needs and allow part-time management/confidential staff to access benefits and pro-rated accruals;
- Continue the practice and amend the 2021 recommendation for planning for the transition in key roles that require a substantial training period that are allowed to overlap once notice of retirement/resignation has been officially provided, and allow the positions that are created for the purpose stated in the 2021 recommendation to have benefits and accruals upon original hire date, and

**BE IT FURTHER RESOLVED** that the recommendations be implemented upon adoption of this resolution and the adjustment to the benefit be implemented upon successful negotiation with the Unions impacted by this change.

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Mr. Denesha moved to adopt Resolution No. 305-2022, seconded by Mr. Arquiatt.

Mr. Forsythe moved to table this resolution to the November Finance Committee Meeting, seconded by Ms. Curran, and carried by a voice vote with thirteen (13) yes votes, and two (2) no votes (Haggard and Burke).

RESOLUTION NO. 306-2022

**IN OPPOSITION OF THE RECENTLY ENACTED “CONCEALED CARRY IMPROVEMENT ACT” AND AUTHORIZING THE COUNTY ATTORNEY TO EXPLORE OPTIONS FOR LEGAL CHALLENGES**

By Ms. Curran, District 15 and Mr. Sheridan, District 4  
Co-Sponsored by Mr. Reagen, District 1; Mr. Lightfoot, District 3; Mr. Smithers, District 5;  
Mr. Denesha, District 6; Mr. Perkins, District 7; Mr. Acres, District 8;  
and Mr. Arquiett, District 13

**WHEREAS**, in 2008, the Supreme Court of the United States issued the landmark ruling in *District of Columbia v. Heller*, announcing the Second Amendment protects an individual right to possess a firearm unconnected with service in a militia, and to use that arm for traditionally lawful purposes, such as self-defense within the home, and

**WHEREAS**, the *Heller* Court held that the individual right to bear arms, as codified in the Constitution, was a pre-existent right, not dependent on permission from the government, as that right, through codification, “shall not be infringed,” and

**WHEREAS**, despite the clear language of *Heller* and contemporaneous decision in *McDonald v. City of Chicago, Illinois*, states such as New York continued to require its citizens to apply for permission to possess a pistol, rather than start from the operative clause presumption, that the right is fundamental and individual, and may not be restricted in that fashion, and

**WHEREAS**, in 2019, the Board of Legislators supported the efforts of the State of Louisiana and seventeen (17) other states who filed amicus seeking to challenge provisions of the pistol licensing statutes in New York State through the legal action of the *New York State Rifle and Pistol Association, Inc. et. al. v. City of New York, State of New York et. al.*, and

**WHEREAS**, during the pendency of *NYSRPA v. NYC*, New York State modified the law to permit homeowners who had a premises, license to carry to and from their second homes, rendering the legal action moot but leaving the ultimate issue as to the constitutionality of the New York State pistol licensing statutes unresolved, and

**WHEREAS**, the Board of Legislators directed the County Attorney to remain apprised of any further opportunities to challenge the pistol licensing scheme, whether through legislative change or litigation, that were to arise following the conclusion of *NYSRPA v. NYC*, and

**WHEREAS**, pursuant to that direction, the County Attorney, as a member of the United States Supreme Court Bar, reviewed the briefs filed in the matter of *New York State Rifle and Pistol Association, Inc. et. al. v. Kevin P. Bruen, In his Official Capacity as Superintendent of the New York State Police et. al (hereinafter referred to as ‘Bruen’)* pending before the United States Supreme Court and recommended the Board of Legislators join the efforts in support of the amicus filed by numerous states in opposition to the legal position of New York State on pistol licensure, and

**WHEREAS**, the Board of Legislators passed Resolution No. 256-2021 adopting the arguments of the State of Arizona and sixteen (16) other states opposed to the New York State licensure requirement in amicus filed in the United States Supreme Court pertaining to the *Bruen* litigation, and

**WHEREAS**, on June 23, 2022, the United States Supreme Court issued its decision in *Bruen*, striking down the New York State ‘proper cause’ requirements for the issuance of a pistol license, and

**WHEREAS**, building on *District of Columbia v. Heller* and the decision in *McDonald v. City of Chicago, Illinois*, the United States Supreme Court ruled in *Bruen* that the Second Amendment’s protection of “the right to keep and bear arms” extends to individual self-defense outside the home, and

**WHEREAS**, while that may seem obvious and uncontroversial given the text of “to bear arms,” some lower courts, specifically in New York State, provided limited constitutional protections to the right by effectively treating it as a privilege - the en banc Ninth Circuit Court of Appeals even going so far as to hold that there is no right to carry arms outside the home at all, and

**WHEREAS**, *Bruen* further held that the ability of an individual to obtain a carry license cannot be conditioned on his or her ability to convince a government official that he or she faces some “special need for armed self-defense” which is different from the defense needs of the general populace, and

**WHEREAS**, New York State had denied the Second Amendment right to carry to the majority of its citizens by applying an amorphous, discretionary test requiring the applicant to show a special need to carry a firearm, and

**WHEREAS**, the *Bruen*, *Heller*, and *McDonald* holdings alone would go far to overcome the treatment of the Second Amendment as a “disfavored right” and “constitutional orphan” by the lower courts, and

**WHEREAS**, at a stroke, the Court invalidated the outlier “may-issue” approach and effectively required them to replace those restrictive regimes with “shall-issue” systems, and

**WHEREAS**, in response to the *Bruen* decision, the New York State Legislature and Governor Kathy Hochul concluded a two-day extraordinary session on July 1, 2022 that led to Governor Hochul signing the “Concealed Carry Improvement Act” so titled by its proponents, and

**WHEREAS**, New York State immediately moved to circumvent the decision to deprive its citizens of any effective right to self-defense in public in one major way, by exponentially expanding the places [“Sensitive places”] in which a person with a valid license cannot carry a firearm for self-defense, and



**WHEREAS**, “Sensitive places” is a euphemism for government-created gun free zones despite the Court in *Bruen* recognizing there were relatively few sensitive places during the 18th and 19th centuries where carry could be altogether prohibited, and

**WHEREAS**, the Court pointed to only three specific, historically supported, government-related locations where firearms were restricted: “legislative assemblies, polling places, and courthouses,” yet New York has enacted a law taking things much further than the government-specific locations identified by the Court, and

**WHEREAS**, two days after the *Bruen* decision, the United States Supreme Court reversed and remand four other cases involving the Second Amendment; these four cases involving high capacity magazine bans, semi-automatic weapon restrictions, and restrictions similar to those of New York, and

**WHEREAS**, the decisions called into question the entire pistol restriction regime in New York State, including the SAFE Act as well as identifying exactly what the State of New York could not do and yet New York State engaged in the very conduct prohibited by the decision of the United States Supreme Court, and

**WHEREAS**, the Concealed Carry Improvement Act includes alarming provisions that flout the recent United States Supreme Court precedent by requiring concealed carry permit applicants to display good moral character; subject their social media accounts for review; submit to in-person interviews with law enforcement; provide four character references; undergo 18 hours of combined training, an increase from the existing four-hour requirement; and recertify every three (3) years instead of the prior recertification period of every five (5) years, and

**WHEREAS**, the actions of the State of New York in not only refusing to abide by the decision of the Supreme Court but in actively seeking to reject it by passing a set of laws clearly in opposition to the rulings, challenges the constitutional authority of one of the three primary branches of federal government and poses a significant constitutional crisis not regularly seen in the United States, and

**WHEREAS**, the Second Amendment to the United States Constitution, adopted in 1791 as part of the Bill of Rights, protects the inalienable and individual right of the people to keep and bear arms, and

**WHEREAS**, since 2015, the Board of Legislators has passed a local law adopting the arguments of two Supreme Court amicus brief, and has passed several resolutions supporting the fundamental and individual right to bear arms under the Second Amendment of the United States Constitution, and

**WHEREAS**, the Board of Legislators is aware of at least seven lawsuits filed around the State of New York, both in federal court and state court, challenging the Concealed Carry Improvement Act, and

**WHEREAS**, the various lawsuits present numerous opportunities for St. Lawrence County to either join pending litigation or commence its own challenging the various provisions of the Concealed Carry Improvement Act,

**NOW, THEREFORE, BE IT RESOLVED** the Board of Legislators expresses its profound opposition to the Concealed Carry Improvement Act and asserts that it is an unconstitutional enactment in direct contravention of the United States Supreme Court ruling in *NYSRPA v. Bruen et al.*, and

**BE IT FURTHER RESOLVED** the Board of Legislators directs the County Attorney to review the legal challenges filed against the Concealed Carry Improvement Act and make recommendations to the Board of Legislators as to whether the County may join legal process in opposition to the Act, and

**BE IT FURTHER RESOLVED** that should the County Attorney determine that joining a suit or commencing a suit in the name of St. Lawrence County is appropriate, the County Attorney may do so in the name of St. Lawrence County to assert the 1<sup>st</sup>, 2<sup>nd</sup>, 4<sup>th</sup>, and 14<sup>th</sup> Amendment rights of its citizens, upon approval of the Board of Legislators, and

**BE IT FURTHER RESOLVED**, that should the County Attorney determine that additional legal partners would enhance or strengthen the arguments that could be put forth, the County Attorney is authorized to secure support and commitments from those parties to assist in this endeavor, and

**BE IT FURTHER RESOLVED** that certified copies of this resolution be forwarded to Governor Kathy Hochul; Senator Joseph Griffo; Senator Patricia Ritchie; Senator Dan Stec; Assemblyman Ken Blankenbush; Assemblyman Billy Jones; Assemblyman Robert Smullen; and Assemblyman Mark Walczyk.

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Ms. Curran moved to adopt Resolution No. 306-2022, seconded by Mr. Forsythe and Mr. Smithers.

Mr. Arquiett, Mr. Smithers, Mr. Denesha, Mr. Reagen, Mr. Acres, and Mr. Perkins asked to be added as co-sponsors to this resolution. Mr. Lightfoot later called to ask to be added as a co-sponsor to this resolution.

Ms. Haggard said she supports the constitution, but will not be supporting this resolution as written.

Mr. Burke said he supports the essence of the resolution, but the second and third “be it further resolved” contradicts one another. Mr. Burke asked if the County Attorney could be recognized to give further clarification of the resolution.

Mr. Acres said he has full confidence that the County Attorney will seek the approval of the Board of Legislators when acting on this resolution.

Ms. Terminelli said she too agrees that Mr. Button as the County Attorney will seek the approval of this Board regarding this situation, but reminds everyone that the Board who sits here today may not be the Board who sits here tomorrow, and the meaning of the resolution needs to be clear as the county attorney may change over time, as well.

Ms. Terminelli moved to amend the resolution by removing the second “be it further resolved,” seconded by Mr. Burke.

Mr. Acres said he will not support the amendment.

Amendment failed by a voice vote with eleven (11) no votes, and four (4) yes votes (Terminelli, Burke, Haggard, and Fiacco).

Mr. Lightfoot moved to amend the resolution to add “upon approval of the Board of Legislator” to the second be it further resolved, seconded by Mr. Acres, and carried unanimously by a voice vote with fifteen (15) yes votes.

Mr. Arquiett called the question, seconded by Mr. Lightfoot, and carried unanimously by a voice vote with fifteen (15) yes votes.

Resolution No. 306-2022 was adopted by a voice vote with fourteen (14) yes votes, and one (1) no vote (Haggard).

#### **COUNTY ADMINISTRATOR’S REPORT:**

Ms. Doyle congratulated the Sheriff and Civil Division for obtaining accreditation in the Civil Office. She also thank the County Historian for bringing the oath of office from the first Sheriff of St. Lawrence County.

Ms. Doyle said she was thankful for all who came to the dedication ceremony of the park bench in the memory of past County Clerk, Mary Lou Rupp.

Ms. Doyle reported on four (4) transfer of funds: \$0.32 and \$0.41 related to closing out grants in the Sheriff Office and Emergency Services. \$100 for additional advertising and \$3,528 for frames and training in the County Administrator’s Office.

A resolution was adopted this evening setting a date for a public hearing on the adoption of a local law pertaining to remote meeting. The current State of Emergency regarding remote meetings is due to expire today, and at this time no extension has been provided.

A contract with Allpaid will allow for electronic sign-up and payment for civil service exams, and this should be live on the County Website by October 1, 2022.

There has been an Request for Proposal (RFP) for agenda management software and equipment for the Board of Legislators in the hopes that the Board can begin 2023 with a new software management system and equipment that is user friendly and reliable.

The County Administrator said she will be displaying artwork in her office of an art contest held by the staff of the Department of Social Services. She invited Legislators to view the one displayed today, along with the information about the artist. The artwork will be changed periodically.

Ms. Doyle said the Budget Team is still working on the 2023 tentative budget.

Ms. Doyle said there are delays beyond the control of an employee in filling vacancies as exams are not being held and results of exams are being returned in a timely manner, and she requested these positions be filled without going through the vacancy process if there is not permanency in the position even past one year.

**OLD/NEW BUSINESS:** Ms. Haggard said she would like clarification on the process of the County hiring a consultant regarding Emergency Services management in St. Lawrence County. Ms. Doyle said information has been compiled during the latter part of 2021, and that information will come back to the Emergency Services Advisory Board and the Board of Legislators with an explanation of the feedback received.

Mr. Forsythe said the City of Ogdensburg has paid the remaining balance of the twenty (20) year outstanding debt to the County as agreed upon.

Mr. Reagen said he has had many calls from individuals regarding how the new Concealed Carry Legislation affects historic reenactment events. He will bring a resolution forward at an upcoming committee meeting requesting clarification from the Governor.

Mr. Acres said he wanted to compliment the Ogdensburg Mayor and Comptroller for paying off debt owed to the County. This debt had occurred beginning in 2003 under previous mayors Bill Nelson and Wayne Ashley.

Mr. Arquiett said he wanted to announce that lifelong volunteer fireman, Frank Burns, passed away at the age of 73.

**COMMITTEE REPORTS:** There were no committee reports.

Mr. Smithers moved to go to Executive Session at 8:13 p.m., to discuss litigation, negotiations, personnel, and appointments, seconded by Mr. Lightfoot, and carried unanimously by a voice vote with fifteen (15) yes votes.

## **EXECUTIVE SESSION**

Mr. Denesha moved to go to Open Session at 9:10 p.m., seconded by Mr. Arquiett, and carried unanimously by a voice vote with fifteen (15) yes votes.

Ms. Curran moved to appoint the following individual to the Environmental Management Council (Term to expire: 9-12-2024), seconded by Mr. Lightfoot, and carried unanimously by a voice vote with fifteen (15) yes votes:

Sean Cunningham, 962 Cold Brook Drive, Colton 13625

Ms. Curran moved to reappoint the following individual to the Environmental Management Council (Term to expire: 7-11-2024), seconded by Mr. Lightfoot, and carried unanimously by a voice vote with fifteen (15) yes votes:

Richard Marshall, 3 Elm Circle, Massena 13662

Mr. Acres moved to appointment the following individual to the Soil & Water Conservation District Board of Directors (Term to expire: 8-1-2025), seconded by Mr. Forsythe and Mr. Reagen, and carried unanimously by a voice vote with fifteen (15) yes votes:

Kaitlyn Kulp, 3312 US Highway 11, DeKalb Junction 13630

Mr. Acres moved to appoint the following individual to the Recreational Trails Advisory Board (Term to expire: 8-1-2025), seconded by Mr. Forsythe and Mr. Reagen, and carried unanimously by a voice vote with fifteen (15) yes votes:

Francis L. Anson, 127 County Route 15, DeKalb Junction 13630

Mr. Acres moved to reappointment the following individual to the St. Lawrence County Industrial Development Agency (Term to expire: 9-9-2025), seconded by Mr. Forsythe and Mr. Reagen, and carried unanimously by a voice vote with fifteen (15) yes votes:

Andrew J. McMahon, P.E., 60 Westwood Drive, Massena 13662

**CHAIR'S APPOINTMENTS:** There were no Chair's appointments.

**ADJOURNMENT:** Chair Sheridan adjourned the September Full Board Meeting at 9:12 p.m., as there was no further business.